

**REVENUE SURVEY (INDIA).**

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RETURN to an Order of the Honourable The House of Commons,  
dated 22 July 1853:—for,

A SELECTION “ of PAPERS illustrative of the Character and Results of the  
REVENUE SURVEY and ASSESSMENT which has been introduced into  
the North-West Provinces of the BENGAL PRESIDENCY, since the Year  
1833 :”

“ And, similar RETURN as to the PRESIDENCY of BOMBAY.”

East India House, }  
10 August 1853. }

JAMES C. MELVILL.

(Mr. Lucas.)

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Ordered, by The House of Commons, to be Printed,  
20 August 1853.

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Examiner's Office, East India House, }  
10 August 1853.

T. L. Peacock,  
Examiner of India Correspondence.

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A SELECTION of PAPERS illustrative of the Character and Results of the REVENUE SURVEY and ASSESSMENT which has been introduced into the North-West Provinces of the BENGAL PRESIDENCY, since the Year 1833; and, similar Return as to the PRESIDENCY of BOMBAY.

I.

DIRECTIONS for REVENUE OFFICERS in the North-Western Provinces of the BENGAL PRESIDENCY, regarding the Settlement and Collection of the LAND REVENUE, and the other Duties connected therewith; promulgated under the Authority of the Honourable the Lieutenant-Governor. Agra, 1 November 1849.

PREFACE.

1. THIS work is designed, not for the information of the general reader, but for the direction of the public officer in the discharge of his duties. Hence the arrangement of the subjects and the style of the composition are more adapted to the exigencies of official duties than to the popular exposition of the subject.

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2. Officers employed in the civil administration of the country are guided in the performance of their duties by the Regulations and Acts of the Government in its legislative capacity; by the orders of the Government in its executive capacity; by the circular orders and constructions of the Sudder Dewanny Adawlut; by the circular orders of the Sudder Board of Revenue; and in certain matters by the orders of the Revenue Accountant and Civil Auditor.

3. The Regulations and Acts of the Supreme Government have the force of law. The constructions of the Sudder Dewanny Adawlut, under the powers legally vested in them, have also the force of law, and their circular orders on all points of judicial practice are issued independently of the Government, and are binding on the Civil Judges. The orders of the Government issued in their executive capacity, either directly by the Secretary to Government, or by the Sudder Board of Revenue, or the Accountant, or Civil Auditor, under the powers delegated to them for that purpose, are binding upon all revenue officers in points left unprovided for by the legislature. In some cases, also, where these orders bind down the Government to a certain course of procedure with reference to the rights of the people, they create an equitable claim against the Government and its officers, which may be enforced in a court of justice.

4. The object of the present work is to collect together from these different sources all that bears on the revenue administration of the North-Western Provinces; to arrange it methodically; and to place it authoritatively before the officers employed in the department, with such additional remarks and directions as may suffice to explain the mutual relation and dependence of the several parts of the system. In pursuance of this plan, it has been considered desirable to retain as much as possible the wording of the original orders, which are often quoted in the text, or thrown into foot-notes, or into the appendices. The Regulations and Acts, as well as the circular orders and constructions of the Sudder Dewanny Adawlut, are frequently indicated only by numerical references, because they have been repeatedly published, and are supposed to be in the hands of all public officers.

5. Some years ago the Sudder Board of Revenue made an important advance in this direction, by forming a compact digest of their own circular orders, and by printing and publishing them in a convenient 8vo. form. The whole of their

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orders up to that time were comprised in four numbers, entitled and dated as follows :

No. I.—On Settlements, pp. 136, dated April 9th, 1839.

No. II.—On the Realization of Revenue and Rent, pp. 102, dated January 3d, 1840.

No. III.—On Records and Registration, pp. 148, dated August 28th, 1840.

No. IV.—On Miscellaneous Subjects, pp. 175, dated May 4th, 1841.

6. These orders were clear and succinct, and were found to be of the greatest benefit in facilitating the transaction of public business. They were, however, in their nature incomplete; for they did not treat systematically the subjects to which they had reference, but were only a digest, under convenient heads of orders, which had from time to time been issued to meet exigencies as they arose. In process of time, also, some of the rules were abrogated or modified. When, therefore, a new edition of these circular orders was required, it was evident that extensive additions and modifications would be necessary to adapt them to the existing state of things, and it was ultimately determined to re-construct the whole in the present form, embodying in the work such of the orders as remained in force, or throwing them into the appendices.

7. The "Directions for Settlement Officers," and the two parts of the "Directions for Collectors of Land Revenue," were originally published separately, between 1844 and 1848. They are now collected into one volume, and republished with additions and corrections. But as the work is intended for official use, it has been considered best to retain the form and arrangement of the original works, even to the numbering of the paragraphs and of the appendices. It may be observed that the passages which have been altered from the first edition are included in brackets of this form ( ). Those passages which have been added are included in brackets of this form [ ]. The first two sections, or the first 126 paragraphs of the "Directions for Collectors," constituted the first part of that treatise, and were published in October 1846. The remainder, constituting Part II., was published in October 1848. The two have now been thrown together into one. The numbering of the paragraphs and appendices remains the same that it always was.

By order of the Honourable the Lieutenant-Governor,  
North-Western Provinces,

*J. Thornton,*

Agra, 1 November 1849.

Secy. to Govt. N. W. Provinces.

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REMARKS on the System of LAND REVENUE ADMINISTRATION prevalent in the  
North-Western Provinces of HINDOSTAN.

1. THE Land Revenue of India rests upon the principle that "by the ancient law of the country, the ruling power is entitled to a certain proportion of the annual produce of every beegah of land, excepting in cases in which that power shall have made a temporary or permanent alienation of its right to such proportion of the produce, or shall have agreed to receive, instead of that proportion, a specific sum annually, or for a term of years, or in perpetuity."\*

2. The mode in which the ruling power exercises this right constitutes the system of Revenue administration.

3. The characteristics of the system followed in the late settlement of the Land Revenue in the North-Western Provinces are the following:—

First. All the inhabited part of the country is divided into portions with fixed boundaries, called mehals or estates; on each mahal a sum is assessed for the term of 20 or 30 years, calculated so as to leave a fair surplus profit over and above the net produce of the land; and for the punctual payment of that sum, the land is held to be perpetually hypothecated to the Government.

Secondly.

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\* See Preamble to Regulation XXXI., 1803.

Secondly. It is determined who are the person or persons entitled to receive this surplus profit. The right thus determined is declared to be heritable and transferable, and the persons entitled to it are considered the proprietors of the land, from whom the engagements for the annual payment of the sum assessed by the Government on the mehal are taken.

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Thirdly. All the proprietors of a mehal are, severally and jointly, responsible in their persons and property for the payment of the sum assessed by the Government on the mehal. When there are more proprietors than one, it is determined according to what rule they shall share the profits, or make good the losses on the estate. If the proprietors are numerous, engagements are only taken from a few of the body, who on their own parts and as representatives of the rest undertake to manage the mehal, and to pay the sum assessed upon it.

4. Each of these characteristics calls for separate explanatory remarks.

5. First. The division of the land into mehals or estates.\*—The primary division of the land is into mouzahs or townships, each of which has a distinct name and known limits, which are shown in a separate map furnished for each mouzah by the revenue surveyor. Commonly a mouzah constitutes a distinct mehal, which is assessed at a certain sum, but this is not necessarily the case. A mehal, constituting all the land contracted for in one engagement or lease, may consist of two or more mouzahs or parts of mouzahs, or may be only a portion of one mouzah. Provision is made for the union or division of mehals according to the wish of the proprietors, so that the number of mehals is always changing, whilst the number of mouzahs remains the same.

6. Each mehal is hypothecated to the Government for the sum assessed upon it. If the person or persons who have engaged to pay this sum fail to make good their engagement, the Government have the power to appropriate to themselves the whole of the net produce or rent,† or they may sell or farm the proprietors' rights in the estate. It follows that all over-assessed estates, which possess no marketable value, are almost sure to be thrown on the hands of the Government, when it becomes necessary either to reduce the assessment or to improve the productive powers of the land, so as to make it able to pay the sum originally assessed upon it.

7. Secondly. The recognition of a proprietary right in the land.—It is needless to inquire who theoretically is the owner of the soil. Undoubtedly traces are often to be found of the existence and exercise of a proprietary right in the land on the part of individuals; but so long as the Sovereign was entitled to a portion of the produce of all land, and there was no fixed limit to that portion, practically the Sovereign was so far owner of the land as to be able to exclude all other persons from enjoying any portion of the net produce. The first step, therefore, towards the creation of a private proprietary right in the land was to place such a limit on the demand of the Government as would leave to the proprietors a profit, which would constitute a valuable property. This is effected by providing that the assessment shall be a moderate portion, say two-thirds of the net produce at the time of settlement, and that the proprietor should be allowed all the benefit from improved or extended cultivation, which he may be able to obtain during the currency of his lease.

8. But in order to ensure the improvement of the estates, which this proceeding is likely to encourage, it is not sufficient merely to leave a surplus. It must also be decided who is entitled to that surplus, and when there are several persons entitled to share in the surplus, it must be fixed how they are to share. Wherever also there is unappropriated culturable land, it must be determined who is entitled to bring it into cultivation, and on what terms. In order the more fully to explain the necessity for this operation, reference must be had to the

\* The definition of the terms mouzah and mehal is given in the "Directions for Settlement Officers," paras. 5 and 6. The usual English equivalent for a mouzah is "village," or more correctly "township," for it consists of the village site and the land cultivated and uncultivated attached to it, which may have hamlets or homesteads scattered over its surface. The English word estate, which is used in the Regulations (see clause 2, section 2, Regulation XLII., 1803), as the equivalent of mehal, signifies, not the property of one person, but the property held under one lease, whether by one person or by many. The interest of a sharer in a mehal is commonly called a property.

† By net produce or rent is meant the ryot or produce rent, paid by labourers, raising their wages from the soil.—See Jones' Essay on Rent, book I. chap. IV., p. 102 *et seq.*

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the course generally followed by a Native Government in assessing an estate, and in collecting from it the sum assessed.

9. Native Governments seldom recognize proprietary right as constituting a claim on the part of the proprietors to engage for the village at a fixed sum. Ordinarily the collections are made direct from the actual cultivators, either by the officer of Government, or by some farmer or assignee of the Government share of the produce.\* At the commencement of the agricultural year the cultivators are assembled, the extent of the cultivation ascertained, and the sum fixed, which is to be paid in the year, according to the customary rates. This process is effected in communication with the cultivators through their head or representative, who becomes responsible for collecting the sum according to the agreement made, and for paying it into the hands of the government officer or assignee. In such a case the consent of the Government to all transfers of land is generally considered necessary, and no new land can be brought into cultivation except under authority from the same source.

10. Here at first sight it would appear that there was no private proprietary right to the estate, and such may possibly be the case. It may be that the land which was originally waste and the property of the state was brought into cultivation by the efforts of the officer of the Government in charge of the district. He may have located the cultivators on the land at the expense of the Government, and he may have discharged from the public treasury all the expenses incident to the establishment of the village. In that case, the cultivators would be mere tenants at will, and the Government would be the proprietor of the mehal.

11. It may, however, be that the whole body of the cultivators may be possessed of rights which are quite independent of those of the Government. They may have acquired the estate by conquest in time of war, or by violence in time of civil commotion. They may have themselves reclaimed the land from a state of waste by their own labour, and at their own cost. They may have built the houses, dug the wells and planted the groves on the estate. They may have arranged amongst themselves for the cultivation of the land, and have mortgaged and sold it according to their own pleasure. The appropriation by the ruling power of a portion of the produce may have been supervenient to their own previously existent right of possession and management.

12. Closer inquiry will often show that these rights attach to only a portion of the whole body of cultivators. Some of the cultivators may be the descendants of the original founders or conquerors or grantees of the township. They or their ancestors may have dug the wells and planted the groves in the township, and invited settlers to aid them on certain terms in bringing the lands into cultivation. They may still hold their lands on lower rates than the others, they may receive dues from them, be entitled to all the spontaneous or manorial products of the soil, and may have a prior title to engage for the cultivation of the waste lands of the township. All or several of these or similar rights may entitle the class or classes which possess them to be considered proprietors, although they can scarcely be distinguished from the rest of the cultivators so far as regards the mode in which they are assessed, and pay their rent to the Government.

13. It may, however, be the case that the headman of the village, though a cultivator, and paying rent for his lands like the rest to the Government, is himself the possessor of rights of the nature described above, and is alone entitled to all the privileges which, under the British system, would accrue to a proprietor.

14. It may further happen that besides the cultivators occupying or possessing the land as above described, there may be some superior person, who from special grant of the ruling power, or from other cause, sanctioned by long prescription, is entitled to make the annual contract with the cultivators, to collect the amount from them, and to pay into the Government Treasury either a certain fixed sum, or the amount collected, after deducting a certain per-centage for himself.

15. It is evident from the above detail that there may be numerous claimants  
of

\* See a good account of a township, and the mode of collecting from it, in a paper regarding the township of Loony, near Poonah, in the Deccan, written by Dr. T. Coats in 1820.—Bombay Literary Transactions, vol. 3, pp. 172 to 264.

of a share in the proprietary rights, which, by the limitation of the Government demand to a fixed moderate sum for a long term of years, have acquired a value which they never before possessed. These rights may be quite independent of, and in fact superior to, those of the person with whom the Government contract was made, and who has thus become primarily responsible for the payment of the sum assessed on the village. It is not sufficient simply to fix the sum to be paid from the land, however moderate the demand may be, and to determine by whom it shall be paid. Such an operation in itself would be only the signal of strife and discord in the whole community. The several claimants would have recourse to violence or to legal stratagems to gain what they conceive to be their rights, instead of all uniting to improve the estate, and better their condition by labour and industry. It may be that the superior right, talents, wealth or influence of one or more of the number may overbear the rest, and induce acquiescence for the time in their claims, but unless there be some legal or authoritative declaration on the subject, strife is always likely to arise.

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16. Nor is it enough to leave such disputes to the decision of the ordinary courts of law, on the suit of the parties claiming the rights. The claimants are often ignorant people, scarcely sensible of the real change in their position which the new system of the Government has occasioned, and quite unable to place their claims in a light which can be understood. A plaintiff always is under a great disadvantage in going into an ordinary court of justice to prove a right which can only be established by obscure analogies. The *onus probandi* necessarily rests upon him, and if he fails in his proof he is in a worse case than before, though his antagonist may not be able to show equally good proof in support of the possession he has attained. When a person is unable himself to perceive and seize upon the advantage which is placed within his reach, he is likely for a time sullenly to acquiesce in the usurpation of another, and to wait some favourable opportunity for throwing off the yoke and asserting his right. He will hold what he has, and be on the constant watch to resist the exercise of the rights of the more successful rival, or to appropriate what may be advantageous to himself.

17. No legislative enactment can afford an effectual remedy to this state of things. The cases are so various that no declaration can be made in favour of any one class, however designated, without running the risk of great injustice to many. The utmost that can be done is to describe in general terms the most numerous classes of claimants and their rights, and to leave to tribunals specially constituted for the purpose the reference of individual claimants to one or other of the specified classes.

18. This has been the course followed in the North-Western Provinces. In Regulation VII. 1822, the tenures which most commonly occur are classified and described, and the revenue officer who, by imposing a limitation on the Government demand, has given a value to the property is empowered to determine who are entitled to enjoy that property. As, however, it is possible that, from the multiplicity and difficulty of the subjects which engage his attention, he may fall into error in the performance of this duty, any person who considers himself wronged by his decision is at liberty to separate his own case from the rest, and to sue in the Civil Courts to set aside the award of the revenue officer, and to obtain what he considers to be his right.

19. It may happen, and in some parts of the country it is not unfrequently the case, that there is no party entitled to claim the proprietary right. Under such a system as has been described to prevail in native states, it would not be surprising if all proprietary right were sometimes extinguished. In that event, all the cultivators would be reduced to the same level, holding from year to year at the pleasure of the ruling power, and the headman would be merely "*primus inter pares*," selected by the Government for his superior abilities or influence, and liable to be displaced at pleasure. The Government, however, has no desire to retain the proprietary right in its own hands, and in such cases commonly confers the right on any one who, by local influence or by successful exertion in the management of the township, may have a preferential claim to the indulgence. Sometimes the proprietary right is put up to competition at public auction, and is sold to the highest bidder. Neither of these courses should be ever followed without previous careful ascertainment that no existing rights of any kind connected with the possession or occupation of the land are hereby compromised.

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20. Thirdly. The joint responsibility of the co-parceners in an estate.—It is by no means an essential characteristic of the system that there should be more than one proprietor of an estate. The estates may be of any size; they may even be no larger than what in the Madras or Bombay Presidency are called fields. It is, moreover, in the option of any co-parcener in a joint estate to obtain a separation of his interest from that of the rest, and to form his property into a distinct mehal or estate, of which he will be the sole proprietor. Ordinarily, however, in the North-Western Provinces, the estates are large, and held by more than one proprietor, and often by a large community of cultivating proprietors. This is a peculiar feature of the existing tenures in land; and it is no small recommendation of the system that it is able so completely to adapt itself to this state of things as to maintain unimpaired the ancient form and character of the tenure, under circumstances very different from those which existed when the usage first arose.

21. The peculiar form and constitution of the village communities in India have been often described.\* In the North-Western Provinces they were found on our first acquisition of the country to exist in great numbers, and in full possession of their privileges. They were well calculated to resist the violence to which they had formerly been exposed, and it became of some importance so to adapt our own institutions to their peculiar framework as to admit of the continued free exercise of their functions. This has been effected by allowing the village communities to engage with the Government through their elected representatives, and by requiring and encouraging them to place on record a full detail of all their peculiar customs, with a register of the rights possessed by each. All the members are considered severally and jointly responsible for the entire sum assessed upon the estate. So long as this sum is punctually paid, they are perfectly free to manage their own affairs; and if they conduct themselves peaceably, there is no reason why any officer of the Government should interfere with them.

22. But if they fall into arrears from any cause, such as misfortune of season, quarrels amongst themselves, or the like, the collector is then able, after consulting the record of rights and liabilities in the village, to come to a satisfactory conclusion as to the cause of default, the persons who have occasioned the default, and the best mode of recovering the arrear due. It is his duty to effect this so as least to disturb the mutual relations of the several members of the community, and so as to produce the greatest possible combined effort for the payment of the amount. In attempting this, he will be materially aided by the firm conviction on the minds of all, that the whole brotherhood are likely to be affected by the misfortune or misconduct of one of their number. They will be the more disposed to assist any member of the community when in distress, to restrain him, when inclined to be turbulent or improvident, and to expel him from amongst them, when they find him to be incorrigible, and to take on themselves the duties and liabilities which he failed to discharge.

23. These are no new functions which the members of the community are required to perform. Self-government was before forced on them by the absence of all law, and for purposes of self-preservation. It is now most important that the law be so administered as to continue their habits of self-government, and only to interpose for their control or punishment when they are incompetent to manage their own affairs. Now, as formerly, a distracted or ill-disposed community will occasionally fall into disorder and be ruined; but the means are open to all, by thrifty and industrious habits, to maintain the free exercise of their cherished institutions, and to secure to themselves all the benefits which the combined efforts of a united brotherhood are well-calculated to produce.

24. An attempt has thus been made to point out the leading characteristics of the system, which is minutely described in the following pages. It has been called the Mouzahwar system, but perhaps Mehalwar would be a more correct term. A few observations will be added on its general working and effects.

25. The system can be introduced into any part of the country, and adapted to the existing state of property, whatever that may be. One of its chief features is, that it professes to alter nothing, but only to maintain and place on record what it finds to exist. Rights which are held undisputed are confirmed; those which

\* See Elphinstone's History of India, vol. I., chap. 2, page 121.

which are ambiguous are defined and rendered certain; those which are contested are authoritatively fixed and placed in the possession of the party which is considered best entitled. This operation is undoubtedly a very difficult one, and it is one in which error may be committed and injustice done, but it is one which is essential to the security of the property, which it is the chief object of the system to create. Those to whom is entrusted the civil administration of the country must provide for its careful performance; and there can be little doubt that in the lapse of time, when the people themselves understand and appreciate its benefits, it may be brought to a degree of accuracy and completeness which seems at present almost unattainable.

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26. Caution must be used in the introduction of this, as of any other new measure, into a part of the country where it has not hitherto prevailed. The nature and value of the rights which it confers will at first be little understood; the responsibilities which it imposes will not be fully felt, and the severe penalties attaching to a breach of the obligations which it imposes will not be comprehended. Some time must elapse before its effects can be felt in developing the resources of the country, and stimulating the industry of the people. It may be well to commence with short leases, for three, five or ten years, till confidence is felt in the Government, and till the people become accustomed to the mode of procedure.

27. The feature of the system, which is least understood by the people of India, and yet which is essential to the attainment of the objects it contemplates, is the compulsory alienation of landed property, either in satisfaction of a private debt under the orders of a Civil Court, or in liquidation of the demand of Government in virtue of the lien possessed by the Government upon the land. Abstractedly considered, this is the just and necessary result of the definite property in land which is created by the system, but it is a process unknown to the Native Governments from the very absence of all recognition of fixed rights. Voluntary transfers of land were known under Native Governments, but compulsory sales of land could not take place, because they would have implied a pledge on the part of the Government which was never given, or a confidence in its moderation which was never felt. But there is no necessity for the immediate or peremptory enforcement of this process. Careful discrimination and much forbearance should be shown, till gradually the people are brought to feel that the preservation of their much-cherished interest in the soil depends on their own thriftiness and industry.

28. The system is evidently one which is not calculated to yield the largest amount of land revenue. It cannot be introduced into a highly-cultivated and fully-peopled country, which had been administered according to the native or any other similar method of Ryotwar management, without an apparent immediate diminution of the Government demand on account of land revenue. The compensation for this would be sought in the increased prosperity of the people, and the consequent increase of the sources of indirect taxation; in the more complete control maintained over the persons employed in collecting the revenue; in the diminished cost of collection, and in the greater certainty of punctually realizing the sum actually assessed. On the other hand, wherever there is much waste land, and the country is poorly cultivated, and the population is scanty, it causes the rapid reclamation of the waste, and the increase of the population. A valuable property is thus created, from which in the course of time the state may derive a largely increased amount of land revenue.

29. The collection of the land revenue under this system will always require much judgment and discretion in effecting it. A certain and fixed rule of procedure cannot be prescribed, if it is desired to secure the full benefit which may be produced. As regards certain classes of tenures, a fixed course may be prescribed. Thus, for instance, in estates held by wealthy individual proprietors, who are not resident on the spot, it is better to abstain from all vexatious proceedings against the person or personal property, and to put up to sale the estate on which the arrear has occurred for the sum due from it. But as regards the generality of tenures no such rule can be laid down. When the land is minutely subdivided, and held by numerous cultivating proprietors, the greatest care is requisite. It may sometimes be prudent or necessary to suspend or remit the Government demand on the occurrence of disastrous seasons, and it will always be necessary to decide whether process should issue against the proprietary rights of the defaulter in the estate, or against his person or personal property, and



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whether the individual defaulter should be held alone responsible, or the joint responsibility of the whole community be enforced. These proceedings will often involve the exercise of functions which are essentially judicial, and will require promptitude, discrimination and temper for their successful conduct.

30. This evidently results from the diverse and complex nature of the tenures. The system adapts itself to all their forms, but in its operation must be used according to the particular requisitions of each case. The rights of the Government cannot be justly enforced without careful regard to all those peculiarities. The object has been to devise a scheme which shall meet the exigencies of each case, and not to bring all cases to one uniform standard, which might be treated by a fixed and simple course of procedure. In proportion as the tenures are uniform and simple, the mode of treating them may be simplified. It is impossible to say how far uniformity of tenure may hereafter prevail, and so produce simplicity of procedure, but if this is ever the case, it should arise from the free and spontaneous choice of the people, and should not be accomplished by the compulsory operation of laws, unsuited to the existing state of property.

Simlah, 25 August 1849.

J. Thomason.

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DIRECTIONS for SETTLEMENT OFFICERS.

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## DIRECTIONS for SETTLEMENT OFFICERS.

SECTION I.—*Introductory.*

1. Practically, in Indian Governments there is no other limit to the demand upon the land than the power of the Government to enforce payment, and the ability of the people to pay; thus the Government is in fact the landlord of the whole country. It is the true interest of the Government in this capacity to limit the demand to what is just, so as to create a valuable property in the land, and encourage its improvement. In order further to encourage this improvement it is necessary to determine the persons to whom all the benefits belong, which arise out of the limitation of the demand on the land. To perform these operations is to make a settlement. Under ordinary circumstances, the prosperity of the country depends on this being justly and perfectly done. The object of the present rules is to point out how it should be done.

2. There are evidently two distinct operations in the formation of a settlement. The one is fiscal; the determination of the Government demand: the other is judicial; the formation of the record of rights. Ordinarily the two operations are performed at the same time, and there are many reasons which render such an arrangement very desirable. But if from any cause the judicial part was omitted when the fiscal was performed, there is no reason why the former should not be subsequently carried into execution, without disturbing what had been previously done towards the latter.

3. In the present rules it will be supposed that both operations, the fiscal and the judicial, have to be carried out, and the several steps of the formation of a settlement will be treated in the order in which they should be taken.

First.—The Adjustment of Boundaries.

Second.—The Survey.

Third.—The Assessment.

Fourth.—The Record of Rights.

SECTION II.—*The Adjustment of Boundaries.*

4. The first step in the formation of a settlement is to lay down the boundaries of each mouzah or village.

5. A mouzah (commonly called a village) is a parcel or parcels of lands having a separate name in the revenue records and known limits.—(See hereafter, para. 38.)

6. A mehal\* or estate is any parcel or parcels of land which may be separately assessed with the public revenue, the whole property of the malgoozars in the mehal being held hypothecated to Government for the sum assessed upon it. The definition is introduced here only for the sake of distinction. The boundaries of each mouzah, not of each mehal, have to be marked off, or in other words, the survey should be mouzahwar, and not mehalwar.

7. On selecting a pergunnah for settlement, the first step should be to draw out a list of mouzahs, which are to be separately marked off and surveyed. This requires more care than may at first be supposed. The towfeer mouzahs should be excluded, and it should be decided in what cases separate properties in the same mouzah should be separately surveyed and formed into distinct mouzahs, and in what cases mouzahs constituting the same property may be surveyed together and formed into one new mouzah. When several mouzahs, the property of the same person, and held on the same title, lie together, it is better not to separate them, but to mark them off and survey them as one, giving to the whole circuit the name of the several constituent mouzahs: thus, mouzah Bowrooah Gurrooa means a new mouzah made up of the former separate mouzahs of Bowrooah and Gurrooa. The list should be drawn out in Oordoo, Hindee, and English, the arrangement being strictly according to the Oordoo alphabet, and the Oordoo being converted into English according to the annexed table (Appendix, No. I.) The names in English of the villages, having thus been once fixed, should be afterwards

Not printed.

\* See clause 2, section 2, Regulation XLII., 1803. Section 29, Regulation XI., 1822.

afterwards maintained both by the surveyor and the settlement officer. The boundaries of the village should be decided and marked off as nearly as can be according to this list, but some modifications of the list will be found necessary in the course of the work, and it is not till the boundaries of the pergunnahs have been determined, as hereafter explained in para. 44, that the list can be considered complete and finally fixed.

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8. The principles on which the boundaries should be laid down are the maintenance of possession where it is clear and undoubted, the determination of it where it is questioned, and the conferment of it where it is unascertainable.

9. The possession of cultivated land can never be unknown. The possession of uncultivated land is sometimes marked by the right to wells or houses, or the enjoyment of the fruits of the trees or spontaneous products of the earth; but these indications are often obscure. As a general rule, cultivated land should be marked off according to possession, and disputes only recognized in uncultivated land. Wherever \* the quantity of waste uncultivated land is very large, and no title to it can be proved, it should be marked off separately, and declared the property of Government, to be disposed of as may be thought fit.

10. Care is requisite in admitting the existence of disputes. One man must not be allowed to disturb the undoubted possession of another. In such cases the claim should at once be negatived as beyond the jurisdiction of the settlement officer. Wherever possession is evidently doubtful, and a dispute is found to exist, the limits of the disputed tract must be first accurately defined.

11. A dispute having been found to exist, the contending parties should be allowed seven days to settle it, either by compromise or private arbitration, or in any other way they prefer. During that period every means should be used to bring them to an amicable arrangement.

12. At the expiration of the period of seven days, if the dispute remain undecided, resort must be had to compulsory adjudication in the following manner.

13. Every officer engaged in deciding boundaries shall have by him a list of respectable persons in the pergunnah, qualified to serve as arbitrators or assessors. "† Having taken from this list 15 or 20 persons of those residing in the vicinity, or whose attendance can easily be ensured, he shall summon them to his presence, and cause each name to be written on a slip of paper, and shall draw either three or five. As each name is drawn, the officer shall allow either party to object for sufficient cause assigned, as relationship, connexion, alliance, enmity, debt, &c., setting aside any one against whom sufficient cause may be shown, and recording the fact and reason in his proceeding. So soon as three or five unobjectionable assessors shall have been selected, the officer shall cause the statement and proofs adduced by the parties to be laid before them, and when the case has been gone through, shall require them to give their decision, which shall be determined by the award of the majority. The officer shall immediately, with the aid of the assessors, proceed to mark off the boundary according to the award, and shall then discharge the assessors."

14. It is of importance to maintain a uniform mode of marking off boundaries. The points where three or more boundary lines meet (commonly called 4'hokas) are of importance to the surveyor. These should be marked prominently, charcoal being buried on the spot, and a large substantial pillar or mound erected over it. The lines between these points may be marked by smaller earthen mounds, or in any other convenient method. Wherever there has been a disputed boundary, formally decided as above prescribed, the demarcation should be very permanent, either by means of a deep ditch or stone, or masonry pillars, or some other equally substantial means.

15. A sketch of the boundaries of a village should be made, as shown in the Appendix, No. II., and with this sketch should be kept a record, showing how each boundary was laid down, whether by consent of parties, the showing of a referee or arbitrators, or by compulsory adjudication by assessors.

Not printed.

16. When demarcation has once been completed, the greatest care should be taken to maintain the marks, and to prevent the unnecessary raising of disputes again.

\* See section 8, Regulation VII., 1822.

† See section 8, Regulation IX., 1833, and Circular Order, Sudder Board of Revenue, No. 1, para. 15-18.

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again. The boundary marks should be placed in charge of the village watchmen, and if either party is dissatisfied with the demarcation, and appears likely to injure it, the marks should be made over especially to that party, who should be held responsible for their safe custody, and should be bound down in their own recognizances not illegally to effect their injury or removal. (Act I., 1847, effectually provides for the formation and maintenance of the demarcation at the expense of the parties, and for the punishment of those who may wilfully erase, remove or injure the boundary marks.)

17. It remains to describe the agency through which this operation is to be performed. Some such plan as the following is recommended for adoption.

18. The officer appointed to mark off the boundaries of a pergunnah, who must have the powers of a settlement officer, should repair in person to the pergunnah, with a few practised ameens able to prepare the record mentioned above in para. 15, and instructed in the mode in which the boundaries are to be laid down and marked off. He must also have around him the pergunnah officers of Government, and as many more respectable and intelligent officers as he can select from his own establishment or from other pergunnahs.

19. To each ameen three or four neighbouring villages should be assigned, and over every three or four ameens a superior officer should be appointed as superintendent. Both ameens and superintendent should be impressed with the importance of carrying on the work as much as possible with the concurrence of the people, using their best endeavours to adjust and reconcile differences. When the superintendent finds his efforts to adjust a dispute unavailing, he should make a brief report of it to the settlement officer, with a sketch showing the position and extent of the ground disputed. The settlement officer should then call the parties before him, and endeavour himself to accommodate matters, for which purpose he should, if possible, visit the spot. If all efforts for amicable adjustment fail, recourse must be had to compulsory adjudication by the process described in para. 13.

20. The greatest activity is requisite in the superintendence of the several working parties. Daily reports should be made, either orally or in writing, to the settlement officer by the superintendents, and the former should be always accessible to every complaint that may be made to him by any person, at any time and in any way, and should always be ready to proceed to the spot and judge there for himself of the fairness of any proceeding which may be called in question. Operations should be carried on at first on a restricted scale, but as the settlement officer gains confidence, and becomes acquainted with his subordinates, the people and the country, he will be enabled gradually to enlarge the field of his operations, taking care, however, that it should never exceed the limits of his own personal supervision.

21. The actual expense of marking off the boundary and forming the record of it by the ameen, as well as incidental expenses of peons, &c. in serving process, will be borne, as in all other cases of judicial decision,\* by the parties whose interests it affects. If the scheme be vigorously and watchfully worked out, the expense will be inconsiderable; but unless great attention be paid to this point, the cost will be very heavy and burdensome to the people. The work will never be well done till both ameens and superintendents are made to feel that it is their interest that the work be quickly, well and economically performed. If the strictness of the supervision be relaxed, they will be likely to foment instead of adjusting disputes, and to delay rather than accelerate their movements.

### SECTION III.—*Survey.*

22. As soon as the boundaries are marked off and finished, the pergunnah is ready for survey, and as little time as possible should be suffered to elapse between the two operations.

23. The survey is for revenue purposes. Its object is to give accurately the size and position of each field, the quality of the soil, the crop it yielded at the time of survey, and generally the population and statistics of the village.

24. A field

\* Sections 23 and 24, Regulation VII., 1822; [and Section 3, Act I., 1847.]

24. A field is a parcel of land lying in one spot in the occupation of one cultivator, held under one title, and generally known by some name in the village. [The plot of ground surrounded by a ridge of earth (merh) is not necessarily a field. Some of these ridges are more permanent than others, and serve to divide the land into fields, bearing separate names. The boundaries of fields are well known to the people, and are sometimes distinguished by peculiar marks, such as the growth of certain grasses, stones, &c. In rich and irrigated land the separation into fields is generally permanent, but in light unirrigated (bhoor) lands it is liable to constant alterations. The khusruh should show where the limits of fields are fixed, and where variable.] The surveyor should be careful not to show two fields as one, nor to divide one field into two. The ameens are exceedingly apt to fall into the first of these errors, as it enables them to get over more work, and consequently to earn more in the course of the day, whenever they work upon contract.

25. The survey consists of two branches: the scientific survey, conducted on the European method, and the khusruh survey, conducted on the Native method.

26. The scientific survey is intended to lay down with accuracy, and on a fixed scale (20 chains to the inch, or 4 inches to the mile), the village boundaries and the geographical features of the country, such as the village site, roads, rivers, lakes, &c. It was first designed to show also the cultivation of the village, but this was found to involve the maintenance of a separate and expensive establishment of surveyors, whilst it was not absolutely necessary; and it has therefore been discontinued.

27. The scientific survey is made with the theodolite and chain on the system of circuit surveys, from which the area is calculated by means of the universal theorem.\* It is found to be the best plan to survey first large circuits comprising many villages, and then to divide these large circuits off into smaller circuits, till the circuit of each village has been completed. The geographical features are laid down by intersecting lines and bearings from the several stations round the village.—(See Appendix, No. III. A.)

Not printed.

28. In order to show the cultivated area, it is necessary to send another party to the village, which should take up the points fixed by the circuit surveyor, and from them lay down the cultivated area, by means either of the plane table, or the surveying compass and perambulator. This is certainly valuable as a check upon a Native khusruh survey of the cultivation, but it is expensive and is not absolutely necessary, for the circuit survey affords check to the Native khusruh survey of the whole area. It was found also that the surveyors were apt to rely too much on the check afforded by the interior survey to the Native survey of the cultivation, and to neglect that minute examination of the khusruh map, which is necessary to ensure a fair representation of each field as well as of the whole cultivated area. The interior survey has on this account been generally discontinued. Still, whenever it has been maintained, it possesses much value.—(See Appendix, No. III. B.)

Not printed.

29. The Native khusruh survey consists of a rough plan of the village called a shujruh, and a list of the fields called a khusruh. The shujruh is on no fixed scale, but is so constructed as to enable a person at once to find in it any field of which he is in search. Each field and each parcel of land represented in it bears a number, corresponding with which is an entry in the khusruh, showing the size of the parcel of land, the occupant, the nature of the soil, the crop growing on it, or other mode of occupation, and the rent of the field supposing it to be under cultivation. The size of the field is given by stating the average length and breadth, and by deducing the area by multiplying the one into the other, which is the Native popular method of land surveying. It is surprising with what accuracy these shujruhs and khusruhs can be prepared. † Specimens of them will be found in the Appendix (Nos. IV. and V.)

Not printed.

30. In

\* See a description of the mode of Scientific Survey, by Major Wroughton, Deputy Surveyor-General, in "Selections from Public Correspondence," Agra, 1846-9. Vol. I., Part III., p. 175. A very complete treatise on the mode of conducting the Revenue Survey in all its branches is now passing through the press in Calcutta. It is compiled by a Revenue Surveyor, and will obtain the benefit of supervision by the head of the department.

† The mode of preparing these documents is explained in a short treatise on land mensuration, in the vernacular languages, by Ram Surran Doss, deputy collector of Delhi. It is designated "Map Tol," and forms No. III. of his series for the education of village putwarrees.

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30. In estimating the value of these two surveys, it will be seen that the shujruh and khusruh are the important documents to the settlement officer, and that the chief attention of the surveyor should be directed to them. The scientific survey is of great value, as a check upon the ameens, and as giving much important topographical and statistical information; but these objects are secondary, and the primary design of the survey must not be sacrificed for their attainment.

31. In order to ensure the rapid and accurate execution of the survey, the most cordial co-operation of the settlement officer with the surveyor is necessary.

32. The survey cannot proceed uninterruptedly, unless the boundaries are well marked off, and unless the pergunnah officers of Government, the zemindars or their agents, and the village officers are present, to show the boundaries, give the names of villages and fields, and state everything regarding one or the other which it is necessary for the surveyor to know and record.

33. As soon as the surveyor enters the pergunnah, the settlement officer should make over to him the list of mouzahs, mentioned in para. 7, corrected after the boundaries have been marked off. He should also appoint, to be in constant attendance on the surveyor's camp a responsible officer of the tubseel establishment, and one or more of the pergunnah canoongoes.

34. The particular modes in which the survey is likely to suffer interruption are the following:

- I. The boundaries not having been settled and marked off.
- II. The marks having been subsequently changed or obliterated.
- III. No persons being in attendance to point out the boundaries.
- IV. The zemindars and putwarrees not being in attendance.

35. The directions contained in the preceding section provide against any impediment from the two former causes. The avoidance of the two latter require previous concert between the surveyor and the revenue officers. The head of each survey should forewarn the revenue officer on the preceding day what villages he intends to survey, and from what point, and at what hour he will commence. When so forewarned, it becomes the duty of the revenue officer to ensure the attendance of persons competent to give the required information, and to provide that nothing be done to mislead the surveyor.

36. In like manner the attendance of the putwarree and zemindars or their agent on the native ameen is requisite, in order to give him the names of the fields, their occupants, and the rent paid for them. This attendance must be ensured immediately it is wanted.

37. It should be explained to the zemindars, and all connected with them, that their own ease and interest will be best consulted by the quick and accurate completion of the survey. The detention of the surveyor, or his betrayal into error by their devices, will only serve to prolong the period of their harassment, and probably lead to their punishment; for any wilful or contumacious obstruction of the survey \* subjects the offender to fine or imprisonment.

38. Difficulty is likely to be experienced from a remarkable disposition of the lands of a village which prevails in some parts of the country. The definition of a mouzah, already given in para. 5, does not render it necessary that all the parcels of land composing the mouzah should lie in one spot. It sometimes happens that the lands of two mouzahs are completely intermixed with each other. All the fields are known to belong to one mouzah or another, and bear the name of their own mouzahs, but they do not lie together in compact masses, and it is impossible to mark them conveniently in their respective circuits. The admixture may be more or less. It may be so great that there is no distinguishing the two mouzahs, and then it becomes necessary to throw the two into one circuit, giving the circuit the joint names and numbers of the two mouzahs, and to measure the whole as one, both professionally and in the native method. It may be that the site of one mouzah and the great bulk of its lands lie together, whilst a few outlying fields are scattered about within the area of other surrounding mouzahs. In this case the bulk of the fields should form one circuit, and bear the name of the mouzah, and be measured separately, both professionally and

\* *Vide* section 24, Regulation VII., 1822.

and in the native method. The circuits should be determined beforehand, as nearly as possible, by the settlement officer, and marked off separately, and warning of the intermixture given in his pergunnah list. The surveyor must be very careful that exactly the same areas are represented both in the professional and native maps, and that the position and size of the intermixed fields are accurately shown in the shujruh and khusruh. This being done, it will be easy, by subtracting from each circuit the fields of other mouzahs lying within its limits, and by adding to the remainder its own fields outlying in other circuits, to give exactly the area of each village. When this has been once done, and the area of each mouzah determined, the settlement officer of course is no further inconvenienced, but deals with the whole area as though it lay compact in one circuit. (This disposition of the fields is called khet-but, though that term is also applied to the mode in which a mouzah or several mouzahs are divided into two or more mehals, which is a distinction with which the surveyor has no concern.) The survey is mouzahwar, and not mehalwar. When the fields of a mouzah have been accurately represented, the settlement officer can dispose them in what form he pleases, as separate mehals.

39. After every precaution on the part of the surveyor, it will still be probable that errors may creep into his khusruh survey. The size of some fields may be unduly swelled at the expense of others, whilst the irrigation or quality of the soil may be misstated. It is evident, too, that many of the columns of the khusruh contain matter beyond his cognizance. He is responsible that the size of the field and the crop on the ground are accurately stated, and that the quality of the soil is determined to the best of his ability; but he cannot decide whether the name of the rightful occupant be entered, or the proper rent assigned for the field. These are questions on which he can only take the assertion of the putwarree, or in his absence of any other person connected with the village; the truth of which assertion will have to be decided by the settlement officer.

40. It is therefore necessary that the settlement officer entertain a testing or purtalling establishment of ameens, for the double purpose of checking the entries for which the surveyor is responsible, and for correcting the entries for which he himself is responsible. The khusruh and maps, as soon as passed by the surveyor, should be immediately made over by him to the settlement officer, who will test a certain number of fields taken indiscriminately, and will contract or extend his scrutiny, accordingly as he finds the documents trustworthy, or the reverse. He should receive no such documents as the basis of his settlement till he has fully satisfied himself of their accuracy. He must also provide that the putwarree of the village has an exact counterpart of the shujruh and khusruh, as finally corrected and adopted, for the correct preparation of the remaining settlement papers depends almost entirely upon this.

41. The surveyor will give, besides his field measurements, returns of the population, number of wells and ploughs. All these statements should be examined and verified by the settlement officer in such manner as may be in his power.

42. Besides the village maps, the surveyor will furnish pergunnah and district maps. The former will be on the scale of one mile to an inch, and will show the site and boundaries of every village; the latter will be on the scale of four miles to an inch, and will show the roads, rivers, lakes and other geographical features of the country, and be coloured according to pergunnahs.

43. In preparing the pergunnah maps, it will generally be found necessary to make some new arrangement of these local divisions of the country so as to render them compact. The principle on which these as well as all other arrangements of civil jurisdiction should be made will be found detailed in a resolution of Government, dated 30th October 1837, a copy of which is given in Appendix, No. VI.

Not printed.

44. In order the better to effect this, the surveyor, as soon as he has finished the survey of any pergunnah, should furnish the collector with a rough plan, on a scale sufficient to show distinctly the outline, name, and number of each mouzah. With this before them, the settlement officer and the surveyor will be easily able to follow out the wishes of Government, and decide upon a pergunnah boundary, which will suit the required conditions. The consultation of the two is desirable, because the arrangement depends on the natural features of the country, as well as on the disposition of property in the pergunnah. The



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surveyor is the best judge of the former, whereas the settlement officer is better informed respecting the latter. The fair pergunnah map should not be constructed till the limits of the pergunnah have been determined on the rough plan.

45. The village plans and the villages themselves in the several lists for each pergunnah should be re-numbered, after having been arranged according to the Persian alphabet. This numbering should be final, and thenceforward the village should always be designated by its proper number, in all lists or registers in the Revenue Department. If smaller mouzahs are subsequently formed by partition of the larger one, each component mouzah should retain its original number, with a subsidiary figure to distinguish it from the others; thus, 38-1, 38-2, 38-3, &c. The canoongoes and all other revenue officers must be enjoined henceforward to discontinue the old distinctions of Usulee and Dakhilee villages, as they have continued on their records up to that time, and thenceforward to call all mouzahs which have a number on the list, Usulee, and smaller mouzahs which may afterwards be formed, Dakhilee.

46. The documents to be furnished by the surveyor are the following: the vernacular documents are,

Not printed.

I.—The shujruh or Native field map, described in para. 29, and Appendix, No. IV.

Not printed.

II.—The khusruh or list of fields: *vide* para. 29, and Appendix, No. V.

The English documents are,

Not printed.

I.—The professional village map, with tables, paras. 27, 28 and 41, Appendix, No. III. A. and B.

II.—The pergunnah map: *vide* para. 42.

III.—The district map: *vide* para. 42.

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SECTION IV.—*The Assessment.*

47. The object of the fiscal part of the settlement is to fix the demand upon the land, for a certain period of years prospectively, within such limits as may leave a fair profit to the proprietors, and create a valuable and marketable property in the land.

48. This end cannot be attained with certainty by any fixed arithmetical process, or by the prescription of any rule, that a certain portion of the gross or net produce of the land shall be assigned to the Government and to the proprietors.

49. If the net produce of any one year, or any given number of past years, could be determined, it would afford no certain guide to the produce of years to come. The future produce may be more, if there is waste land to come into cultivation; if the former system of cultivation were faulty and expensive; if the products of the land are likely to come into demand in the market; or if the opening out of new channels of commercial intercourse is likely to improve the local market. The future produce may be less, if the reverse of all these be the case.

50. Not only would the actual ascertainment of the net produce of an estate be a fallacious basis, on which alone to found any certain determination of the demand, but it is in itself often most difficult to accomplish, and the attempt to effect it is likely to produce many serious evils. In villages, where the collections are in kind, or where the proprietors cultivate themselves, and pay the jumma by a bachh, or rate upon their seer land, it is almost impossible to ascertain either the net or gross produce with any certainty. When once it is known that the Government demand is to be limited to a fixed portion of the proved produce, there is a general combination to deceive and mislead the settlement officer. Village accounts are forged, or the true ones suppressed; falsehood and perjury are unhesitatingly resorted to. A struggle commences between the proprietors and the settlement officer, in which it is most difficult for the latter to maintain that impartial equanimity which is essential to the proper performance of his duty.



51. Still the settlement officer should not neglect any opportunities that present themselves for ascertaining the net produce of every estate for a single year, or for any series of years; but he should not harass himself to attain accuracy in this respect, nor, when he fancies that he has ascertained the actual net produce, should he treat this as any certain basis on which to found his settlement. It is better to acknowledge at once that the operation is not one of arithmetical calculation, but of judgment and sound discretion, and to proceed openly on that assumption. It is necessary, therefore, to point out the object which the settlement officer should keep in his view, and the means which he has for attaining the proposed end.

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52. It is desirable that the Government should not demand more than two-thirds of what may be expected to be the net produce to the proprietor during the period of settlement, leaving to the proprietor one-third as his profits, and to cover expenses of collection. (By net produce is meant the surplus which the estate may yield, after deducting the expenses of cultivation, including the profits of stock and wages of labour, and this, in an estate held entirely by cultivating proprietors, will be the profit on their seer cultivation, but in an estate held by a non-cultivating proprietor, and leased out to cultivators or asamees, paying at a known rate, will be the gross rental.)

53. In order to enable him to come to a correct opinion on this subject, the settlement officer has an accurate return of the cultivated and culturable area of the village, of the irrigated and unirrigated land, and of the different kinds of soils. This should be shown in a form (Appendix, No. VII.), compiled in Oordoo, partly in his own office, and partly by the pergunnah officers. All the entries should be in acres. The total area should be taken from the surveyor's professional return, the cultivated and culturable areas should be taken from the khusruh, and the difference entered as unculturable waste. Except in a newly-acquired country, the settlement officer has also the experience of past years to guide him, and this should always be insured by a memorandum from the office, not only of past settlements and collections, but also of every thing bearing upon the condition of the village, such as previous litigation, regular or summary, price realized if ever brought to sale, mortgages, farming leases, &c. &c. He may also know pretty nearly the net produce or gross rental of the village under settlement, or of several in the same pergunnah or tract of land, with which he may compare it. He knows the character of the people, the style of cultivation, the capability of improvement, the state of the market for the produce. He has to aid him the experience of past years, the opinions of the pergunnah officers, and the estimate of neighbouring zemindars.

Not printed.

54. All this information he will lay himself out diligently to collect, by personal inspection of the country, by free communication with the people, and by careful inquiry from every person, and in every quarter whence he is likely to derive information. Such of his information as is capable of being exhibited numerically and compared he will reduce to a tabular form, in such manner as is best calculated to bring the corresponding facts well under his eye together. He will group the villages in his table according as he may find them placed in similar circumstances, or subject to similar influences. It is needless to lay down a precise form for such a table, because it must vary with the circumstances of the country, but a table will be found in the Appendix, No. VIII., illustrating generally what is meant.

Not printed.

55. Great assistance may be obtained from the following process. A rough pergunnah map is formed, similar to that furnished by the surveyor, but perhaps on a larger scale. Upon this map the settlement officer, before commencing his assessment, notes down the rate at which the old jumma falls on each village, so that a single glance may show where any discrepancy exists, in the rates paid by neighbouring and contiguous villages. On such a map, moreover, lines may be drawn, or colouring used to point out where any marked change takes place, in the quality of the soil, for instance, where the low and moist "khadir" ceases, and the high "bangur" begins, or where the level and uniform plain rises into an uneven and sandy tract. The number and depth of the wells, population, and numerous other interesting and important particulars, may be noted within the area of each village in the map. A map thus prepared and gradually completed, during the period that the settlement officer is taking his personal survey of the pergunnah, cannot fail to be of the greatest use in fixing the future assessment.

56. In fixing the assessment, the main assets to be taken into account are the

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products of the cultivated land; but there are also other items, called sayer or sewae collections, which are much prized by the proprietors, and which in some cases constitute a valuable property. In so far as these consist of petty dues or services from the inhabitants, in the shape of small periodical collections or presents, they are never taken into account in fixing the Government assessment. When they come to be of considerable value, such as the piscary of large tanks, the produce of trees, like mowah trees, or forest produce, like wax, lac, &c., all of which come under the denomination of julkur, phulkur and bunkur, they may be considered in estimating the assets. The only question then is, how far the permanency of such assets can be counted upon during the currency of a long lease. Dues of a religious nature, such as the share of offerings at certain shrines, &c., ought never to be considered an asset. The Honourable Court of Directors and the Supreme Government have entirely renounced all claim to participate in such profits.

57. It must be remembered, that the right of the proprietor to make the sewae collections mentioned above is quite a distinct question from that of the right of Government to assess them, and will be found discussed hereafter in para. 140.

58. The settlement officer will find it prudent not to fix his demand finally at once, but having roughly assumed at first what seems in each case to be fair, thence to determine the new jumma of the pergunnah by taking the total of these, and then by the reverse or back process to re-distribute either himself, or by the help of others, the pergunnah total over the several villages. Respectable zemindars may often be advantageously consulted on the comparative assessment of two villages with which they have no concern. In the end he will propose the result of his deliberations to the proprietors themselves, and be guided in his ultimate decision by the circumstances under which they may accept or reject his terms. On their acceptance of the terms he will call upon all the proprietors who are present, or their duly authorized agents, to sign an engagement or durkhast of the form (Appendix, No. IX.), to which he will take the attestations of the putwarree and canoongoes, or other respectable persons, and attach his own signature in full.

Not printed.

59. It must be remembered that if the proprietor rejects the terms offered, and the estate be ultimately leased to a farmer, or held kham, the proprietor will be entitled to a malikana,\* not less than five per cent. nor more than 10 per cent. on the net amount realized by the Government from the land, or on the jumma tendered by the proprietor, either in the shape of a money payment, or in that of favourable terms for his seer cultivation. This is not an unimportant check on over-assessment. [The settlement is not an arbitrary act on the part of the Government; it is a bargain between the state and the malgoozar. The proprietor has the first offer of the estate on the terms proposed by the officer of the Government, and if he rejects those terms, he is entitled to a compensation for his right to engage, and the Government must then make the best terms it can with some other party. It follows from this view of the subject, that, when once the contract has been entered into and finally sanctioned, the Government is bound to adhere to the terms, although it may be subsequently discovered that the grounds on which the proposed terms were fixed had been erroneously assumed.† If it should afterwards appear that the cultivated land had been under-measured, or fields omitted, or assets concealed, the perpetrators of such frauds may be otherwise punished; but the word of the Government, once pledged in the limitation of the public demand, is inviolable. The amount agreed upon limits the demand upon the entire area within the specified boundaries of the mehal. A distinction may be assumed as regards the entries of cultivated or culturable land under the head of minhai, or lands excluded from assessment. These portions of land are left unassessed, either because they are uninvestigated rent-free tenures, or because they are reserved by the Government for public purposes, or because they are assigned with the consent of the settling officer for the support of village servants, or as a provision (nankar) for privileged

\* See section 5, Regulation VII., 1822.

† See this principle clearly asserted in section 31, Regulation II., 1819. That enactment is, strictly speaking, applicable only to the permanently settled districts, but the principle is of universal application.

leged persons, or on various accounts sanctioned by local custom. In the first case, if the rent-free tenure is subsequently resumed, it will of course be assessed and brought on the rent-roll; in the second case, if the land is no longer required by the Government for public purposes, it must be made over to the malgoozar on a fair assessment, corresponding with that of the rest of the village. It must not on any account be sold rent-free to the highest bidder, as has sometimes erroneously been done. If there are valuable buildings upon it, the land and buildings may be sold to the highest bidder, subject to the payment of a fair rent to the malgoozar, which rent may be fixed at half as much again as the Government demand. In the third case, when the settlement has been confirmed by the Government, no further demand can be made for the unassessed land, however much the settlement officer may have misapprehended his powers, or however lavish he may have been in the favours he bestowed.]

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60. The preceding detail will show how much must depend on the care and good sense of the settlement officer. It is impossible to lay down any fixed rules for the exercise of these qualities, but it may be useful to give some precautions, and to note down some circumstances which are likely to mislead. The following circumstances should always be kept in mind.

61. It is a more fatal error to over-assess than to under-assess. The Government will not test the settlement by the mere amount of direct revenue which it brings into the treasury. They will judge of it by the soundness of the reasons assigned for fixing it at the amount assumed. If the jumma is less than it was before, they will be satisfied, if the reasons for the reductions are sound and sufficient; if it is the same as before, or more, they will expect that the grounds be explained on which the increase has been renounced or taken. No officer who performs his work properly will have any difficulty in assigning reasons for what he has done, or in convincing the Government that he is right. If he is in doubt which of two jummas to fix, a high one or a low one, he should always incline to the latter. Over-assessment discourages the people, and demoralizes them by driving them to unworthy shifts and expedients, and it also prevents the accumulation of capital, and dries up the resources of the country. Viewing the question simply in a financial light, an assessment, which presses hard upon the resources of the people, is most injurious; it checks the population, affects the police, and is felt in the Excise, in the Stamps, and in the Customs. It is evident that the prosperity of the people, and the best interests of the Government, are inseparably bound up together.

62. Too much stress should not be laid on the former assessment, or even the former collections from a mouzah. Whenever the former assessment was made without careful inquiry into the state and probable capabilities of a village, the jumma may have been made good from sources which must be renounced on fuller inquiry. The possession of land is so much prized by the people, that they will often go to great lengths to retain their hold of it. The jumma may have been run up to an excessive amount by the enmity of a canoongoe or pergunnah officer, or by the bidding of a rival claimant of the estate, whilst the excessive demand may have been made good from other property (perhaps from a rent-free estate, subsequently resumed), or even from the criminal resource of depredation on other villages, on the part either of the proprietors themselves, or of tenants who paid highly for shelter and protection (*see* para. 187).

63. In like manner it must not be too readily assumed that a jumma is fair because the proprietor accepts the estate on the proposed terms. He will often do this under the apprehension of immediate ejection, and clinging to the hope that by appeal, or by one of the numerous chances our system affords, he may yet obtain more favourable terms. It is weak to vacillate or recede easily from a matured demand once made; but there is an opposite fault of pertinacious adherence to a rashly-assumed position, to which some minds are prone, and against which it is necessary to guard. As a general rule it will be wise to hear patiently what the objector urges, especially if he be a man of respectable character, and to reply to what he says. It materially strengthens one's hands to silence by force of argument one captious recusant; it never weakens one to yield to the forcible representations of a candid and reasonable pleader. It is quite a mistake to suppose that the natives of the country fail at once to appreciate the strength which results from complete mastery of the subject, or to detect the weakness which shows itself in reluctance to argue a question.

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64. Mistakes are not unlikely to arise from too great a desire to maintain equal averages, whether those averages are struck on general area, or on different qualities of soil. The productive power of contiguous lands often differs very materially, and the yield from lands of the same quality is often very different, according to the means of irrigation, mode of cultivation, or access to markets. Averages should always be regarded, and deviations from them explained; but diligent inquiry should be made after possible causes of variation, and due allowance should be given for those causes. It has generally been observed that the late settlements are favourable to good villages, but press too heavily on poor villages.

65. There is a great tendency, amongst natives especially, to assess heavily the poor and industrious classes of cultivators, such as the Jats, Keorees, Kachees, &c., and to be more lenient towards the powerful or the indolent, such as Syuds, Brahmans or Goojurs. It is certainly impossible to fix the same jumma on land of the same quality, when held by the latter as when held by the former: what would be unnecessarily indulgent to the former might be ruinously oppressive to the latter; but the former should not be denied a present fair profit, because they are industrious and may increase it; nor the latter allowed a present unfair profit, because they are unthrifty and are inclined to squander it. Whenever the value of land has been much raised by the expenditure of capital in providing irrigation, locating labourers, or in other modes, care should be taken lest by too high an assessment an unfair tax be laid on the profits of the capital, over and above the just right of the Government to a portion of the net produce of the land.

66. Caution is necessary against too rapidly increasing a jumma. Where proprietors are cultivators, and the population has kept pace with the prosperity of the village, so that the profits, though large, afford a scanty pittance to each, it is evident that the jumma cannot be raised without inflicting much hardship. The same is the case when the effect would be materially to reduce the circumstances of a single wealthy proprietor, who has many dependent on him; and thus also in talookahs, where there are separate properties of different kinds, the jumma must be lower than where there is only one property. This caution is peculiarly necessary when a resumed maafee is settled with the former maafeedar. Reasons of humanity require that the demand should be considerably less than would be made upon a khalisah village similarly situated.

67. Experience will suggest to every settlement officer other precautions besides those enumerated above. These may serve as specimens of some of the errors to which he is liable. [In the first assessment of lands which have not been before on the rent-roll, such as resumed rent-free lands and those acquired from foreign states, the former fiscal history of the estate may not be known, and greater caution is requisite in fixing the demand. This is especially the case in territories acquired from foreign states, where the collections have been made by the former rulers direct from the cultivators (kham), and perhaps in kind, either on estimate of the produce before the harvest (kunkoot), or by actual division of the crops (buttai). In such cases, where the territory is extensive, it is a most difficult operation to ascertain what will be the fair money demand for a course of years prospectively. The difficulty is the greater, because the ignorant proprietors are still less able to form a correct opinion than the settlement officer. Probably in the first joy of being called upon to exercise a new-born privilege, they readily assent to anything that may be proposed, without reflecting or caring whether they will be able to act up to their engagements. It is impossible to lay down any rule of procedure in such cases. The ingenuity and resources of the settlement officer will be taxed to deduce fair rents from the actual or estimated out-turn of former years.]

68. The more surely to guard against error of judgment, provision has been made for the supervision of the settlement officer's proceedings, by the Commissioner or some other similar officer of matured experience. The essential feature of this supervision is, that it should not be confined to appealed cases, or depend for its effective exercise on the showing of another party; but that it should extend to all the proceedings, and reach to every possible bearing of a questionable principle. It should also be exercised, not simply on perusal of written proceedings, but by personal communication, in the field and amongst the people, as well as in a house or office, and at a distance from the parties interested.

69. In the determination of the assessment, this supervision should be exercised

cised with peculiar diligence and discretion. Appeals against over-assessment should not be peremptorily rejected on the grounds that the petitioners, by acceptance of the terms of the settlement, have shut themselves out from further appeal, nor ought they to be encouraged by being readily received, and made the occasion of open question and report. It will probably be better to receive them, ascertain exactly the nature of the objections, and lay them aside for consideration on some convenient opportunity, when the subject comes under review in ordinary course, either of personal conference with the settlement officer, or of final report of the proceedings. But under any circumstances, the work will be found so disposed and laid out that it will be easy for the supervising officer, by going over the papers, to detect himself its weak or questionable points, and to seek for full explanation regarding them. If the average falls lighter or heavier upon one village than another, he will ask the reason, and inquire not only the cause of the difference, but also the reason why the difference was fixed at the amount he finds it, and he will search whether there were not other causes at work which ought to increase or lessen the difference, and which had not been brought into the calculation. Any Commissioner who takes to task a settlement officer in this manner, not only on one occasion, or in one pergunnah, or at the close of his work, but repeatedly, in every part of his district, and in every stage of his operations, cannot fail to come to the most distinct understanding as to the character of the settlement, and will find himself able to correct and prevent many erroneous practices and principles, which the most elaborate written instructions could never effect.

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70. It remains to explain the mode in which the settlement officer should exhibit and report this portion of his work.

71. Every proprietor or iumburdar, on agreeing to a jumma, should be required to sign an engagement or durkhast of the form No. IX. in Appendix (see para. 58). Not printed.

72. A brief record or roobucaree in the vernacular language should be drawn up, showing the former and present jumma, and explaining the principle on which the demand has been fixed, and the time for which it is to be in force.

73. In pages A. and B. of the village statement, Appendix, No. XIII., the settlement officer should record in English all that is necessary for explaining the assessment of the village. [Two sets of forms are given in the Appendix, one for a Zemindaree and the other for a Bhyacharuh mouzah.] The first page, A., is filled up from the vernacular statement, Appendix, No. VII., already described in para. 53. The second page, B., shows the ground on which the assessment has been fixed. The value assumed at average rent rates is what has been called net produce in para. 52, and is the amount which the estate is supposed to yield to the owner. The value assumed at deduced revenue rates shown in column 8, is the portion of the above net produce, which the Government are entitled to claim, and should be formed by deducting one-third from the total of the former column, as has been already stated in para. 52. The proposed jumma may be the same, or more or less than this sum, according as various circumstances may effect it, some of which have been enumerated above, in para. 60-67. The miscellaneous general remarks should be particular in explaining why the proposed jumma varies from the value assumed at deduced revenue rates. Not printed.

74. The general statement in acres, No. XIV. of Appendix, gives in a tabular form the most important particulars regarding each village in the pergunnah. In this statement the villages are arranged according to the final numbering after the pergunnah boundaries have been fixed, as explained in para. 44. A separate line is assigned to each village, and shows the details of the area and assessment taken from the village statement, and the rate of the assessment on the total area and on the culturable and cultivated malgoozaree areas. Each statement should include every portion of land in the pergunnah, whether city, or uncultivated forest, or cultivated field, and whether rent-free or assessed, so that the total may show the whole of the land in the pergunnah. The details, both of the village and pergunnah statements, should be filled in according to the method prescribed in para. 53. Not printed.

75. The annual jumma statement of the pergunnah (Appendix, No. XV.), shows the jumma of each mouzah for every year of the term of settlement, the arrangement of mouzahs being the same as in the preceding column. The columns for rent-free mouzahs, or unassessed areas, will be blank. Not printed.

SECTION V.—*Record of Rights.*

76. The assessment having determined the value of the property in the land, it then becomes necessary to declare the rights possessed in that property. The object of the investigation is not to create new rights, but to define those that exist. The full exercise of old acknowledged and still existing rights may have been partially in abeyance, and these it may be necessary (especially under previous pledge to that effect) more fully to develop; but, generally speaking, no change should be made in existing rights or in the mode of their exercise, without the full concurrence of those whose interests may be thereby affected.

77. It is first requisite to point out what is meant by proprietary right, and what is to be considered as the test of such right. This is more especially necessary in newly-acquired territory, or in the settlement of resumed rent-free grants,\* not originally granted by the proprietors themselves. [Those who possess a heritable and transferable property in the soil are considered proprietors, whether, in mehals where the properties are of different kinds, they are possessed of the superior right, as talookdars, or of the inferior right, as biswahdars, or whether, in mehals where the properties are of the same kind, they are the persons under direct engagements with the Government, as the representatives of the community, the lumburdars, or as the subordinate coparceners, the putteedars. The term zemindar is of indefinite signification. It is generally used as equivalent to land-owner, but is sometimes erroneously applied, as signifying the possession of the entire right in the whole mehal to the exclusion of all other co-existent rights of whatever kind. The term malgoozar is applied to all who pay land revenue to the Government, whether as proprietors, farmers, or in any other capacity. Those who pay direct to the Government, and not through a representative, are distinguished as Sudder malgoozars. In rent-free mehals, there may be proprietors of all kinds, as in mehals paying revenue to Government, the mafeedar being only the owner of the Government right to a certain share of the produce. Cultivators who are not proprietors are commonly called ryots or assamees. Moccuddum is properly the title of the headman amongst the non-proprietary cultivators, but in some parts of the country it is applied to the biswahdars in talookdaree estates.]

78. Whoever may be, in theory, the proprietor of land in India, the absence of all actual restriction on the supreme power in the determination of the amount of its demand, left all property in the land virtually dependent on its will. An estate assessed above its productive power is worthless, and must cease to produce anything unless the demand be relaxed. So long as the worth of the land is left from year to year dependent on the pleasure of the Government, its value must be uncertain, and cannot be great. But when the Government limits its demand to a reasonable amount, and fixes that amount for a term of years, a marketable property is thereby created, and it becomes of much importance that the person be named in whose favour this property is recognized or created.

79. In ordinary cases there is no difficulty. The common voice of the country assigns the proprietary right to a person or a number of persons, who have for years paid the Government demand, provided for the cultivation of the land, enjoyed all its products, and transferred it to others at pleasure. The payment of the Government revenue is in ordinary cases so immediately the result of proprietary right, that the latter is often held to be included in the mention of the former, and the nature and extent of the right is expressed in terms descriptive of the amount of revenue paid. To call a man a malgoozar, or to say that he pays four annas of the revenue, ordinarily means that he is a proprietor, or that he is possessed of one-fourth of the mehal. Thus, too, to say that a man pays by a rate or bach, upon his own (or his seer) land, implies that he possesses not a share of the whole mehal, but a certain portion of land within its limits.

80. But the proprietary right may have been overborne, and it may be difficult to determine with whom it rests. Payment of the Government revenue is not in itself a sufficient test, for the payment may have been made as farmer, or as hereditary collector, and not as proprietor. The right of providing for the

\* See Section 15, Regulation VII., 1822.



the cultivation of the land and of arranging for the breaking up of waste land, the location of cultivators, the digging of wells and planting of trees, the enjoyment of the spontaneous products of the soil, *i. e.*, the sayer or manorial rights: all these and many others such circumstances are adduced in proof of proprietary right, and are all possessed of weight. They should be carefully examined, and if they are not sufficiently certain to afford the basis for a decision, reference should be had to private arbitration, or to assessors chosen in the mode already described in para. 13.\* But it may be remarked that in village communities, where the proprietors themselves hold fields and cultivate, the absence of the possession of land does not necessarily involve dispossession of interest in the estate. A man may have mortgaged or sold all his fields, and yet be in possession of a share in the estate. Admission to a voice in the periodical audit of the village accounts will generally, in such cases, be found the test of proprietary interest, in virtue of which a sharer, though holding no land and paying no jumma, may be entitled to a share in the waste land, and in the sayer.

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81. Where no proprietary right exists or has ever been exercised, it rests with the Government to decide whether they will retain it in their own hands, confer it on any class of persons already connected with the land, or grant it, or sell it to strangers. [The Government have, however, always shown themselves ready to confer the proprietary right on any persons possessing a preferential claim, though it may not amount to an absolute right. Those who as farmers brought the estate into cultivation, or materially improved it, or who have long been under engagements for the estate, with the title of farmers, being residents within its limits, or in the immediate vicinity, and have managed it well: all these parties evidently possess a preferential claim, and should be recognized as proprietors, even though they may have attempted to prove their absolute proprietary right in the civil court, and may have failed. A kind of title is sometimes acquired by a collusive suit in the civil court against the farmer. This, of course, is not binding on the Government; but the device has arisen, in some measure, from the neglect of Government to pronounce an authoritative decision on the subject; and no objection need be raised, unless some superior private right is thereby defeated, and an evident injustice perpetrated.]

82. The following remarks are designed to assist the settlement officer in comprehending the nature of the tenures commonly existing in the country. They will be classified according to their most marked peculiarities.

83. Estates possessed in absolute proprietary right by a single owner require no particular notice. The most common instances of such tenures are, where the right has been acquired by purchase, and especially where this has been effected at public sale for arrears of revenue. [In cases of the nature here contemplated, the malgozar is the sole possessor of the heritable and transferable right in the mehal, and may be either himself the cultivator of the whole, or may collect the rents from cultivators, who have, or have not, rights of occupancy, heritable but not transferable.]

84. When several persons possess heritable and transferable properties in the same mehal or estate, these properties may be of the same kind, or of different kinds. In the former † the profits of the land are divided amongst several sharers or co-parceners, according to a fixed law or custom, and these are commonly called co-parcenary tenures; in the latter ‡ the profits are divided between different proprietors or classes of proprietors, the one superior and the other inferior, and these are commonly called talookdaree tenures.

85. The co-parcenary tenures are the most common, and embrace all cases where the estates are held by those singularly-constituted village communities which have been so often described, and have been not unaptly said to form "little republics" within themselves. § It is impossible minutely to detail every variety

\* [Much light is thrown upon this subject by the remarks in paras. 62-65 of a note by Mr. J. Thornton, on the talookdaree and mocuddumees tenures in the North-Western Provinces, which was circulated by the Sudder Board of Revenue on 11th April 1845, and will be found in the Appendix, No. XIX.]

† See clause 3, section 10, Regulation VII., 1822.

‡ See clause 1, section 10, Regulation VII., 1822.

§ [See Minute by Sir C. Metcalfe, Report of Select Committee of House of Commons, 1832, vol. III., Appendix 84, p. 331.]

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variety of the tenure, but it will be useful, by fixing on a few of the more prominent features, to assist the settlement officer in his attempts to understand the constitution of those which may come under his notice. It may also be remarked, that the names given to the several classes of tenures must be, in a great measure, arbitrary.

86. The most obvious distinction is that which rests on the degree of separation between the several properties constituting the mehal. In this respect co-parcenary tenures are zemindaree, putteedaree and imperfect putteedaree.

87. Zemindaree tenures are those in which the whole land is held and managed in common. The rents paid by the cultivators, whether those cultivators be the proprietors themselves or not, are thrown into a common stock, with all other profits from the estate, and after deduction of expenses, the balance is divided amongst the proprietors according to a fixed law.

88. Putteedaree\* tenures are those in which the lands are divided and held in severalty by the different proprietors, each person managing his own lands, and paying his fixed share of the Government revenue, the whole being jointly responsible, in the event of any one sharer being unable to fulfil his engagements.

89. Imperfect putteedaree tenures are those in which part of the land is held in common and part in severalty, the profits from the land held in common being first appropriated to payment of the Government revenue and the village expenses, and the overplus being distributed, or the deficiency made up, according to a rate (or bach,h) on the several holdings. In such cases the proprietors are said to pay their revenue by dhar-bach,h or beegahdam.

90. These distinctions are not in their nature permanent. A mehal may pass by the agreement of the sharers from one class to another, the joint responsibility remaining inviolate. It is very rarely that a putteedaree mehal becomes zemindaree, but it is a most common occurrence for a zemindaree or an imperfect putteedaree to become a putteedaree mehal. In such cases a partition of the common land takes place, but no division of the mehal. In a zemindaree mehal the partition would be according to the shares, which before regulated the division of the profits; but in imperfect putteedaree mehals, a new distribution of the profits arising out of the estate frequently takes place, according to a different rule from that which regulated it before.

91. This leads to another ground of distinction, viz., the rule according to which the profits in a co-parcenary estate are distributed, *i. e.*, the rule which fixes the extent of interest possessed by each sharer in the estate. Right arising from transfers by sale, gift, &c. depends on the terms in which they were effected, but when the right does not arise from special contract, the rule for the distribution of profits is founded on law or on custom. It is founded on law when it results from the operation of the law of inheritance, each proprietor claiming and possessing a certain share according to his right derived from a common ancestor, under the code of law applicable to his religion, or his country, or his caste. It is founded on custom, when some local usage has superseded or obliterated legal ancestral right, and established a new and arbitrary rule. This custom appears to have often taken its rise from the position of the cultivating communities under the native Government. Cultivators were then scarce, and each proprietor was bound to exert himself to the utmost, to provide his family with the means of support, and to add to the resources of the community. Each person cultivated therefore as much as he could, and contributed to the charges on the village in proportion to the extent of his cultivation. In time remembrance of ancestral right was lost, and each man's holding in the village became the sole measure of his right. It has already been explained, that the nature as well as the extent of the interest which each proprietor possesses is ordinarily expressed in terms having reference to his payment of the Government revenue. If he possess by law a certain fractional share, he is said to hold a certain number of annas or biswahs, the whole estate being considered one rupee or one beegah. If his right be to a certain quantity of land, for which he pays revenue according to a fixed custom, he is said to pay by bach,h on so many beegahs.

92. In zemindaree estates the profits are generally divided according to law. In some few cases the legal ancestral rights of the parties may have been lost, and the distribution of profits may be according to custom, but the cases are rare, and require no particular remark.

93. In

\* See section 2, Act I., 1841.



93. In putteedaree estates the distinction is very important; where the distribution of profits is according to law, *i. e.*, to ancestral right, each proprietor holds a portion of land,\* corresponding with the fraction of the revenue, which by his ancestral right he is bound to pay. It may or may not be an accident of the tenure that the estate should be subject to re-partition whenever the profits of any separate portion become less than are due to the fractional share which it represents. Where the distribution of profits is according to custom,† each proprietor still holds a separate portion of land, and pays upon it the due proportion of revenue; but the land has not been assigned to him by any fixed rule, and is itself the measure of his interest in the estate. It may or may not be an accident of the tenure, that a re-allotment of the jumma should take place whenever the profits derived from any of the separate portions cease to bear their original proportion to the jumma assessed upon them. In the former case, the holding adapts itself to the share of the Government revenue demandable from the proprietor; in the latter, the share of the Government revenue adapts itself to the real or assumed value of the holding.

94. It is seldom that the profits in imperfect putteedaree mehals are distributed according to ancestral right. If the separate holdings correspond with the inherited shares, the tenure has a tendency to become either zemindaree or putteedaree, the separate holding being assessed at a fixed rate, and the proceeds thrown into the common stock; or the common land divided, and a portion allotted to each sharer. When the profits are distributed according to custom, the mehal assimilates entirely with putteedaree mehals of the same class, and the remarks applicable to the one hold good with respect to the other. These putteedaree or imperfect putteedaree mehals, held according to custom, are the tenures which, under the term of bhyacharuh (custom of the brotherhood), present so many curious and difficult features.

95. Wherever this custom is the sole measure of property, and all trace of ancestral right is lost, the case is comparatively simple. It is only necessary in each case carefully to ascertain and record the custom, with all its incidents, whatever they may be. It must be explained how the land is held, how the revenue is paid, under what circumstances the proportion between the holdings and the payments is capable of re-adjustment, and whether this should be done by re-distribution of the land or of the revenue, how the sayer is to be enjoyed, and waste land broken up. One uniform and consistent rule will generally be found to govern all these matters.

96. But it frequently happens that ancestral rights are known and acknowledged. Reference to these rights, in distribution of the ordinary profits, and in payment of the Government revenue, may have been from some cause or other long discontinued; but they are known and revered, and the possibility of recurrence to them is contemplated. Those who have less than their ancestral rights are anxious to assert them, whilst those who have more than their rights hope to evade a re-distribution of profits, the justice of which they cannot deny. It may happen that in the distribution of the profits, all reference to ancestral right has not been discontinued. The payment of the Government revenue may be according to custom, while the division of the sayer and the claims to waste land may be according to ancestral right. It has been found that, whenever ancestral rights are known, there is a tendency on the part of the people to recur to them, and disputes are likely to arise where such distribution does not immediately take place, or where the conditions and circumstances under which it shall take place are not determined. Our own law of limitation of suits provides, that where all reference to ancestral rights has been discontinued for 12 years or more, recurrence to them under ordinary circumstances cannot be claimed. But this rule is often neglected by the people, and they will agree to partition of the estate according to ancestral right, as the best means of preventing discord in the community. Frequently it will be found, that recurrence to ancestral right, as the ground of distribution of profits, is only objected to, because of some disputed account, either a debt, or a mortgage, or some such transaction, and that when this has been adjusted, all further difficulty ceases. There are few cases in which explanation and persuasion, and reference to influential men in the pergunnah will

\* See clause 2, section 12, Regulation VII., 1822.

† See clause 1, section 12, Regulation VII., 1822.

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will not avail to remove the difficulties, and lead to the discovery and prescription of a complete and consistent rule for future guidance.

97. Many mehals will exhibit within their own limits specimens of several of the tenures mentioned above. The thokes and puttees, *i. e.*, the larger and smaller subdivisions, may be entirely severed from each other, whilst the lands of each thoke or puttee are held in common by the persons possessing shares therein. One thoke may be perfect or imperfect putteedaree, whilst another is zemindaree. In one thoke all the seer land may be rated equally, while in another each field is rated according to a fixed valuation.

98. We come now to the consideration of tenures where the separate heritable and transferable properties are of a different\* and not of the same kind, one being superior and the other inferior. These are called talookdaree tenures.

99. The ordinary form of such cases is, when a powerful man, by patent or grant from the supreme power, or by favour of the local officer, or by voluntary act of the people themselves, has become an intermediate person between the Government and the village proprietors, collecting from the latter what they would otherwise have paid to the Government, and paying it in himself in one sum, after making such deduction to cover his risk and profits as may be specified in the patent, or sanctioned by custom. The superior in this case is called the talookdar; the inferior proprietors are called village zemindars, biswahdars, or moocuddums.

100. In such a case, if the settlement be made unreservedly with the talookdar, or in other words, if the demand of the Government on the talookdar be limited, and no limitation be placed on the amount of his demand upon the inferior proprietors, a grievous injustice is committed. This was the injustice extensively committed in Bengal, Behar and Orissa at the time of the permanent settlement, and to avoid which elsewhere, the Government has enjoined caution, and consented to make great sacrifices.

101. There are cases in which a single village, constituting a mehal in itself, presents all the features of a talookdaree tenure, an inferior proprietor or community of proprietors occupying, cultivating and managing the land, and paying a certain sum to a superior, who again pays a less sum to the Government.

102. But ordinarily a talookah consists of many villages, all of which may or may not have been acquired at the same time or in the same way. It will be generally found that village after village has been annexed to the talookah at different times, according as the wealth, or the influence, or the power of the talookdar extended itself. From this as well as from other causes it will follow, that each village or cluster of villages will constitute a case in itself, to be judged on its own merits, and care must be taken against forming a general deduction from the partial examination of a few cases.

103. A numerous and difficult class of cases of this sort consists of the talookahs in our own territories, where inferior properties are long known to have existed, and their recognition has been promised,† but where the rights of the inferior proprietors have remained in abeyance, and their investigation has been deferred till the time of settlement.‡

104. The first point to be ascertained in each village which may come under consideration is, whether or not there are in it two separate heritable and transferable rights of different kinds.

105. In most large talookahs it will be found that there are some villages in which there is no inferior right. These may be either the original ancestral property of the talookdar himself, or they may be villages in which he has purchased the inferior proprietary right, or in which he has succeeded in completely overbearing it, so as to have obliterated it for a course of years. All these are simple zemindaree tenures, and to be settled as such with the talookdar.

106. In other cases, the existence of the inferior property will be clear and unquestionable. The village community may be found in its integrity, divided into its usual component parts of thokes and puttees, cultivating, paying and adjusting

\* See clauses 1 and 2, section 10, Regulation VII., 1822.

† See section 4, Regulation VII., 1822.

‡ [This difficult subject has been treated of at some length by the Sudder Dewanny Adawlut, North-Western Provinces, in their Circular Order, dated 31st January 1845, and by the Sudder Board of Revenue in their Circular Order, dated 11th April 1845. Both of these documents will be found in Appendix, No. XIX.]

adjusting profits according to some known rule, and having by special contract, in the form of a lease, either annual or for a term of years, procured as it were a settlement for themselves from the talookdar. In such cases, the property must be at once acknowledged, all the features of the tenure be ascertained and recorded, and ample provision made for its future protection.

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107. Between these two classes of extreme cases will be generally found a number of obscure ones, needing much searching investigation and dispassionate consideration.

108. It must be remembered that the inferior rights have been in abeyance, not lost. Their existence has been admitted, and their recognition promised, and deferred by no default of the owners, but by neglect of the ruling power. No prescription, therefore, is good against them, so far as the period of our rule extends. During this time, the superior has been permitted to occupy the place of the Government towards the inferior proprietors, and to exercise over them all the powers inherent in the Government. He was not bound to limit his demand by any fixed rule, any more than the Government itself originally was, in whose place he stood. When the Government, soon after the acquisition of these provinces, voluntarily bound itself to restrict its demand within fixed limits, it omitted to bind the talookdar to restrict his demand upon the villages within his talookah, although it reserved to itself the right (which it afterwards exercised) of legislating at a future period upon the subject. There was therefore nothing to prevent the talookdars from exacting an exorbitant sum from any village, or from making it over to a stranger, or holding it kham. The only clear right which the original proprietors possessed was the cultivation of their own fields, at reasonable rates.

109. It may then so happen that the members of an inferior village community, possessing all the rights of proprietors, are found to all appearance simple cultivators, divested of all proprietary right, and it may be difficult to determine whether or not under these circumstances their rights should be recognized. It will be necessary to refer to the history of the village to trace the origin of those claiming the right, to ascertain whether proprietary rights were formerly exercised by the resident cultivators before they came under the talookdar, and by whom amongst them, and how those rights were exercised, and when and from what cause they ceased. Traces of the right may probably be evident in gardens they had formed, wells they had dug, or public works they had constructed; they may still enjoy the sayar, and perhaps divide it according to the village rule. All these points must be inquired into, and the best decision given that the case admits of. If it is decided on the above inquiry that there is only one property, the tenure of the superior party becomes zemindaree; if there be two separate properties, then the tenure is talookdaree, and must be treated as such.

110. It being decided that there are in one village or in any number of villages two separate properties of different kinds,\* it is open to the Government to form the settlement either with the superior or the inferior party. If the former,† the inferior proprietors must be protected by a sub-settlement; if the latter, the right of the superior must be compensated by a money allowance in lieu of his share of the profits.

111. If the settlement is made with the superior proprietor, he must be allowed a sum equal to his share of the profits of the estate, and such as will cover the cost and risk of collection, and the sub-settlement will be formed with the inferior proprietor, at an amount so much in excess of the Government demand. This sum should never be less than 10 per cent. upon the Government demand for profits, and five for expenses of collection; but where the estate is small, it may be more.

112. The inferior owners are thenceforward bound to pay their revenue to their superior according to fixed instalments, which should be regulated so as to be a month in advance of the Government instalment. So long as they pay regularly, they cannot be ousted. If they do not pay on demand of the talookdar, he may either distrain their personal property or sue them summarily; and on obtaining a decree,‡ it will be in his option either to bring the property to sale, or to hold it kham, under authority from the collector, till the balance is liquidated, with

\* See clause 1, section 10, Regulation VIII., 1822.

† See clause 2, section 10, Regulation VII., 1822.

‡ See clauses 6 and 7, section 15, Regulation VII., 1799; section 32, Regulation XXVIII. of 1803, and Act VIII. of 1835.

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with interest at the rate of 12 per cent. per mensem. In either case the defaulters forfeit their proprietary rights permanently or for a time, and become mere cultivators of their seer land on fixed rates under the purchaser or the talookdar.\*

113. If the settlement is made with the inferior proprietors, they become in all respects malgoozars, and are treated the same as any other proprietors. The talookdaree allowance is paid direct from the Government treasury to the talookdar, either in cash or in the shape of a deduction from the jumma of any other villages he may hold. The sum thus allowed in the North-Western Provinces has been usually 18 per cent. on the assumed rental, or 22½ on the Government jumma; but this has been under peculiar circumstances, and has been restricted to the life of the first incumbent. Ten per cent. on the Government jumma has been determined as the amount at which it will ultimately be fixed, and this should be the amount generally assumed, unless particular circumstances seem to demand a higher rate of allowance.

114. In estimating the comparative expediency of these two arrangements, it may be remarked, that to settle with the superior is the most advantageous to the Government, because the collections are easier and more certain from one large and wealthy, than from many small and comparatively needy landowners; whilst the inferior proprietors are placed in a position, where they are protected in the exercise of their rights so long as they faithfully discharge themselves of their responsibilities. When the settlement is made direct with the inferior proprietors, their position is rendered more secure, because the Government is a more indulgent and lenient superior than the talookdar, and because they are less exposed to any machinations he may devise against them. At the same time, the Government is more exposed to the risk of losing its revenue, the talookdar is generally much dissatisfied, and the inferior proprietors are often unable to stand alone when deprived of the support of the talookdar, on which they have long been accustomed to rely.

115. In the North-Western Provinces, it has been the general rule, sanctioned and approved by the Honourable Court of Directors, to make the settlement with the inferior proprietors; and this is the best arrangement, when the superior and inferiors are unconnected by blood or clanship, and have been long opposed to each other, and the latter are clamorous for severance of interests; but when the two classes are of the same family or tribe, and mutually willing to maintain their connexion, the former arrangement is very much the best.

116. The remarks in the preceding paragraphs (105, 109) are applicable to the settlement of resumed rent-free (lakhiraj or maafee) holdings whenever they have been created by grant of other than the proprietors themselves.† In such cases, all that could have been originally conferred was the right of the Government in the land, and the presumption is that there are proprietors with whom the settlement should be made when the Government by the resumption of the grant re-asserts its right. But it may be otherwise. The grant may have been of waste land, which the grantee brought into cultivation, or he may have purchased out or entirely dispossessed the former proprietors. Such cases must be investigated on the same principles as the talookdaree cases, the only difference being that here the question is, which of two conflicting claims is to be admitted; and there, whether one of the two or both are to be admitted.

117. In confirmed rent-free tenures, whenever the old proprietors claim the intervention of the Government between themselves and the lakhirajdars, it is the duty of Government ‡ to interpose and (arbitrate between the parties). The Government, by resigning or assenting to the resignation by former Governments of their own own right, had no power to imperil the rights of others, who were themselves proprietors. [The arrangement should be based on the state of things actually existing when the investigation commenced, or on that which did exist at some recent fixed period, when the struggle between the two parties commenced. The arrangement will consist either in the formation of a sub-settlement on the part of the maafeedar with the proprietors, or in the setting apart

\* [See a specimen of this kind of settlement in Mr. C. Gubbins' Report on the settlement of the istumrree tenure held by the munduls of Kurnaul in the Paneeput district, Selections from Public Correspondence of Agra Government. Agra, 1849, Vol. II., Part VI., p. 27, No. XXXI.]

† See section 15, Regulation VII., 1822.

‡ See section 17, Regulation VII., 1822, and section 6, Regulation IX., 1825.

apart of certain lands (nankar), or of a money allowance (malikanah) for the old proprietors, or in fixing a fair rent-roll or jumabundee, by which the old proprietors will be secured in the occupation of their lands at fair rates.\* It may be remarked that the Court of Sudder Dewanny Adawlut, North-Western Provinces, in their Circular Order of May 26th, 1847, have ruled that, in suits for the proprietary right in maafee estates, the value will be determined as in suits paying revenue to Government, and in their preamble to the order have recognized the existence of such proprietary rights, quite independently of those possessed by the maafeedar.]

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118. There is one other kind of inferior property which requires notice, and that is, where one or more persons hold from the proprietors of a village some portion of the village, on condition of paying annually a fixed sum for it. This may have arisen from the act of the proprietors themselves, or may be an arrangement on the part of Government for maintaining the rights of the occupant of a small resumed rent-free tenure. In all such cases the amount of the payment by the inferior should be fixed † at the time of settlement, and he will then occupy the same position as an inferior proprietor of a mouzah in a talookah. [There is some danger that sub-proprietors of this class may be confounded with non-proprietary occupants of the soil, and the peculiarities of their position be lost sight of. They differ, in the possession of a tenure, which is transferable as well as heritable, and in being bound to pay the sum assessed on their tenure, whether they cultivate the whole of it or not. In case of default they can only be proceeded against as already described in para. 112.]

119. The above are the chief kinds of proprietary rights which it will be the duty of the settlement officer to investigate. But his record must include mention of all existing interests, and it therefore is necessary to advert to the rights of non-proprietary occupants of the land.

120. Non-proprietary cultivators are the most important class, whose position requires to be determined. But before entering upon the subject, it is necessary to make a few remarks on the subject of cultivators in general, or, as they are commonly called, ryots.

121. Much confusion has arisen from the neglect to distinguish between proprietary and non-proprietary cultivators. Throughout Hindoostan there is a large body of persons, possessing an heritable and transferable property in the soil, who are also cultivators, and their profits as proprietors and as cultivators are sometimes so mixed together, that it is difficult to distinguish between them and the non-proprietary cultivators.

122. In many parts of Bengal, Behar and Orissa, at the time of the permanent settlement, no attempt was made to distinguish proprietary from non-proprietary cultivators, but all were left indiscriminately to the mercy of superiors, who contracted for the Government revenue, and who, whatever was their origin, were distinct from the village proprietors. A similar error was nearly committed in the talookdaree estates in the North-Western Provinces.

123. A remedy for this manifest injustice has been often sought by an attempt to provide protection equally for all classes of cultivators, and the advocates for such measures have argued upon acts, which in truth indicated the existence of much higher rights than those of mere cultivators.

124. The importance of the question is much diminished when the proprietary have been carefully separated from the non-proprietary cultivators, and the former confirmed in all the privileges to which they are justly entitled.

125. Still it is incumbent upon the settlement officer to define precisely the position of non-proprietary cultivators, in order that no doubt may remain as to the party entitled to benefit by future improvement of the land. So long as this is doubtful, exertion will be discouraged.

126. Non-proprietary cultivators are generally either the descendants of former dispossessed proprietors, or they have been located on the estate by the present proprietors, or their predecessors. Their best security no doubt consists in the demand for their labour. A zemindar commonly reckons his wealth by the

\* See a specimen of such a settlement in a report on the rent-free tenure of pergunnah Sukrawah, zillah Furruckabad, by Mr. F. Robinson, Commissioner of the Agra Division, published in the Selections from Public Correspondence in the North-Western Provinces. Agra, 1846-9, Vol. I., Part IV., Art. XXII., page 246.

† See clause 2, section 9, Regulation VII., 1822.

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the number of his assamees, and the fear of losing their services is often sufficient provision against harshness or severity towards them.

127. There can, however, be no doubt that many non-proprietary cultivators are considered to have rights of occupancy, and thus two classes are commonly recognized, those who are entitled to hold at fixed rates, and those who are mere tenants at will.

128. Cultivators at fixed rates have a right to hold certain fields, and cannot be ejected from them so long as they pay those rates. They have no right of property in the fields, and are not able to alienate them without the consent of the proprietors; but their sons, or their immediate heirs, residing with them in the village, would succeed on the same terms as themselves; nor are they competent of themselves to perform any act which is considered to indicate proprietary right, such as the digging of a well, the planting of a garden, or the location of a labourer. Their simple right is to till their fields themselves, or to provide for the tillage, and for these fields they pay certain rates, and are in some cases liable to be called upon to perform certain services, or to pay certain fees to the proprietors. So long as these conditions are fulfilled, they cannot be ejected from their fields; and if an attempt is made to eject them, they have their remedy by summary suit before the collectors. If they fail to pay the rent legally demandable, the proprietor must sue them summarily for the arrear, and on obtaining a decree in his favour, and failing after it to collect his dues, he may apply to the collector to eject them, and to give him possession of the land.\*

129. Tenants at will, have no right extending beyond the year of their cultivation. When at the commencement of the agricultural year they agree to cultivate certain fields on certain terms, they are entitled to the occupation of those fields on the specified terms during the year, but at its close their right terminates. There is no process for summarily ejecting a tenant at will provided by the Regulations, and if a tenant at will brings his summary suit, under section 18, Regulation VIII., 1819, (as construed by the Sudder Dewanny Adawlut,) opposing ejection, he cannot be denied his remedy. The fact is, that the right of occupation is of no value unless under circumstances which confer it; and, therefore, it will scarcely ever be claimed unless there be some ground for the right, and the investigation of this right more properly belongs to the regular than to the summary courts. The presumption of its existence is in favour of the cultivator, who is in possession of the land.

130. It is impossible to lay down any fixed rule defining what classes of cultivators are to be considered entitled to hold at fixed rates. They are known in different parts of the country by different names, as chupper-bund, khoodkasht, kudeemee, mouroosee, hukdar, &c., all of which terms imply attachment to the soil or prescriptive right. Those who have no such right are commonly called kutchassamies or pykasht. It has sometimes been supposed† that all ryots resident in the village (Khloodkasht) are of the former class, and that those who reside in another village (Pykasht) have no rights. But there are frequent exceptions to this rule. Many cultivators residing in the village are mere tenants at will, whilst those residing in neighbouring villages may have marked and recognized

\* See Circular Order, Sudder Board of Revenue, No. II., paras. 16, 17, 18. ("Para. 16. With regard to the power of redressing complaints of unjust ejection, your attention is requested to the following construction of section 18, Regulation VIII. of 1819, which was adopted by the Sudder Dewanny Adawlut, and circulated for the guidance of judicial officers.")

17. "The declaration contained in the 5th clause of section 18, Regulation VIII. of 1819, that it is illegal to oust or disturb resident cultivators, unless under certain stated circumstances, necessarily implies a remedy in case of a contravention of this rule, and, in the spirit of the enactment cited, such remedy should be afforded by the judge on the summary application of the ejected ryott, by an order for his being restored to possession, and his retaining it until the process prescribed by the regulation shall have been observed. The jurisdiction formerly exercised by the judge with regard to the suits in question, having, by Regulation VIII., 1831, been transferred to the collector, it has been decided by the Court of Sudder Dewanny Adawlut, that the authority to redress complaints of illegal ejection, which the above Circular Order declared to be vested in the judge, must be now considered to rest with the revenue functionary."

18. "A collector, therefore, is bound to maintain a ryott's possession, unless there be out against him an unsatisfied decree for rent, in which case the collector, after unavailingly requiring payment, may authorize the zemindar to oust him. In any other case than as above supposed, a ryott can only be ousted by due course of law, that is, by the issue of a regular suit."

See also Directions for Collectors (para. 276).

† See section 10, Regulation LI., 1795.

recognized rights. Prescription is the best rule to follow. Those who have for a course of years occupied the same field at the same or at equitable rates, are held to possess the right of continued occupancy; whilst those whose tenure is not similarly sanctioned are considered tenants at will. In practice, it is not difficult to draw the line.

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131. Our own system of administration has created two classes of cultivators, who require special notice.

132. When an estate has been sold\* in satisfaction of an arrear of revenue due upon it, the proprietors only lose their proprietary rights. If they were also cultivators, they retain their rights in that character, and as regards their own or seer land are entitled to hold at fixed rates. But it often happens that they were before rated for their seer land at a less amount than cultivators in general, either by bach,h, in which case the balance of Government revenue, after crediting the amount collected from the ryots, is made good by a rate on the seer land, or by a fixed favourable assessment. In such cases, their profits as proprietors and as cultivators have been confounded together, and the former shown in the shape of a low rent; but when they lose their rights as proprietors, they become liable to an equitable adjustment of the rent on their lands. They should then be made to pay the same that other non-proprietary cultivators in the neighbourhood of the same class pay for similar land, and should not be allowed to hold any more land than that which they actually cultivate themselves. There is frequently difficulty in adjusting the sum, and if all other modes of adjustment fail,† recourse can always be had to a jury, in the mode already described in para. 13.

133. But when the rights and interests of a cultivating proprietor in an estate have been sold‡ by public auction, either in satisfaction of an arrear due to Government upon some other estate, or in execution of a decree of court, the whole rights of the person, whether as proprietor or cultivator, altogether pass from him, and are conveyed to the purchaser. He then becomes a mere tenant at will, and is liable to be entirely ejected from his land by the purchaser. Whatever rights he subsequently acquires must be by special contract, or a new prescription from the purchaser.

134. It is not easy to define with precision the rates at which cultivators possessing the right of occupancy are entitled to hold. The Regulations § mention "the established rates of the pergunnah for lands of the same quality and description, due consideration being had, as far as may be required by the custom of the district, to the alteration of the species of culture, and the caste of the cultivator;" and in another place,|| "the Nirkhbundy of the pergunnah;" but in practice, such established rates are scarcely ever found to exist. In default of them, rents are to be adjusted¶ "according to the rate payable for land of a similar description in the place adjacent, or at rates not exceeding the highest rate paid for the same land in any one year within the period of the three last antecedent years." But both of these rules are difficult of application. [Non-proprietary cultivators will sometimes be found to pay at no fixed rate, but by a variable rate, equally distributed (by bach,h) over the whole cultivated land, in the same way as the cultivating proprietors. This is a local custom, which may have arisen from many causes, and to which there is no reason to object, if all parties are agreed upon it. Care should be taken in the formation of the record to distinguish clearly between the proprietors and the non-proprietors, and to specify the peculiarities which mark the difference between the rights of the two classes. The right of admission to audit of the village accounts (booj,harut), of sharing in the manorial rights, &c. &c., will generally be found to mark the distinction.]

135. When the Government fixes its own demand upon an estate, *i. e.* at the time of settlement, the Government officer is competent to fix the rates payable by the cultivators to the proprietors. He will be very careful not to do this arbitrarily, but he will refuse to admit the principle, that because a cultivator paid a low rent before the settlement, he is entitled to hold at the same rate, notwithstanding the Government demand has been re-adjusted. As a general rule,

\* See section 28, Act XII., 1841.

† See section 29, Regulation XI., 1822.

‡ See clause 2, section 60, Regulation VIII., 1793.

§ See sections 7 and 10, Act I., 1841.

¶ See section 10, Regulation LI., 1795.

¶ See section 7, Regulation V., 1812.



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rule, open to exceptions in special cases, the proprietor should be held entitled to raise the rent upon the cultivator till it reach half as much again as the average Government assessment upon land of the same quality.

136. When the Government restricts its own demand upon the proprietors, it does not prohibit the proprietors from raising their terms upon the cultivators, in such amount as may be equitable during the period of the settlement. General circumstances affecting the whole pergunnah, such as the opening of new markets for the produce, the introduction of new articles of produce, increased facilities of irrigation, or a fall in the value of money, or circumstances having local effect in the village, such as the establishment of a gunge or mart, the new direction of a road, or the construction by the proprietors of some work for irrigation, may all render it equitable that the proprietor should demand an increased rent, though the Government jumma remain the same. The law\* has made provision for securing this right to the proprietors, fair opportunity having been afforded to the cultivators for contesting the demand.

137. It must always be remembered that when the improvement of the land is occasioned by the expenditure of capital by the cultivator, the proprietor will not be entitled to enhance the rent, even though the cultivator may have neglected to protect himself by a pottah.

138. Money rates are to be stated in one sum,† and all attempts to levy abwab or cesses, over and above the rate fixed, will render the exactor liable to a penalty equal to three times the amount imposed.

139. Besides the rights of cultivators to their lands, there are several other rights of village servants to fees or dues, some of which are of the nature of rent-charges; and all of these should be recorded whenever the persons who own them desire their recognition and preservation.

140. There is one important class of rights coming under the head of sayer, and sometimes called sewae collections, which have already been noticed in para. 56.

141. They consist of the fees or dues collected by proprietors from residents in the village, whether those residents be cultivators, or traders, or men connected with the religion of the country.

142. Thus a cess is often levied from houses under the name of ghur-dewarry, or from looms under the name khurgehee, and the proprietors often share largely in the offerings at favourite shrines and places of worship. The Government have renounced ‡ all these as sources of revenue to the state, but where they have long existed, and are admitted by both parties, and the record of them is desired, it should not be denied. In case of disputes, reference must be had to the origin of the claim and the prescription on which it rests, and the question must be decided like any other question of disputed right. If the record be not made, the future demand of the cess is illegal, and cannot be enforced, || whenever the person from whom it is claimed refuses to give it. If it is recorded, the future demand can be legally enforced, and the payment becomes a portion of the proprietary right, which passes with it upon public or private sale.

143. This distinction becomes of great importance when the right to such customary dues is disputed between an auction purchaser and an old proprietor whose rights have been sold. If the dues were recorded at the time of settlement, they belong of right to the auction purchaser; if not, it is in the option of the person from whom they are claimed to withhold them altogether, or to pay them to whomsoever he likes. Supposing the sale by public auction to have taken place before the settlement, and that at the time of settlement the person from whom they are claimed shows that he has always paid them to the old proprietor, and desires to continue so to do, a record of the circumstance should be made.

144. Rights of irrigation are of great importance, and ought to be accurately determined. These rights may be to irrigate from certain wells or reservoirs by certain channels, or on certain days. Whatever they are, the cultivation is often dependent on them, and their interruption causes violent animosities in the village.

145. The

\* See section 9, Regulation XXX., 1803.

† See section 4, Regulation XXX., 1803.

‡ The collection of ghur-dewarry and khergui, authorised in Benares by section 13, Regulation II., 1795, was discontinued under the orders of Government, dated 31st October 1835.

|| See clause 1, section 9, Regulation VII., 1822, and section 9, Regulation IX., 1825.



145. The above being the rights which are to be set forth in the record, the principles on which the record is to be formed are next to be considered.

146. Much that has already been stated in paras. 10-13, regarding the laying down of boundaries, is applicable here. The process is essentially judicial; it is judging between man and man; but all authoritative decision should be avoided as much as possible. The great advantage of the procedure is that the settlement officer comes amongst the people as their friend and peace-maker, rather than as their judge. He does not ordinarily interpose between two parties when their passions are inflamed by the animosity of a fierce dispute, or the anxiety of a protracted law-suit, but his first object has been to fix a moderate assessment, and to lay restrictions on a right possessed by the Government, which they all acknowledge and consider sacred, and for moderation in the exercise of which they are grateful. Having successfully accomplished this, and thereby conferred on them a new and valuable property, he calls upon them, whilst their minds are calm and their best feelings brought into action, to come to an agreement on all points likely to produce disputes amongst them; he then reduces the terms of the agreement to record, and gives to the record the stamp of judicial authority. The task is a delicate one, and he must be very careful lest, in the attempt to prevent disputes, he excite them, and lest, whilst endeavouring to allay animosities, he only inflame them.

147. The settlement officer will find his ends best answered by doing everything as much as possible through the people, and deciding nothing himself that he can avoid; and also, by being most careful that every minute feature of a tenure and every possible bearing of a right is fully recorded.

148. By making the people do everything, he will find the work easier as well as better done than if he attempted to do it himself. He requires the assistance of a few subordinate officers, who should be men of intelligence and of local experience and influence, but it is by no means necessary that they possess judicial powers; indeed it is on many accounts preferable that they do not possess such powers. Pergunnah officers, such as tuhseeldars, tuhseel mohurrirs, canoongoes, or even good putwarees, are often the best persons he can employ. To such persons it should be fully explained that a complete record of everything regarding the village is wanted, and then they should be desired to sit down with the villagers and make the record. If any difficulty or difference arises, it should be at once brought to the settlement officer, who should endeavour to accommodate the matter if possible, and, if all his efforts fail, he should lay it aside for future determination by assessors in the mode described above in para. 13, as sanctioned by section 8, Regulation IX., 1833.

149. Completeness of record can only be ensured by great vigilance on his part. The villagers are themselves reluctant to lay open to public scrutiny the internal economy of their village. They are distrustful, and slow to appreciate the motives which lead to the inquiry. The strong, the crafty and the dishonest wish to avoid a proceeding which will tie their hands, and close every door against future encroachment and intrigue. Again, the process is a laborious one, which the persons employed in the formation of the record are apt to slur over. Each peculiarity of the tenure probably has to be elicited by repeated questions, and the expressions to be very carefully adjusted so as exactly to meet the case. The natives of this country, and especially those in official employ, as well as all persons who work for show and effect rather than from principle, are peculiarly prone to inaccuracy and slovenliness. Here then all depends upon the settlement officer. By well selecting his agents, and thoroughly tutoring them, and by making gradations of scrutineers, he may lessen his work or increase its polish, but all must ultimately centre in himself. He must understand the subject himself thoroughly; he must accustom his mind to classify and methodize his work; he must learn to detect the weak or incomplete points of a statement; he must call into practice all these powers with unremitting watchfulness and diligence; above all, he must be actuated by a simple desire to promote the best interests of the people; and, by the uniform and conciliating exhibition of this feeling, he must win their confidence and attachment. In proportion as he possesses these qualifications, he will be entitled to the character of being a good settlement officer.

150. Some parts of the process materially affecting the exercise of the proprietary right are not altogether judicial, but depend also on the discretion of the settlement officer, acting under such orders as he may receive from the Government.

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151. (It is never obligatory on a proprietor to engage. It is in his option to decline to engage, with or without reason assigned, in which event, if he be the sole proprietor, he will receive his malikanah, and the best arrangement that circumstances admit will be made for the estate. But when there are several proprietors, all of whom are desirous to enter into direct engagements with the Government, a certain power of selection rests with the Government. The security of the public revenue greatly depends on the judgment shown in the selection, and it is therefore equitable that the Government should have the power of influencing the determination.)

152. It has already been stated in para. 110, that, when it has been judicially determined that there are two separate heritable and transferable properties of different kinds, *i. e.* in a talookdarree mehal, it is left to the Government\* to determine which of the two parties shall be admitted to engagements.

153. A like power exists† when the properties in the village are of the same kind, *i. e.* in co-parcenary mehals, save that in this case, the interests of the several parties being closely united, it becomes the more necessary to have “due advertence to the wishes of all the co-parceners and to the past custom of the village.”

154. When there are many co-parceners, it is usual to select one or more from their number, and to arrange that the others should pay their revenue through them to the Government. All the co-parceners are malgoozars or putteedars,‡ but the persons admitted to the engagement are the sudder malgoozars, and are commonly called lumburdars. It is most important rightly to determine the relations between the putteedars and the lumburdar.

155. It may be so arranged, that the putteedars§ should pay a fixed sum to the lumburdar, who should be bound in his own person and in his own property only to make good the demand of Government. Such seems to have been originally the nature of the arrangement in the province of Benares,|| when the permanent settlement was formed there. Under it, the putteedars would become subordinate proprietors of the sort already described in para. 118, but entitled to separation of their property and to direct engagement with the Government, whenever they might claim it.

156. In the ceded and conquered provinces, and generally in all settlements made under Regulation VII., 1822, it has been more usual to constitute the lumburdar the representative of the whole community, or of a certain portion of it, as of one thoke, or behree, or puttee. He becomes thereby bound to collect from the co-parceners, whom he represents, their quota of revenue, and to pay it into the Government treasury. The primary demand from the whole portion of the community, which he represents, is made upon him, and he is responsible for it in his own person and property. He is also competent to recover by summary suit¶ from his co-parceners their quota of the revenue. In case of default or insolvency of the lumburdar, it is in the option of the revenue authorities to proceed separately against each putteedar, or to hold the whole community to their joint responsibility, and to bring to sale the entire mehal.

157. In selecting lumburdars in villages where there are many sharers, it is of importance to take an equal number from each thoke or puttee, if possible; otherwise, discontent is likely to arise among the unrepresented portion of the brotherhood. The number should be as small as is compatible with due security to all the sharers against being defrauded in the account. The most substantial men of the community should be chosen for the office, as far as this can be done, with due reference to the above points.

158. In some instances the lumburdar will be remunerated by a per-centage on the collections from the village, whilst in others he will be held sufficiently compensated by the influence and consideration which the post confers upon him. In some cases the office will be altogether elective; in others it will be hereditary, provided the heir is capable. On all these points the wishes of the community should be consulted as much as possible.

159. It remains to point out the way in which the record of rights is to be formed.

\* Clause 1, section 10, Regulation VII., 1822. † Clause 3, section 10, Regulation VII., 1822.

‡ Section 2, Act I., 1841. § Clause 8, section 10, Regulation VII., 1822.

|| Section 17, clause 1, Regulation II., 1795, and section 10, Regulation XXVII., 1795.

¶ See paras. 35 and 36, Circular Order, Sudder Board of Revenue, No. II., and Directions for Collectors, para. 258.

formed. Uniformity is here most necessary. The information must be thrown into one form, so that with little practice every one may be able to find directly what he is in search of. A man may be possessed of much valuable information, and may have taken the pains to place this information on record, but unless his record be formed on some generally acknowledged plan, comparatively few will be able to avail themselves of it. This is more strongly the case when many agents, acting under one superior, are at work over the face of an extensive country, collecting and digesting similar information for the use and satisfaction of that superior. They must so arrange their information that their common superior may readily understand it and judge of it. But uniformity is especially of importance in a proceeding like that now under consideration. The record of rights is not to answer a temporary end, or to exhibit, as in the case of assessment, to the satisfaction of superiors, that a certain operation has been judiciously performed. The record is to be permanent; it is to be as it were the charter of rights, to which all persons having an interest in the land, or seeking to acquire such interest, are to appeal. It is to be the common book of reference to all officers of Government in their transactions with the people, to the collector, to the magistrate, and above all, to the judge. It is hence of the utmost importance that it be drawn out on some regular plan. The settlement officer will not, therefore, consider this an unimportant part of his duty. It is to a certain extent mechanical, and, therefore, when once mastered, is capable of easy application to all cases which may arise. It is very true that an incomplete or inaccurate record is worthless, however regularly it may be compiled; but it is also true that the most accurate and perfect record, if irregularly and carelessly compiled, loses almost all its value.

160. The following detail explains the method in which the record of rights is to be formed, and as the whole settlement proceedings affect the rights of all the persons concerned, the papers before mentioned will be here recapitulated, and all documents enumerated with which the settlement officer is necessarily concerned.

161. The papers are partly vernacular and partly English. The vernacular are for each village, and constitute what is usually called the settlement Misl,\* and are as follows:—

162. I. The proceedings at the time of deciding and marking off the boundaries, forming a Misl of itself, with its separate list. In this will be comprised the sketch of the boundaries. (Para. 15, and Appendix, No. II.)

Not printed.

163. II. The papers made over by the surveyor, consisting of the Shujruh (para. 29, and Appendix, No. IV.), and the Khusruh (para. 29, and Appendix, No. V.)

Not printed.

164. III. The proceedings at the time of assessment, containing the village statement (para. 53, and Appendix, No. VII.), the memorandum furnished from the collector's office (para. 53), and the Durkhast (para. 58, and Appendix, No. IX.), with a closing Roobucaree (para. 72).

Not printed.

Not printed.

165. IV. The Khuteonee or Moontukhub Asameewar. This is an arrangement of the fields in the khusreh, so as to bring all those belonging to each thoke, or puttee, or person, together. The primary arrangement is according to the thoke or puttee, the secondary according to the person. Specimens of them will be found in the Appendix, No. X. A. and B. This is a most important paper. Each thoke and each puttee must be distinctly shown, and the putwaree should be answerable that each field and each person is shown in the proper place.

Not printed.

166. V. The Teerij Asameewar. This is an abstract of the foregoing, giving the total land held by each person in each thoke or puttee, without any enumeration of the fields. Specimens will be found in the Appendix, No. XI. A. and B.

Not printed.

167. VI. The engagement entered into by the malgoozars and co-parceners, otherwise called the administration paper, and in the vernacular, the Ikrarnamah or Wajiboolurz. In co-parcenary mehals, this is the most important of all the papers,

\* [A specimen Misl in Oordoo, lithographed in quarto, so as exactly to represent how the MS. should be formed, was published at Agra in 1847, and an English translation, 1 vol. 8vo., p. 246, appeared in the same year. The compilation is illustrative not only of the mode of forming the record, but also of the different tenures which are usually the subject of record. It shows the mode of recording rights in a zemindaree as well as in a putteeduree estate, and in the latter, the several puttees are supposed to be so constituted as to illustrate the most common forms of bhyacharuh tenure.]

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papers, for it is intended to show the whole of the constitution of the village. The principles on which it is to be compiled have been already laid down in paras. 146-149. No specimen is given, because it has been found that the mention of any specimen leads to its too general adoption as a form, whereas it is not to be expected that any one form should suit more than a very few cases. It is better to enumerate the principal topics on which the paper should be explicit, so that the settlement officer may see that no necessary subject has been overlooked. The paper should contain complete information on the following points:—

1st. The mode of paying the Government revenue, whether according to ancestral right, or according to village custom; if the latter, what is the nature of the custom? Whether the distribution be made equally per beegah on the several holdings, or on a fixed valuation of each, or upon ploughs, or in what way? The shares or holdings should be enumerated with the extent of land in each, and the jumma of each, if fixed, [also the rights of the co-parceners, and the agreement of the community regarding the pre-emption of shares.]

2d. If the holdings are in common, it should show how, and under what circumstances, and to what extent, separation of interests may take place. If the holdings are in severalty, it should show whether re-allotment of the land according to the shares, or re-adjustment of the jumma on the holdings, may be at any time made; and if so, under what circumstances, upon what principles, and in what manner.

3d. If the holdings be in severalty, and especially if their extent depend on village custom and not on ancestral right, a genealogical tree, or specification of ancestral shares, should not be admitted without full explanation of the object of such a record, and of the uses to which it is to be put. No such record should be allowed, except at the clearly expressed desire of the majority of the community, and any protest which may be made against it should be carefully noted at the same time. [The paper should show how the claims of proprietors and cultivators are to be adjusted when any of their land is taken for public purposes, cut away by the encroachment of a river, or otherwise lost, and how land gained by accretion from a river is to be disposed of.]

4th. As regards the lumburdars, *i. e.* the persons who engage with the Government on behalf of the rest, it should state their functions and powers, and the advantages to which they are entitled in virtue of their office—whether fees, or per-centage on revenue, or whatever it may be; and it is always better that there should be some ostensible and tangible remuneration. It should show how they are selected, and how they may be removed, and how their successors are to be chosen.

5th. As regards the sayer, it should enumerate the items, and state how they are to be enjoyed. The rule regarding fruit or timber trees should be especially noted, and where the trees are few and valuable, an enumeration of them is useful.

6th. All rights of irrigation should be described, and specified, as well as the ownership of wells, artificial reservoirs, &c.

7th. As regards culturable waste land, it should be stated whether this is to continue common pasture land, or is liable at any time to be broken up and cultivated, and, if so, by whom partition can be claimed, and on what principle it is to be made.

8th. It should enumerate the village servants, their fees and allowances, and especially the village watchmen, and the fees to which they are entitled; whether from the zemindars or traders, or the inhabitants at large, or from travellers who may rest with their goods in the village by night.

9th. The signatures of all the lumburdars, and as many as possible of the putteedars, should be attached to the paper, and it should also be attested by the putwaree and the canoongoes, and be always read out before the settlement officer in open court, and in presence of the subscribing parties, and should be tested and approved by him, and receive his signature in full.

168. VII. The Jumah-bundee. (*See* Appendix, No. XII.) This is intended to regulate the transactions between the cultivators and the lumburdars. The entries in many respects correspond with those in the Khuteeonee, No. III., but it is of importance that it be drawn out afresh, in the form here prescribed, at the close of the proceedings, and it should be made known that the zemindars will be bound by what it contains. It will show the name of every cultivator, the

the fields he cultivates, their size, the rate and amount he is to pay, and the crop then growing. The primary arrangement will be under lumburdars; and first will come the seer of the lumburdars, then the seer of the putteedars, then subordinate holdings (para. 118), and then the fields cultivated by tenants at fixed rates, and by tenants at will. This is a very important document, because it is the basis of the putwaree's annual papers, and is in fact the first of the series, on which account it is given in Hindi, the language generally used by putwarees. If the payments from the seer are by a rate (bach,h), that should be stated, and no money payment shown. Care must be taken that the proprietors, whether lumburdars or putteedars, do not enter more as their seer than is really the case. Where a money rate is shown upon the seer less than the fair rent of the field, it will only hold good so long as the existing proprietors remain in possession, and if the proprietary right pass from them by transfer or by public sale for arrears of revenue, it will be liable to re-adjustment\* by mutual agreement between the purchaser and old proprietors, or by assessors. When the document has been prepared, it should be made public in the village, and pains taken that every cultivator be apprized of the entries regarding himself. All objections to the entries, however made, should be patiently heard and decided upon. Finally, the document should be attested by the putwaree and canoongoes, and signed in full by the settlement officer, and an attested copy should also be lodged with the putwaree.

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169. VIII. The final Roobacaree, or proceeding; containing a brief abstract of all the proceedings regarding the mouzah, and declaring that all has been done under the power vested in the collector by Regulation VII., 1822, and is to be considered as possessing the weight of judicial authority.

170. The English documents will consist of the following:—

171. I. The professional map, with the statement on the face of it, prepared by the surveyor, and already described in paras. 26-28.

These maps should be numbered and arranged according to the final numbering of the mouzahs, determined as in para. 45. They should be bound up in volumes of convenient size by pergunnahs, and the pergunnah map (para. 42) placed in the commencement of each volume, or series of volumes, if there are more than one to a pergunnah.

172. II. The statement of villages about to come under settlement (para. 54, and Appendix, No. VIII.), as well as any rough map which may have been prepared on the plan noticed in para. 55, should always be carefully preserved and placed on record, however rough they may be. Reference to such documents may afterwards explain the real ground of a questionable proceeding, or lead to the exposure of a suspected error.

Not printed.

173. III. The village statement. (See Appendix, No. XIII.) This document consists of three pages, A., B. and C. The mode of filling up pages A. and B. has been already described in para. 73. The third page, C., will contain a statement of the responsibilities, taken from the administration paper (para. 167, No. VI.)

Not printed.

174. It will be observed that there are two sets of these papers, one for zemindaree estates, and the other for bhyacharuh estates. The difference is in the third page, C., and from inspection it will be evident that the former, or zemindaree papers, are for estates in which the sharers are bound to pay a certain fraction of the jumma (expressed in parts of a rupee or a beegah), to which their interests in the estate are made to conform; whilst the bhyacharuh papers are for estates in which the sharers possess certain portions of the land, to which the Government demand upon them is made to conform.

175. Some difficulty may be experienced in determining how to show those tenures, which have been before denominated imperfect putteedaree, and where the payments are made beegah-dam or dharbach,h. (See para. 89.) This depends on the agreement made at the time of settlement. If the custom is maintained, and the extent of the several holdings continues to be the measure of the interest of each proprietor, whether the land in common be or be not divided, then the bhyacharuh form should be used. If the custom is relinquished, and immediate steps taken for partitioning the village according to ancestral shares, the zemindaree form should be used. These forms should be bound up by pergunnahs, like the village maps.

176. IV. The

\* See sections 7 and 10, Act I., 1841.

- Not printed. 176. IV. The general statement in acres of the pergunnah,—(Appendix, No. XIV.) See para. 74.
- Not printed. 177. V. The annual jumma statement of the pergunnah,—(Appendix, No. XV.) See para. 75.
- Not printed. 178. VI. The statement of village police,—(Appendix, No. XVI.) Fuller mention of this will be found hereafter, in paras. 190 to 195.
- Not printed. 179. VII. Statement showing the tenures on which the mehals are held,—(Appendix, No. XVII.) This classifies the tenures under the heads of zemindaree, putteedaree, and bhyacharuh. In the zemindaree and putteedaree columns should be entered all those for which zemindaree village papers, No. III., have been prepared; those being shown as zemindaree where all the lands are held in common, and those as putteedaree where the lands have been divided according to the proportion in which the jumma is paid. In the bhyacharuh column should be entered all those where the payment of the jumma is regulated by the extent of the holding in the village. Imperfect putteedaree mehals, which are not bhyacharuh, should be classed under the head of zemindaree or putteedaree, according as the part held in severalty bear such proportion to the part held in common, as to lose or retain the distinctive features of the one or the other.
180. (The object of this paper is to show in a concise form on what tenure each mehal is held. This circumstance materially affects the mode of procedure in civil suits, as well as the process for the realization of the public demand.)
181. In order to illustrate the bearing of this distinction on the proceedings of the civil courts, the circular orders of the Sudder Dewanny Adawlut are given in the Appendix, No. XVIII. It will there be seen that in bhyacharuh estates, where the interest of each sharer consists in the right to a certain portion of land, suits must be laid for certain fields claimed, and that in cases only where the interests consist of undivided fractional portions of the whole can the suits be laid for such portions—without specification of fields.
182. This distinction is also of importance in determining the process\* for the realization of the land revenue. In all putteedaree and in all bhyacharuh estates, where the holdings have been separated, and each person manages his own holding, the separate sale or transfer of such holding is allowed for the purpose of realizing the balance due from it. But in zemindaree estates, where there is no such separate possession, the whole mehal is jointly responsible for the whole revenue.
- Not printed. 183. The only documents which it is necessary to send to Government are the general statement in acres (Appendix, No. XIV.); the annual jumma statement (Appendix, No. XV.); and the police statement (Appendix, No. XVI.) These should be accompanied by a report, describing the pergunnah or district, giving its previous history, and explaining the mode in which the assessment has been fixed, with remarks regarding the prevailing tenures, and other subjects of interest.

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#### SECTION VI.—*Police.*

184. The police is a subject of such importance as to require separate notice.
185. Under the Native Governments, the proprietors of the land were almost the only preservers of the public peace within the limits of their estates. So far as there was any police at all, it was maintained by them, and its maintenance was considered a part of the obligations attaching to their property. Under the British Government, a separate police has been organized, but the proprietors have not thereby been absolved from their responsibility. Independently of that aid which every member of a social body is bound to render towards the safety of the whole, the village proprietors† are held specially responsible, under heavy penalties, that all crimes occurring on their lands should be reported to the proper officer, that no bad characters find protection and countenance on their estates, and that they use their utmost endeavours to prevent‡ as well as to detect crime.

On

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\* See Act I., 1841.

† See section 2, Regulation VIII., 1814; clause 1, section 14, Regulation XX., 1817; clauses 6 and 9, section 20, Regulation XX., 1817.

‡ See section 20, Regulation XIV., 1808.

On failure duly to discharge these liabilities, they are subject\* to fine or forfeiture of estate, and they are liable to prosecution† in the civil court for recovery of the value of stolen property brought into their estates with their connivance.

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186. The settlement officer is bound to provide, that nothing in his arrangements occur to weaken this responsibility, but that on the contrary every thing be so disposed as to give free scope and effect to the power which the zemindars necessarily possess for giving efficient aid to the police.

187. His first care will be to provide, as already mentioned in para. 62, that his assessment be not so fixed as to afford excuse or inducement to protecting criminals for the sake of the price they pay for protection. Instances have been known where the execution of a band of Thugs, or the suppression of cattle-lifting, has caused the sale of an estate, and compelled reduction of the jumma. Errors of this sort may have occurred when assessments were fixed without reference to the capabilities or circumstances of a village; but there can be no excuse now for such an error. If illicit gains of this sort have formed an asset of the estate, it ought not to remain unknown to the settlement officer, nor should he fail to point out to the zemindar the criminality and danger of his conduct, and at once to remove all excuse for it by reduction of the jumma.

188. When the zemindars are themselves the criminals, as is sometimes the case with certain classes, such as goojurs, mewatees and mhairis, their reclamation from these vicious courses, and their future pursuit of an honest livelihood, greatly depend upon the settlement officer. Villages belonging to such persons will generally be found poorly cultivated, nor ought an assessment proportioned to the capability of the soil to be fixed upon them. If the land of each person be moderately assessed, and his interest in it clearly defined, he will not be slow in finding out that his profit lies more in the improvement of his property than in neglecting it for the hazardous pursuit of plunder. This may not be at once the case. It will require continued vigilance on the part of the magistrate, and perhaps some examples of destruction of property by sales of estates for arrears of revenue, before the lesson be learned. But the labours of the magistrate will be lightened, and the force of the examples increased by judicious arrangement on the part of the settlement officer. If the assessment be too heavy, or rights undefined, the progress made in the moral reclamation of the people cannot but be slow.

189. The effect of the settlement is most striking in diminishing or rather terminating one class of crimes, which used to be common and very pernicious in their consequences, viz., affrays on account of land. The difficulties of bringing a suit regarding land to adjudication, and the risk of making good in the civil courts a really just right, were formerly so great that resort was frequently had to blows and violence, as the readiest or almost the only means of bringing the dispute to a termination. If the settlement has succeeded in determining and recording every right, and thus placing it in the power of every man easily to prove his right, the incentive to the exhibition of force is removed, and all the evils resulting from such a course avoided.

190. But the state is bound not only to afford inducement to industry and peaceful habits, but also to provide the agency for the suppression of crime. The state, as the great landlord of the country, is bound to see that provision is made for the security of the agricultural population. This provision is made in the form of an abatement of the public demand sufficient to provide village watchmen for the agriculturists, and all who are immediately connected with them. One watchman or chowkeedar for every 60 houses, and an officer whose special duty it shall be to report to the thanah all offences which have occurred within the village or a certain circle of villages, is the establishment of village police, which is generally considered adequate. These should be remunerated in the mode that is customary. A jagheer of about three acres of average land to a chowkeedar, and of two acres to the reporter, is generally accordant with the village custom, and found to be sufficient to afford a good livelihood; it has also the recommendation of being a joint contribution from the zemindar and the Government. The former gives the land, the latter the assessment on the land; the man becomes the

\* See section 3, Regulation XXXV. 1803, and Regulation VI., 1810.

† See section 19, Regulation XIV., 1807.



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the servant of both ; and the efforts of both the zemindar and the Government are so far combined to preserve the public peace.

191. Wherever this arrangement is made, the settlement officer should be careful to record the number of the fields constituting the jagheers, and to see that the men have possession of them. The zemindars should also, in their administration paper, bind themselves not to interfere with these lands, and should acknowledge their sense of the responsibilities attaching to them for the maintenance of the police. A distinct and full note should also be made of all the dues to which the chowkeedars are entitled from the inhabitants of the village, whether of grain, clothes or money. Where these are considerable, they will be taken into account when fixing the size of the jagheer.

192. In some places the amount of the chowkeedar's remuneration has been fixed in money at two or two-eighths or three rupees the month, and the whole sum thus fixed has formed a deduction from the Government jumma, and is paid over to the magistrate for distribution to the chowkeedars through the thanah police. This arrangement tends to weaken the whole system of village responsibility. The zemindar cannot feel any responsibility for the good conduct of an officer with whom he has no concern, whilst the chowkeedar is apt to become a kind of spy on the zemindar. A spirit of antagonism springs up between the zemindar and chowkeedar, and the feelings of the former are arrayed against the village police, rather than swayed to co-operate with them. The chowkeedars are liable to become nothing more than ill-paid, and therefore disreputable and inefficient burkundazés.

193. The mere watch and ward which can be maintained through the instrumentality of the chowkeedar is but a small portion of the beneficial effect which is sought to be derived from the village police. The chowkeedar should be the agent for maintaining a strong preventive control over the loose characters of the village and of the neighbouring country, and he should also be the means of detecting and apprehending criminals. In both these operations the aid and countenance of the zemindars are essential, and every effort should be made to adapt the measures so as best to call them forth.

194. In large towns, where there is a commercial or manufacturing population, it will be found that if the provisions of Regulation XXII., 1816, have not been introduced, there is some plan organized amongst themselves for their protection. Either watch is kept by themselves alternately, or chowkeedars are maintained by dues of some kind or another. The custom, whatever it is, should be ascertained and recorded. If it be evidently inadequate, efforts should be made through the chief men, either the mohulladars or the heads of each trade, to raise the standard of remuneration, but the settlement officer possesses no power of coercion for this purpose.

195. The fullest particulars regarding the police in the villages and in the towns should be furnished to the magistrate, and an abstract return, in the form Appendix, No. XVI., should be sent with the settlement report to the Government.

Not printed.

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## APPENDIX.

Appendix, No. XVIII.—*Vide* Para. 181.

CIRCULAR ORDERS of the Sudder Dewanny Adawlut, North-Western Provinces, for the conduct of Civil Suits regarding proprietary rights in Zemindaree and Putteedaree Mehals.

(No. 1143.)

To the several Civil Judges in the North-Western Provinces; dated Allahabad,  
24 June 1842.

1. THE Court of Sudder Dewanny Adawlut have for some years been impressed with the necessity of the adoption of measures for remedying the injury to which landed estates are exposed by decisions of the several judicial tribunals relative to property therein, passed without due reference to the actual state and constitution of those estates, and to the nature of the interests of which they are composed, and the tenures by which they are held, and for obviating at the same time the inconvenience and expense to all parties concerned, and the necessary compromise of the position and character of our courts, caused by

by the passing and issue of orders for carrying into effect decisions which are from their very nature, with reference to the character of the property affected by them, impossible of execution.

2. Much correspondence between the Government, the Court and the Sudder Board of Revenue has taken place on this subject; and lately a conference has been held by the two latter authorities, to consider the question in all its bearings, and to ascertain the extent to which the evil has been experienced, and devise, if possible, suitable remedial measures.

3. The court are induced to believe, upon full deliberation, that if, as is stated, the late revenue arrangements for the revision of the land settlement in these provinces have led to the preparation of a record, available to all parties interested, of the minute details of the tenure of every estate and village in the several zillahs, it is only necessary that the various courts of first instance should be particular in enforcing an observance of the rules laid down in the existing regulations, regarding the drawing of plaints, and the examination of claims, to obviate in a great degree, if not entirely, the evil complained of.

4. It has been distinctly declared by the Board of Revenue, that the landed tenures in these provinces are classable under the three heads of pure zemindaree, pure putteedaree or bhyacharuh, and mixed putteedaree. These tenures are defined and their incidents explained in paras. 199 to 203 (both inclusive) of the Board's Settlement Circular; many of the two latter descriptions of tenures are liable to the additional incident of a state of intermixed possession, which is explained in paras. 225 to 237 (both inclusive) of the same circular. It is understood that each judge possesses the means of reference to this and the other printed circulars of the Board, having been supplied with a copy from that authority.

5. It will be seen that the first of the above classes very nearly corresponds with the usual holding of tenants in common, as defined by English law. Every sharer has an equal proportionate right throughout every part of the estate, the rents are collected in common, and after payment of the Government revenue and charges, the surplus is divided among the proprietors in the proportion of their fractional shares. In cases of this class, the court observe, the claim is correctly brought, and the suit tried and decided as a claim for a proportionate share of the whole estate, as  $\frac{1}{4}$ th,  $\frac{1}{5}$ th,  $\frac{1}{10}$ th or  $\frac{1}{100}$ th part, as it may happen. When the revenue authorities are required to execute a decree passed in such a case, it is obvious that no difficulty will be experienced. The collector has simply to make it known to the parties in possession that the plaintiff is to be acknowledged as the owner of the proportionate share awarded him, and is entitled to, and will henceforth derive, the privileges and emoluments attached to his adjudicated share of the entire property.

6. Or if it be desired and ordered by the court that plaintiff's share be made over to him in separate possession, the collector has only, in conformity to the provisions of Regulation XIX., 1814, to select from the whole area, in one continuous tract, such an extent of soil as, with reference to its present produce and capabilities, may be considered fairly to represent the fractional share of the plaintiff, which process the complete map and register said to exist of every field and every uncultivated parcel of ground included in every mouzah in these provinces will enable the collector to perform with much facility and expedition, and in most instances probably without having recourse to a re-measurement.

7. But it is manifest that a far minuter detail is required in drawing plaints, regarding proportional shares in mouzahs held under tenures of the second and third class above noted, viz., a pure putteedaree or bhyacharuh tenure and mixed putteedaree, and that when these minutiae are unobserved, and decrees are given on the pleadings now usually filed, without advertance to the specific nature of the tenure, the greatest difficulty, amounting in fact to impossibility, is encountered in attempting their enforcement.

8. The reason of this is (to quote from the Board's address to Government on the subject) that "there is no community of possession in lands of this kind; which are not inherited, transferred or possessed in common, but in severalty. Therefore the rules which relate to lands held in common cannot apply to them either as regards possession or partition. The difficulty found is, to put one party out of possession of land held in severalty, and to put another party in, without a clear order as to who is to be ejected, from what land, and in whose favour. It is also impracticable to divide an estate of which the lands are held in severalty into proportional parts, such a division being contrary to section 30, Regulation XIX., 1814."

"The whole mouzah is made up of independent freeholds, each freehold not containing one continuous tract, but made up of fields scattered about and intermingled with the fields of other proprietors, so that it generally happens that if one proprietor own ten fields, each of those fields will be surrounded by the fields of other proprietors, and it is rare for two fields of one property to lie together. It often happens in bhyacharuh mouzahs, that the fields are possessed by men of several different communities, of distinct families and tribes, having no interest either actual or contingent in common, and no concern with each other but that of holding fields within the boundary of the same township, residing in a part of the same hamlet, and paying, through either a common or separate representative, their portion of the jummah assessed on the whole mouzah."

9. The Board further remark with great justice, that "in such a case as this, where the land has been held, time immemorial, in clear separate possession, a party claiming to eject the present possessor, and to occupy in his stead, must show what are the actual fields to which he lays claim, and must prove, in respect to each, a title superior to the person who holds it. Plaintiff must show, moreover, that he either has held possession of those fields

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within the term beyond which the law will not allow the right of a possessor to be called in question, or he must establish by evidence such facts as will entitle him, under the law, to sue notwithstanding the lapse of time. To prove that he holds a certain position in descent from a certain remote ancestor is to prove nothing, unless he can show cause for suing after a period beyond which the law forbids suit to be brought. The nature of the claim and of the evidence required to establish the claim is changed entirely by the different nature of the tenure. A decree in this latter case cannot be given, or if given is nothing worth, if it be in the terms of a title to a certain proportion of the entire area of the mouzah. The mouzah, as before said, contains many unconnected properties, and it is necessary distinctly to declare of what lands the plaintiff is to receive possession, and who is to be displaced to make room for him."

10. The regulations require that every plaint shall contain a distinct and specific statement of the nature of the claim preferred, and the grounds on which it is based, and that before entering on the investigation of any case, the exact points to be proved by the parties shall be ascertained and recorded; and the object of the present order is to impress upon the courts of first instance the necessity of observing, and strictly to enjoin observance of those rules.

11. As respects the means at hand of so doing, the court are assured by the Sudder Board that the records of the present settlement to be found in the collector's office supply ample materials for enabling suitors to draw their plaints as above laid down. The Board state in their address to Government, already noticed, that a map exhibiting the exact position of each field composing every property, and a register of the number of fields and measurement of each, as held by each proprietor, and of the contribution leviable on them towards the Government jummah of the whole mouzah, form a part of the settlement record of every mouzah. Any suitor, on application, may obtain a copy or extract of these documents, and may therefore lay before the court in the clearest way his claim, and define by their numbers the very fields he claims, and state by whom they are occupied.

12. A list can also at any time be furnished to every judge (by the collector), showing the constitution of every mouzah within his jurisdiction, whether held in common tenancy (zemindaree), or subdivided, and held in severalty (pure and mixed putteedaree). The village records of mutations kept in the collector's office will also show what changes of possession have occurred since settlement.

13. With reference to the foregoing explanatory detail, the court prescribe for the guidance of civil courts the following rules to be in force, generally, in respect to their other provisions, but, as far as they relate to the settlement record, and to the fulfilment of any requirement for which a reference to that record is needed, only in districts or portions of districts in which the settlements have been revised under Regulation IX., 1833, on the collector annually certifying to the judge, that the settlement records and papers referred to therein have been prepared in conformity to the Board's orders, and that they have been examined and found correct up to the 1st January of the current year.

#### RULES.

1. Every plaint regarding the right and possession of land shall in future be required to include a specification of the nature of the tenure, on which the land sued for is held, viz., to which of the three classes of zemindaree, pure putteedaree or bhyacharuh, and mixed putteedaree, it belongs. Any petition of plaint which fails to give these particulars will be nonsuited by the courts.

2. If the suit be for a specific portion of an estate held in pure zemindaree, the plaint shall indicate whether claim is made for the division and separation, or merely for the recognition of the share sued for. In the latter case, the decree (if the claim be proved) shall direct that plaintiff's name is to be recorded in the collector's books, with those of other holders, so as in no way to interfere with the management of the collections of the estate made through the sudder malgoozar.

3. If the suit be for land held in pure or mixed putteedaree, the plaint shall indicate the actual fields or parcels of land claimed, including among the defendants the occupiers of those fields, and shall be accompanied by extract from the village field map, showing the numbers of the fields sued for, and who are the recorded occupants according to the settlement record. In cases of imperfect putteedaree the plaint shall also set forth any privileges sued for by plaintiff as incident to the claim, and the decree (if the claim be proved) shall include the same order as that noted in Rule 2.

4. The plaint in all claims for land, of whatever tenure, shall further particularize the exact grounds of plaintiff's claim, and in what respect his title is superior to that of the party or parties sued; it must state when he lost possession of the land sued for (if he have had previous possession), and, should he have had no possession for 12 years, it must show how his claim is admissible under the law of limitations.

5. It will be the duty of the courts of first instance to require from the plaintiff distinct proof of the several points noticed above, and, in decrees for land held under the two latter tenures, the decision must in each instance particularize the actual portions of land described in the pleadings which it decrees to the plaintiff, with the grounds on which the award is based.

6. Copies of such extracts from the settlement records as may be needed to file with any plaint will be furnished to parties in the usual way on application to the collector.

7. As regards unexecuted decrees already passed for lands held in severalty, but in respect to which the above rules have been unobserved, the courts will use their best endeavours towards the enforcement of such decisions, as far as possible, but should the collector show to the satisfaction of the judge that there exists no common holding to meet the requirements of the award, the decree must be pronounced incapable of execution, and struck off the file, the parties being allowed to bring fresh suit under the present rules for the precise thing claimed.

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*M. Smith*, Register.

(No. 514 of 1845.)

To the Civil Judges in the North-Western Provinces; dated Agra, 15 March 1845.

[1. Recent inquiries, having for their object the ascertainment of the practical operation of the Rules prescribed by Circular Order, Sudder Dewanny Adawlut, No. 208, dated 24th June 1842, lead the court to conclude, that the purpose and signification of the 13th paragraph thereof have been misapprehended, and that without some explanation and modification of its terms, the rules in question will continue to be, as they have hitherto been, greatly restricted in their application and useful effect.

2. This misconception would seem to have arisen rather from defect of attention and consideration than from any indistinctness of the phraseology employed, which distinctly declares, that the rules shall be in force "generally in respect of their other provisions, but, as far as they relate to the settlement record, and to the fulfilment of any requirement for which a reference to that record is needed, only in those districts or portions of districts in which the settlements have been revised under Regulation IX. of 1833, on the collector's annually certifying that the said records, prepared in conformity to the instructions of the Sudder Board of Revenue, have been examined and found correct." It is evident from the foregoing extract, that the restriction was intended to be limited to those parts of the rules which relate to the settlement record, and not to extend to the whole of those rules, the provisions of several of which have no reference to settlement records, and may be acted on equally where those records are defective and erroneous, as elsewhere.

3. It is further to be observed, that some of the rules under notice simply reiterate the requirements of existing law enjoin their observance, and the adjudgment of the penalties attaching under that law, to their infringement, and that these particular requirements might, and should, be enforced by the civil courts, had the Circular Order to which they are appended never seen the light.

4. The court having reconsidered the paragraph above cited are disposed to think that the restriction which it prescribes, even in the limited application given to it in the foregoing lines, is not only inexpedient, but actively injurious. It can hardly be expected that a certificate, embracing records of such comprehensiveness and minute detail as the settlement papers, should be punctually rendered, and it seems puerile, for the mere want of such a certificate [the very comprehensiveness of which should ordinarily throw doubts on its integrity], to reject those portions of the record, the accuracy of which may be either admitted or proved, and with them the information regarding the precise subject of litigation which they are calculated to afford. Though informalities and errors, preventing the revenue authorities from giving a certificate, as now required, may exist, still these defects need not, and should not, be held to vitiate the entire record, and deprive it of all title to authenticity and usefulness.

5. Under these circumstances, the court are pleased, with the sanction of Government, to declare paragraph 13 of Circular Order, Sudder Dewanny Adawlut, No. 208, dated 24th June 1842, hereby rescinded, and to direct, that the rules thereunto appended shall be, as far as practicable, brought into full operation in all those districts the settlements of which have been revised; and records prepared, in accordance with the provisions of Regulation IX. of 1833, and the corresponding instructions of the Sudder Board of Revenue, without exaction of the certificate heretofore required.

6. The court take this opportunity of explaining, that the extract required by Rule 4 to be appended to the petition of plaint should be taken not from the field map, as therein stated, but from the khusreh [or from the assamewar khuteonee, whenever that may be the more correct and authoritative document], in which not only the number of each field corresponding with the number which represents it in the field map, but its area, and name of its proprietor and occupant, are entered.

7. It may not be irrelevant in conclusion to observe, that the settlement records are not to be taken as the ground of decision of suits respecting land, but rather as the basis of information regarding the precise subject of litigation, as a useful and valuable aid rather than as a rule of guidance to the civil courts. Let the information which these records afford be received and carefully collated with the other evidence which will always be adduced; let that which is manifestly erroneous be rejected, and that, the truth of which is clear and undeniable, be availed of, and none other than results satisfactory to litigant parties, and creditable to the civil administration, can ensue. It is as useless to expect absolute infallibility in the records of settlement, as it is evidence of a narrow-minded prejudice to reject that which is really correct and valuable, because some errors or informalities are discernible.]

Appendix, No. XIX.—*Vide* para. 103.I.  
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Talookdaree Mehals.]

(No. 189.)

CIRCULAR ORDER of the Sudder Dewanny Adawlut to the several Civil Judges in the  
North-Western Provinces; dated Agra, 31 January 1845.

[THE Court of Sudder Dewanny Adawlut, North-Western Provinces, in their Circular Order, No. 208, dated 24 June 1842, have issued some instructions for the conduct of civil suits, regarding proprietary rights in mehals, where, to use the term of section 10, Regulation VII. of 1822, "two or more persons may possess a joint property consisting of interests of the same kind," viz., in zemindaree and putteedaree mehals; they now find it necessary similarly to issue instructions for the conduct of civil suits, affecting proprietary rights in mehals, where "several parties possess separate heritable and transferable properties, consisting of interests of different kinds," these being the tenures referred to in clause 1, section 10, Regulation VII. of 1822, and commonly known as talookdaree. Such mehals may consist of one or more villages, but the term is generally applied to a number of villages, which are said to constitute a "talookah," as the designation of "talookdar" is commonly used to represent the person who, in times antecedent to our acquisition of these territories, was usually admitted to engage for the payment of the Government revenue, and was allowed to exercise all the right inherent in the Government regarding the properties or interests of subordinate occupants; these subordinate occupants having, in the revision of settlement in these provinces, been adjudged by the settlement officers to possess a heritable and transferable property in the soil, consistently with the right of the talookdar, have received the appellation of "mocuddums," or "mocuddum biswahdars."

2. This species of tenure, the court observe, is distinctly recognized by clauses 1 and 2, section 10, Regulation VII. of 1822, which, reserving to the administrative authority the privilege and power of determining and directing which of the two parties possessing interests of different kinds in such properties shall be admitted to engage for the Government revenue, enact, that due provision shall be made "for securing the rights of the remaining parties." To the administrative authority also is reserved the option of prescribing "the manner and proportion in which the net rent or profit, arising out of the limitation of the Government demand, shall be distributed among the different parties possessing an interest in the lands appertaining to a mehal," exhibiting the distinctive character ascribed to the talookdaree tenure.

3. It is asserted by the Government in communication with the court, that in the recent settlement of the North-Western Provinces, the existence of these tenures has been ascertained, and that in regard to them, the provisions of law above recited have been observed; that is, after determining which of the parties possessing interests of different kinds therein should be admitted to engage for the payment of the Government revenue, and distributing the net rent or profit arising out of the limitation of the Government demand, due provision has been made "for securing the rights of the remaining parties."

4. In the settlement of each village, or other component part of a talookah, the first and the main question for determination was, whether the tenure was of the nature described in clause 1, section 10, Regulation VII. of 1822, that is, whether it was the exclusive property of the talookdar, or whether other parties were also in possession of heritable and transferable properties therein, consisting of interests of a different kind from that of the talookdar. The judicial decision of this question in the first instance rested with the officers making or revising settlements, and that decision is in the last resort liable to be contested in the civil courts, agreeably to clause 6, section 29, Regulation VII. of 1822.

5. When the question as above stated, *i. e.*, whether the land or village claimed is the property exclusively of one party, or whether other parties are likewise possessed of separate heritable and transferable properties of a different kind, is brought before the civil courts for trial and adjudication, it should, the court observe, be borne in mind, that the recognition of the one right is neither incompatible with the existence of the other, nor decisive of the point at issue before the court; for example, a suit may be instituted by a talookdar for the sole right, property and possession in any component part of a talookah where the tenure above described has been judicially declared by the settlement officer to exist, and it may be satisfactorily proved that the claimant has been formerly "under engagements, and recorded in the accounts of past settlements, as zemindar or talookdar, or the like;" this, the court observe, would be by no means conclusive against the existence of other subordinate properties, consisting of interests of a different kind from those owned by the talookdar, and could not of itself be held to justify the entire exclusion of the parties possessing such properties from proprietary occupancy of the soil, and the enjoyment of the rights thereupon contingent. In such a case, it would be the duty of the court to receive evidence from the adverse party, whatever denomination they may assume, to prove the co-existence of a separate heritable and transferable right, and to establish their possession of that right before pronouncing judgment in favour of the claimant.

6. Without desiring, or attempting to define with any approach to precision, the character and amount of evidence which should be required in cases of this description, the court observe, that the whole tenor of Regulation VII. of 1822, vests officers conducting settlements, with authority to correct the errors of former settlements, that clause 2, section 5, of

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V. cl. 1, sec. 14,  
Reg. VII. of 1822.

the same Regulation tends to show, that to have been "recorded in the accounts of past settlements as zemindar, talookdar, or the like," cannot of itself be held to decide the question as to the precise extent of the rights possessed by the party who may have been heretofore admitted to engage for the payment of the Government revenue, and that, in determining the matters at issue, evidence may equitably be admitted to the existence of all such rights and usages as are held, by the custom of the country, to be indicative of the possession of proprietary right.

7. The court desire only to add, that the suit in court is of course a suit *de novo*, and to be tried on its own merits, due advertence being had to the facts elicited by the investigation of the settlement officer, and to impress upon all the judicial authorities the importance of giving their best attention to the principles above set forth in the adjudication of all suits affecting interests of the nature herein described.

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CIRCULAR ORDER of the Sudder Board of Revenue, North-Western Provinces,  
to Commissioners of Revenue; dated Agra, 11 April 1845.

WITH reference to, and in continuation of their Circular Order of the 20th September 1844, I am directed by the Sudder Board of Revenue, North-Western Provinces, to forward for your information and guidance the annexed copy of the orders of Government, No. 922, dated 17th March, with copy of its enclosure, respecting suits brought to contest the decision of settlement officers regarding talookdaree tenures.

2. The Board request that the instructions of Government on this subject be carefully followed, and that in all cases before the courts, information of the progress of each suit be submitted for the consideration of the Board.

ENCLOSURES.

LETTERS from the Secretary to the Government, North-Western Provinces, in the Revenue Department, to the Secretary to the Sudder Board of Revenue; dated Agra, 7 March 1845.

WITH reference to the correspondence noted in the margin, on the subject of suits instituted in the civil courts to contest the decisions of settlement officers regarding talookdaree tenures, I am directed to request that you will call the attention of the Board to the Circular Order on the same subject, promulgated by the Court of Sudder Dewanny Adawlut, under date the 31st January, No. 189.

Your letter, No. 475, dated 20th September 1844, Your docket, No. 476, dated idem. My letter, No. 4749, dated October 1844:

2. In order to put the Board further in possession of the views entertained by Government upon this important class of cases, I am also directed to forward, for their information and for communication to the subordinate revenue authorities, extract paras. 43 to 67, of a note recorded in this office, upon the general question of these suits on the 24th of August last.

3. The Board will observe that the erroneous principles maintained by some of the inferior civil courts, which form the subject of paras. 43 to 57 of the above extract, are directly condemned by the exposition of the law now put forth by the highest judicial authority. It is definitively ruled by the late circular of the Sudder Court, that the settlement officers had the power judicially to entertain the questions which are now open to re-trial in a regular civil suit, and that neither the circumstance of the one party having been admitted to engagements with Government in previous settlements, nor that of such party having been hitherto recorded as zemindar, or under any other title, is sufficient, *prima facie*, to bar the recognition of any co-existent rights which another party may be found to possess in the same land. It is also ruled that the possible existence of two parties, thus possessing rights of different kinds in the same land, is distinctly recognized by the law; and that, in cases where they are found to exist, the privilege of determining which of them shall be admitted to engage for the revenue, as well as that of distributing the net profits of the estate between the two parties, is left to the administrative authority alone.

4. The only question which the courts have now to determine is clearly stated in the 4th paragraph of the Circular Order now promulgated. They have merely to decide whether there were in reality two parties, or one alone, possessing heritable and transferable properties in the land. This point has been left by the circular to the discretion of the several officers who have to try the cases. It is only laid down that each case is to be considered a suit *de novo*, and is to be tried on its own merits; that is, that defect or incompleteness in the form of the settlement officer's proceedings is not to bar the full investigation of the question.

5. It remains, therefore, for the Board and the local revenue authorities to see that the pleadings are such as to guide the courts to a correct decision upon the point thus left to their investigation. The question is fully treated of, in paras. 58 to 67 of the extract herewith forwarded. The collectors should be directed to inquire in every case whether the decision of the settlement officer, which may be contested in the courts, can be defended on the principles there laid down, and when satisfied on this score, to enter pleadings accordingly in the name and on behalf of the defendant through the Government vakeel. If, notwithstanding, the decision of the court should be in favour of the plaintiff, the collector will encourage the defendant to appeal, and will report the case in detail for the information of the Board. If, on the other hand, the collector should, after sufficient inquiry, deem the case to be indefensible on just principles, he will abstain from all



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interference, and leave the parties to plead through their own vakeels, and on such grounds as they may judge best.

6. By a steady pursuance of this course, it may be hoped that a more reasonable and consistent practice will be introduced into the courts than has hitherto obtained. A few cases carried up on strong grounds to the Sudder Dewanny, and there decided on right principles, would establish this desirable result. Such cases may hereafter be translated and printed, so as to be circulated for the information of the subordinate judicial functionaries.

Extract, paras. 43 to 67, of a Note recorded in the Revenue Department by Mr. J. Thornton, the Secretary to Government; dated 24 August 1844.

Para. 43. It has been under the authority thus conveyed, that the late extensive proceedings have taken place as regards the adjudication of rights in talookahs and large zemindarees. The settlement officers have very generally come to the conclusion that, in many of the villages contained in these tracts, there did exist two parties possessing rights of different kinds; viz., the village occupant or community, by whose ancestors the village had been originally formed, and who had continued to reside in it up to the present time with different degrees of possession, but still acknowledged by universal consent to possess a right to the management and occupancy of the soil which no one else possessed; and, on the other hand, the talookdar or zemindar, who had acquired by grant or prescription a right to engage with Government, or to a compensation, if not so admitted to engage.

44. Different modes have been pursued for protecting what have been thought to be the rightful interests of these two parties. One point was unanimously agreed upon, viz., that it was impossible to give either due protection or due satisfaction to the claimants of the under-tenure, without investing them with the entire management of their respective villages, and fixing the sum which should be demandable from them for the same. Their claim was to be put upon the same footing in these respects with that on which their brethren outside the talookah now stood under our system; inasmuch as their rights rested on the same original foundation, and had never been forfeited. But this might be granted either by admitting the talookdar to engagements, and then making an under-settlement with the several village proprietors, or by excluding the former altogether, and by taking the Government revenue direct from the latter, together with an allowance payable to the talookdar in lieu of the Sudder management.

45. Both these courses were legal under clause 1 or clause 2, section 10, Regulation VII. of 1822. The first was that which it was originally proposed to adopt, and that on which the proceedings in pergunnah Moorsaan, zillah Allyghur, were first based. It possesses several advantages over the other, especially as, while it gives much greater security for the Government revenue, it does not at once annul the connexion which has long existed between the talookdar and the village communities, nor does it create the anomaly of granting a perpetual allowance to the former, without his incurring either trouble or responsibility in return for it, but was over-ruled in the case of Moorsaan by the higher revenue authorities, who decided that the Rajah's engagements with Government should be cancelled, and that the village mocuddum's should henceforth pay the Government revenue, together with the Rajah's talookdaree allowance direct to the nearest tubseeldar. The settlement arrangements thus modified were confirmed with marked approbation both by the Government and by the Court of Directors.

46. The precedent thus established has been followed in all subsequent cases, where the talookah was of any size. It is only in single villages, or in a few of the smaller talookahs, that the double settlement has been resorted to.

47. We now come to the question in what light these cases have been viewed by the civil courts, as far as they have hitherto been brought to trial before them, and in what respect the investigations held by these courts, and the decisions passed by them, may be considered defective, as not touching upon the real points at issue.

48. In some of these decisions it is affirmed that the settlement officer exceeded his powers, in the admission of the village communities to engagements. It has been shown above that this was not the case; the law being amply sufficient to bear him out in his proceedings, as far as the point of jurisdiction was concerned. But, moreover, this is a point with which the courts have no concern; it being distinctly laid down in section 18, Regulation VII. of 1822, and generally throughout that Regulation, that the collector alone is the judge of the question of jurisdiction (subject to the Board and to Government), and that the courts shall not disturb possession given by a collector, except upon trial of the right, or, as otherwise expressed, upon the merits of the case.

49. Another and the most common argument adduced by the courts for annulling the settlement officer's proceedings is as follows: "The talookdar has been recorded in former settlements, or under the former governments, as zemindar. The party whom the settlement officer has admitted, and to whom he has, in fact, given the real proprietary right in the mouzah, have never been called anything else than mocuddums. Therefore, as the title of zemindar is superior to that of mocuddum, the former must be better entitled to hold the proprietary right than the latter."

50. Now the answer to this is, that the title, heretofore enjoyed by either party, is no sufficient indication of the extent of its interests, and that it is sure to mislead if depended upon with this view. As regards, for instance, the term "zemindar, we have (as before mentioned)



mentioned) a "zemindaree" in one case of 22 pergunnahs, in the other of the whole province of Benares. In the first case, we have the zemindaree rights limited to the receipt of a nankar from Government, and to a small per-centage on the collections, and to two rupees annually per village, all other tenures remaining as before. With regard to the second case, we have the following passage in clause 1, section 17, Regulation II. of 1795: "The land-holders in the zemindaree of Benares consist for the most part of village zemindars, paying the revenue of their lands to Government jointly with one or more putteedars or partners, descended from the same common stock." This is exactly the description of the village zemindars in the zemindaree of Moorsaun, or any other similar talookah. Regulation VII. of 1828, distinctly recognises village owners with the most complete proprietary rights, even in that part of the Benares zemindaree which was specially reserved to the Rajah upon the cession of the rest of the province.

51. In the Regulations which relate to Bengal, and in the earlier Regulations for these provinces, the sudder malgoozar of a tract of country was called a zemindar, and the owners of single villages under him were called talookdars. In the latter regulations, the terms have been reversed. Under the Native Government any person who paid revenue direct to the state upon a permanent tenure was termed a zemindar. When a talookdar was thought to have obtained settled possession of any part of the tract for which he paid the revenue, he was styled zemindar of that part, and talookdar of the rest. Sometimes he was called talookdar zemindar of the first, and talookdar moostajir of the last; when he was turned out by some power too strong for him to resist, the headmen of the village communities were often recorded with the same title of zemindar. In our own early settlements the title was never bestowed judicially, after investigation, but each sudder malgoozar was allowed to assume it, until his rights to any particular title or tenure should be investigated and proved. A provision in clause 2, section 5, Regulation VII. of 1822, has already been quoted, as recognizing that a man may be a zemindar without being an actual proprietor. In section 14 of the same Regulation, collectors are required, in case of any dispute in regard to the nature of any person occupying the soil, to refer to the denomination heretofore applied to him only as one means of proof in regard to the nature of his interests: thereby evidently asserting that the denomination alone can never furnish conclusive proof upon the subject.

52. Again, with regard to the term "moocuddum." In the decisions which have been passed by the native judges, it is often asserted that a moocuddum is nothing more than a head ryot, planted on the spot by the zemindar of the village, and supported by him in return for service done. Now, it has been shown above, that this is true only in some instances, but that it is not so in the cases to which these present remarks apply. The term "moocuddum" means simply head or chief. It may therefore either apply to the head ryot, who is the mere creature of the recorded zemindar, or it may apply to the representatives of the village community, who are themselves the original founders, occupants and managers of the village.\* In the latter sense the term is often of value, as denoting the existence of such communities in contradistinction to the term "moostajir," applied even in the talookdar's own books to those temporary occupants of villages who had no right in the soil. But no deductions can be drawn from the appellation until it is known to which of the above classes it is to be referred.

53. The very first step, then, towards arriving at a true and just conclusion on these questions is to dismiss from the mind all preconceived ideas in favour of one party or of the other, founded on the appellation which they may hitherto have borne.

54. A third ground upon which the settlement arrangements have been questioned in the civil courts is upon that of the statute of limitation. It has been supposed that the recognition of the talookdar under former settlements as sudder malgoozar was sufficient to bar the claim put forward by the village communities at the time of settlement. This, however, is evidently not the case, that statute referring only to the adjudication of rights which are diametrically opposed to each other, and which cannot co-exist in the same subject-matter. In the language of English law, the possession of the one party must have been adverse to that of the other. But the settlement proceedings rest specially upon the ground that there are such co-existing rights in the same land, and the object of those proceedings is to define and secure the lawful interests of the two parties who possess these rights: as long as this is done, the choice of the party who shall be admitted to engage is left by the law to the revenue authorities alone, and the courts have no jurisdiction on that head.

55. Again, the rights of the village communities have never been so completely in abeyance as that their recognition should be barred by the statute of limitations. They may, or may not, have held a lease (theekah) under the talookdar. Where this has occurred it was a distinct revival of their original claim and tenure. But even where this has not been the case, it has hardly ever happened that they have been reduced to the mere rank of common ryots; whatever privileges they may have enjoyed above such ryots may be considered as indications of their original condition, and as keeping alive their claim to be restored to that condition.

56. The laws moreover above quoted, which reserved to the Government from the first the power

\* It was to avoid this ambiguity for the future that the term "biswadars" was added to that of "moocuddums," in order to designate the heads of the proprietary bodies who were admitted to engagements at the settlement.

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power of protecting all the inferior classes of land-owners, are sufficient to bar any prescription being urged against them, so long at least as the recognition of their rights has not been pushed so far as to extinguish altogether those\* of the sudder malgoozars themselves.

57. It has thus been seen that the courts cannot call in question the settlement arrangements in these talookahs, either on the ground of the settlement officer having exceeded his authority, or on that of the one party having hitherto been recorded as zemindar and the other as moocuddum, or lastly, on that of the statute of limitations. If it were otherwise, and if objections would lie to the revenue proceedings on the above grounds, it is clear that either a new enactment must be passed in order to legalize what has been done, or else that all which has been effected with so much labour and with so much approbation of the highest authorities during the last ten years may be at once annulled as illegal and untenable.

58. Passing over, then, the above points, as foreign to the question at issue, we come to the real matter which the civil courts have to determine in suits of this nature, viz., was the settlement officer right in concluding that, in the village under dispute, there really existed a party besides the recorded talookdar or zemindar, possessing an hereditary and transferable right in the soil? This fact being once admitted, the province of the courts extends no further: when once the hereditary and transferable rights of the two conflicting parties are acknowledged, the adjustment and definition of these rights, and the choice of the party from whom the revenue is to be received, is left by the law to Government, acting upon the advice of the revenue authorities alone. The courts, indeed, having no power over the assessment, could not interfere to alter these arrangements, as far as they relate to the distribution of profits.

59. It may now be asked what proofs the courts should require, as regards the real question thus brought before them for decision. It has been one main object of this paper to show that the title of the village occupants or communities to an hereditary and transferable interest in the soil (upon substantiating which their right to the position assigned to them at settlement by law depends) is to be judged of first and principally by their origin and descent. If it appears that they were the party who had occupied and managed the estate before the zemindar or talookdar was put in authority over it (whether they were the original settlers, or those who succeeded to them on the same footing), they must be held to have, at that time, enjoyed all the privileges which have been described as possessed by the village proprietors when they dealt direct with the state; and as these privileges have been since in no way forfeited, and as they undoubtedly include an hereditary and transferable right, the point at issue between them and their present superior must be considered as established in their favour.

60. If, on the other hand, it should appear that the ancestors of the present claimants were introduced into the village subsequent to the formation of the zemindaree or talookah in which it is contained, the presumption will be that those ancestors never occupied the position above described, and it can only be on some special grounds, either of grant from the zemindar himself, or of long-continued under-possession, perhaps at times when the latter had been himself expelled, that their claim to be put upon an independent footing can now stand. The presumption, in short, will be strong against the claimants in this case, as it was overwhelming in their favour in the other.

61. In cases where the claimants assert that their ancestors were the original and independent founders of the village, and this is denied on the other side, proof will of course be required from both parties of their respective allegations. The talookdar will have to prove that his ancestors introduced the ancestors of the claimants as mere tenants at will; the latter will have to rebut this assertion. The following points may be mentioned as giving the surest indications upon this subject.

62. First.—There can be no clearer proof of the independent origin of the village claimants than the fact of many neighbouring villages being held or claimed by men of the same class, who assert themselves to be descended from the same stock as the claimants, and agree with them as to the manner in which their first ancestors settled in that part of the country, and in which the several villages, which still bear the name of a member of the family, have at various times been founded and established; where these facts present themselves, the point in dispute is at once set at rest. It is quite impossible that a race of mere tenants at will could have thus parcelled out and appropriated the country among themselves, could have given their own names to the villages which they formed, and transmitted those villages, or at least an uniformly asserted claim to them, to their descendants. The proof thus afforded is still further strengthened, as has been before observed, if it be found that these

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\* The amount to which the talookdar is considered strictly entitled as a compensation for his prescriptive or patent title to the management, when he is excluded from engagement, is considered to be ten per cent. on the Government revenue. That was the proportion of the proceeds which the Native Governments allowed under the name of "huk" or "deyhuk zemindaree," to those who engaged for the revenue under them upon a permanent tenure. The same proportion is shown in the extent of land to which the zemindar of a Mafee village was entitled, and which was called the "dobiswah," *i. e.* two biswahs out of every twenty. The Mahratta "desmookhy" was an allowance similarly calculated. This is also the amount of net profit assigned to zemindars in general who might engage with Government by section 4, Regulation IX. of 1812, and section 4, Regulation X. of 1812. A larger profit was allowed by clause 2, section 7, Regulation VII. of 1822, but not of right, as it was only to be allowed in case of an increase being contemplated in the demand.

these contiguous villages possess fields interspersed and mingled one with another, as this circumstance points distinctly to the mode of partition practised by the original cultivating and proprietary communities of the country, and by them alone.

63. Secondly.—It may be that the claimants form an isolated community, and are therefore unable to appeal to such facts as the foregoing in proof of their origin. In this case it is still the most satisfactory method of arriving at the truth to take the evidence of all the independent neighbours round upon the subject. This must not be done in court, according to a packed list furnished by the parties, but on the spot, through some trustworthy commissioner, who may be empowered to question whom he likes, without giving previous notice of his intention.

64. Thirdly.—The position which the claimants have held under the talookdar, though not conclusive as regards the reception or dismissal of their claim, may be examined as affording one proof of the allegations upon which that claim is founded. The descendants of the original proprietors will commonly be found to have exercised some or all of the rights hereinafter mentioned, even during their subjection to the talookdar.

(A.) They were admitted to hold their village under the talookdar, or were at all events acknowledged as those who were entitled so to hold it, unless some special cause intervened for it to be held kham, or given to a stranger.

(B.) They engaged under the denomination of moocuddums; all others being termed moostajirs.

(C.) When allowed to engage, they held according to their established shares, not as others would have done, according to an arbitrary division.

(D.) When a stranger was admitted, they frequently took a lease under him, or still oftener they raised the required sum in separate shares, each being answerable for his own division or "behree."

(E.) They mortgaged and redeemed their shares if they retained the management, or their seer land if they had been deprived of the management.

(F.) They were the referees in all matters connected with the boundaries of the village.

(G.) They received rent or "hukook" from some of the inhabitants of the village, or enjoyed sayer collections of various kinds.

(H.) They planted groves, dug wells, and were evidently on a fixed footing in the village.

Some of the above facts would not be alone a sufficient indication of the descent of those to whom they refer from an independent stock, but the union of the whole or of most of them would furnish the strongest proof upon that point.

65. Fourthly.—If it should appear that the talookdar was out of possession during any intervals under the former Governments, the old records of the canoongoes and other officers should be referred to, in order to see whether the present claimants or their predecessors were then admitted to engage, and if so, under what title.

66. In particular cases, particular proofs will of course be adduced, but the above are those which will most commonly be found available to prove or to disprove the independent origin of the village communities.

67. It has been here argued that when this independent origin is proved, the case of the claimants is sufficiently made out, whatever may have been their position of late years under the talookdar. It is enough that they have inherited an inherent right to the occupancy of the soil; that they have never forfeited that right by their own will or by that of the Government, and that they have constantly occupied a position and done acts which indicated continued existence of the right, although its full exercise may have been in abeyance. It could never be allowed that the talookdar should profit by his own wrong, and that in the proportion in which he had oppressed and ground down those whom by the laws, written or unwritten, of both Governments he was bound to protect, in that proportion he should now be secured from their reclamations. Some difficult cases will occasionally present themselves, in which the old proprietors have been reduced to such a state that although one or two of them had adhered to their ancient seats up to the time of settlement, all trace of distinction between them and the other cultivators had been long lost. But, generally speaking, the fact of continued residence on the spot is the only indispensable condition on which the claimants should be supported in the rights to which they are entitled by their descent.]

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## DIRECTIONS for COLLECTORS of LAND REVENUE.

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DIRECTIONS for COLLECTORS of LAND REVENUE.
SECTION I.—*Introductory.*

1. In the theory of Native Governments, the revenue derived to the state from the land is essentially rent. Unless under circumstances of special grant or contract, it is levied in money or in kind from the actual cultivators, whether proprietors or otherwise, and the small consideration allowed to the manager is more a remuneration for the labour of collection, than an acknowledgement of proprietary right. This practice has been so far altered by the British Government in the Bengal Presidency, that contracts have been universally formed on avowedly easy terms, for a period of years or in perpetuity, and that the proprietors have been allowed to appropriate to their own use all the surplus that they can derive from the land, over and above the stipulated sum. The Government demand has, therefore, become a tax on rent.

2. When this tax has been fixed in perpetuity, the Government, so long as the tax is paid, ceases to look for any increase of its land revenue from the improvement of the land. When, however, the tax is fixed only for a period, and liable to increase or decrease at the end of that term, the Government continues to have an immediate and direct interest in the improvement of the land. In the former case, the officer of the Government entrusted with the collection of the land revenue may be a mere tax-gatherer; but in the latter case his position is more that of the steward of a great landed proprietor.

3. Another peculiarity in the position of a collector may result from the nature of the tenures on which the land is held. In the North-Western Provinces, the settlement has been made in numerous cases, not with individual proprietors, for their own estates, but with the representatives of several proprietors for certain tracts of land, constituting the joint property of the community. The members of these communities may be numerous, united together by peculiar customs, and sharing the profits and the consequent responsibility for the Government demand amongst themselves, according to some local law. Each person is primarily responsible for his own share, according to the local rule, but ultimately, in case of his flight or insolvency, the whole community is jointly responsible. Hence it follows, that the officer entrusted with the collection of the land revenue is frequently called upon to exercise functions essentially judicial. So long as the Government demand is punctually paid, he has no power

power of interference. Any individual proprietor of an entire estate, or any community of proprietors, can keep their property exempt from all interference, by making their payments with punctuality; but when default occurs, the collector is compelled to interfere. He must decide from whom amongst many proprietors the balance is due, and on failing to realize the balance from the defaulter, he must decide when and in what manner the joint responsibility of the whole body is to be enforced.

4. From these two peculiarities it results that the collector of land revenue, in order rightly to discharge his duties, must possess the most complete knowledge of the landed tenures in his district, and of everything which tends to affect the interests of the agricultural population.

5. The present compilation is designed to assist him in the discharge of those duties, and of the many other correlative duties which result from his primary office as a collector of land revenue.

6. In order the better to do this, his functions will be described in the several capacities in which he is called upon to act:—

First.—As a collector of the Government revenue.

Secondly.—As registrar of landed property in the district.

Thirdly.—As judge between landlord and tenant.

Fourthly.—As ministerial officer of the courts of justice.

Fifthly.—As treasurer and accountant of the district.

7. Before, however, proceeding to the discussion of these subjects, it is necessary to consider the agency which the Government has provided for the performance of these very important functions. It will be found to be numerous, well-disposed, and, when rightly handled, very efficient.

8. Every collector, besides a covenanted deputy collector, and an assistant, has at the Sudder station and in his office one or more uncovenanted deputy collectors, and an office establishment, consisting of a serishtahdar and several native mohurrirs, a few English clerks, native accountants and record-keepers, a treasurer, and Nazir's establishment.

9. At convenient posts throughout his district he has tuhseeldars or native collectors, with large salaries, having jurisdiction over one or more pergunnahs, and having under them establishments of native mohurrirs, a tuhseeldar or treasurer, and a sufficient force of peons. Besides these, in every pergunnah there is a canoongoe, and in every village a putwarree, who are generally considered hereditary officers, and whose duty it is to furnish the accounts of the pergunnah or of the village.

10. The duty of a collector towards the covenanted officers, who may be placed under him by the Government, is most important. He is responsible for all they do, but he is bound to find them full employment, and in such a manner as to give them complete instruction in all branches of their duty, and at the same time to maintain an effective control over them. If a collector is himself master of his work, and possessed of ordinary tact and judgment, he will be able to do this so as to develop the characters of his subordinates, and form them into valuable officers of the Government, at the same time that he attaches them to himself by one of the strongest ties, viz., that of gratitude for advancement in public life. The collector who is jealous of his subordinates, and endeavours to keep every thing in his own hands, is unjust towards those whose interests he ought to promote, whilst he needlessly harasses himself, and leaves the work ill done, and the people consequently injured. A very little time spent in laying out the work, and in explaining the principles on which it is to be conducted, will benefit his subordinates, and will also leave him at leisure to give his attention to those really important matters which must always present themselves before every public officer to whom interests of great magnitude are entrusted. This subject is of so much importance that it will be advantageous to dwell upon it, and to point out one at least of the ways in which it may be performed, though it is by no means intended to render the arrangement obligatory.

11. Offices are often arranged according to classes of cases. There is the file of summary suits, the file of dakhil kharij cases, &c. &c. Some of them are considered of more and some of less importance. Those which are rightly or wrongly considered of the least importance are made over to an assistant, who is left to blunder through them as he best can, with no information as to the principles



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principles on which they are to be decided, or the objects which they are designed to accomplish. This is unjust to the assistant, and also to the people, whose rights are thus given over to his adjudication. The right of appeal may lessen the injury to the latter, but it only saves them from ultimate loss by inflicting on them the trouble and expense of a re-hearing of the case.

12. No assistant should be trusted with the trial of a case till he has acquired a sufficient knowledge of official language, and of the forms and principles of official inquiries. This will be acquired by the preparation of translations, abstracts of cases, or reports in English on particular issues. These may often be so contrived as to save time to the collector, whilst they afford instruction to the assistant. As soon as the assistant is thus qualified to enter upon the discharge of more responsible duties, he should be entrusted with some specific charge, for the right performance of which he will be responsible to his principal.

13. For this purpose, as well as on other considerations, it will probably be found more advantageous to divide the work of the office according to *tuhseeldaries* or *pergunnahs* than according to subjects. Let all suits of whatever sort, classified of course according to their proper heads, for each *tuhseeldary* or each *pergunnah*, be placed in the hands of certain of the native establishment, who will have to see to the proper performance of all work connected with that portion of the district. The classification of suits should correspond with that prescribed hereafter for the arrangement of the records. Each set of the *Amla* should have files corresponding with those headings for their own portion of the district. Such being the case, the collector will be able to keep the whole in his own hands, or to make over any portion to his deputy or assistant, more or less relaxing his control, or maintaining only a general supervision. Wherever disorganization may be found to prevail, he can at once resume the administration of that particular portion. When he himself or any one of his subordinates proceeds into the interior of the district, the administration of that portion to which the visit extends can be made over to him, so that the efficiency of the control and the convenience of the people will be consulted by the presence in their immediate vicinity of the officer entrusted with the conduct of their affairs. Weekly statements should be drawn up, exhibiting the number of suits instituted, decided, and pending in each portion of the district. These may be prepared in the native language, and laid upon his table on some fixed day in each week, and will serve to keep him perfectly aware of the progress of the work.

14. It will generally be found that an intelligent subordinate officer, to whom a portion of a district is thus entrusted, will take an interest in the welfare of his charge, and exert himself both to acquire complete acquaintance with all that concerns it, and also to prevent the occurrence of anything wrong. He will also acquire a complete knowledge of every part of his duty, and be competent to assume charge of an entire district when it may be entrusted to him.

15. An assistant must not of course be put in complete charge of a portion of the district at once, but should be gradually introduced to the charge, under the eye of the collector or the deputy, till he is able to act for himself. In cases where he is not competent to give final orders, he may be directed to try particular issues, or to complete the investigation of some cases, and to send up the papers with his opinion for the final orders of his superior.

16. Uncovenanted deputy collectors under Regulation IX., 1833, are appointed and removed\* only by the Government, on the recommendation of the local authorities. If the treasury work is heavy, it is often advisable to place a deputy collector acquainted with the English language and system of accounts in charge of it, but † it requires the special sanction of the Government before the competency of such an officer to draw bills is recognized at other treasuries.

17. The

\* See sections 17 and 25, Regulation IX., 1833.

† "The Honourable the Lieutenant-Governor is pleased to direct that the sanction of Government shall be obtained and notified in the official gazette before a deputy collector under Regulation IX. of 1833, can be placed by his covenanted superior in charge of the collector's treasury. Public officers will observe, that when an uncovenanted deputy collector has been appointed to the charge of a revenue treasury with the sanction of Government, he is competent to negotiate bills and to perform all other duties of the treasury, he being responsible jointly with the treasurer for the custody of the public money and for the proper observance of all the prescribed checks and accounts; but the collector or other covenanted superior is not thereby exonerated from his general responsibility as head of the office for the affairs of the public treasury. Applications under this notification to be made through the usual channel."—Notification by Government, dated 19 Nov. 1841, Revenue Department.

17. The sanction \* of the Commissioner of Revenue is necessary to the appointment or removal of all officers on the establishment, drawing a salary of 10 rupees or upwards. Collectors have been restricted † from making over the officers of their establishments to the magistrate for trial on account of official delinquencies without the concurrence of the commissioner of the division.

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18. The pergunnah office of canoongoe and the village office of putwarree are generally hereditary. The feeling of the people is strongly in favour of hereditary succession to these offices, and there are many reasons which render it very desirable to respect this feeling. The local influence and knowledge of the hereditary officer is greater than that of a stranger can be, and his respectability of character is more likely to be maintained. Positive delinquency or incapacity must of course disqualify individuals, but in such cases some persons near of kin may be selected, or if the succession be necessarily interrupted in favour of a better qualified stranger, recurrence may be had to the former line on the first favourable opportunity. Since the establishment of copious records on our own system, the power and utility of these officers is no longer what it formerly was, but still a collector will not be wise to cast aside the support and assistance he may derive from these old and acknowledged officers. [The canoongoes will be found most useful agents in the introduction and correct maintenance of the system of village registration described in the 221st and following paras. of the treatise, and also in the preservation of order and method in the record office. The skilful collector will find it advantageous to have part of his fixed establishments, selected and qualified as the canoongoes are, on a different principle from the other native officers.] The functions of the canoongoe and putwarree have been made the subject of special legislative enactments (Regulation IV., 1808, and Regulation XII., 1817), which should be carefully studied.

19. The value of all the higher appointments on the establishment is enhanced by the provision of superannuation pensions, amounting to one-third of the average allowances of the previous five years, after 20 years' service, and of one-half after 30 years' service. [Travelling allowances and leaves of absence are also granted under certain circumstances. The rules on these subjects will be found in the Appendix, No. 1.]

Not printed.

20. Few things will contribute more to the ease and efficiency with which a collector will discharge his duties than a perfect acquaintance with the powers and capacities of his establishment, and a knowledge of the means by which they may be employed to the best advantage. A collector should first study to obtain a thorough acquaintance with every branch of his work. He should then endeavour to throw off upon others all that they can be made to do for him, and he should restrict himself to the duty of distributing the work, and of controlling and supervising the operations of his subordinates.

21. When any extra work beyond the common routine has to be performed, either from the evident exigency of the case or under orders from a superior authority, it is not unusual to permit the emergency to be made the immediate occasion of an application for extra establishment. There are many hangers on upon the office, whose friends amongst the Amlah are sure immediately to suggest the necessity for such additional aid. Before the necessity is admitted, some consideration should be given to the nature of the required duty, the persons by whom it can be best performed, and the way in which its rapid and accurate execution can be best ensured. When this has been done, and the correctness of the conclusion tested by partial experiment, if, after all, it is found that the completion of the work will interfere with the punctual discharge of the current duties

\* See sections 15 and 20, Regulation V., 1804; section 3, Regulation VIII., 1809. "The Local Commissioners will exercise the powers which by the Regulations in force were vested in the Boards of Revenue, in regard to the appointment, resignation, suspension or removal of any native officers belonging to their own establishments, or to those of the collectors or other subordinate revenue officers."—No. 66 of the Rules of Practice, dated 2 March 1829.

† "The Lieutenant-Governor is pleased to prohibit collectors or revenue officers of Government who are invested with the powers of a magistrate from proceeding in the criminal department against officers of their establishment, or other individuals, for offences brought to light in revenue proceedings, until they have first obtained the sanction of the commissioner to such a proceeding. It will rest with the commissioner to consider whether the trial be conducted by the magistrate or the joint magistrate, or whether it is necessary, in order to secure impartial investigation, to transfer the trial altogether to another district, in which latter case he will propose such a course for the consideration of Government through the Sudder Board of Revenue."—Orders of Government, Revenue Department, dated 1 Oct. 1844, in Circular Order of Sudder Board of Revenue, dated 11 Oct. 1844.

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duties of the office, an application to superior authority, stating the grounds on which the assistance is required, and explaining the mode in which it will be employed, will be sure to command immediate attention and acquiescence.

22. An instance may serve to illustrate what is meant in this respect. Suppose that the list of tenures, required to be kept in every collector's office by paragraph 179 of the directions for settlement officers, is found to be defective or incorrect, and that its revision is necessary. For the performance of this operation it is necessary to understand the principles of the classification, and to be aware of the characteristics of the existing tenures. The first thought probably would be, that an extra establishment would be required to perform this laborious operation in the Sudder office. But further reflection would show that any extra establishment that could be entertained would have to acquire both the kinds of information necessary for a performance of the work. They would first have to learn the principles of the classification, and then to ascertain by a laborious examination of the voluminous records of the office how the existing tenures fall into one or other of the classes. But the canoongoes and mofussil officers are familiar with the characters of existing tenures, and might easily be taught, if they have not already acquired, the principles of the prescribed classification; they are, therefore, the proper persons to perform this work. Lists of the mehals in each pergunnah should be furnished them, and they should be required to fill in the nature of the tenure. The double purpose would thus be answered of affording useful instruction to the pergunnah officers, and of compiling a correct record at no extra cost. It would be necessary to examine and test their returns, as much as it would be those of an extra establishment. Verbal interrogation of the compilers, with occasional reference to the records, would very soon show whether the new lists were rightly drawn up.

23. The efficiency of a collector's administration of his duties will greatly depend on the manner in which he conducts himself towards his native subordinates. Difference of religion and of social system necessarily separates him greatly from them, and prevents his forming that accurate estimate of character which is only to be acquired in the confidence of private intercourse. Conscious of this disadvantage, he should strive to remedy it, by giving them the freest access to him in all official matters, and by labouring to inspire them with confidence in the soundness of his judgment and rectitude of his purpose. Excessive suspicion of Native subordinates is as fatal as excessive confidence. They are necessarily the executioners of his orders, they must be in a great measure the exponents of his will, and should be to some degree his confidential advisers in cases of difficulty. A person who is extremely suspicious of advice tendered to him, may be as much shackled in his power of independent action as the man who weakly assents to whatever is proposed. The safest plan is to consult those who are best able to give advice, and to weigh their expressed opinions impartially and dispassionately. Every effort should also be used to render the performance of their duties as little as possible burdensome to them. The officer who keeps them long in attendance at his house, or who requires that they perform their ordinary duties in court in a painful standing position, cannot derive from them that degree of assistance which would otherwise be rendered. He should so dispose his own time and make his official arrangements as may conduce to their comfort, and make their work light. The practice of frequently imposing fines for trivial offences cannot be too strongly deprecated.\* It affords  
an

\* *Note.*—The Honourable Court of Directors have frequently prohibited this practice. The annexed extract from their letter, dated 21 May 1844, though having primary reference to police darogahs, is equally applicable to all native officers.

EXTRACT from Honourable Court's Despatch, No. 20 of 1844, Legislative Department,  
dated London, 21 August 1844.

Para. 16. Another reform is pointed out by the Police Committee as essential to the respectability of the character of darogahs; they observe, "Measures should likewise be adopted to secure the thanadars not only from being removed on insufficient grounds, but from ill-treatment. It is established by the best evidence, that they are often treated by the magistrate with no consideration, fined inordinately, summoned continually to answer unfounded charges, and removed without sufficient cause to distances where their local experience is lost. The difficulty of procuring respectable and efficient individuals as police darogahs has been stated to arise in part from the fear of dismissal from office, or of being disgraced by punishment in cases of trivial misconduct, or at the caprice of the magistrate; and when, in addition to this, it is considered that they have no adequate pay, and no prospect of  
promotion,

an excuse for dishonesty, and for that cause often fails to have any effect. Errors of judgment should never be so punished, and corrupt or dishonest actions deserve a very different punishment, and cannot be thus either appropriately or beneficially noticed. In cases of neglect or disobedience of orders the imposition of a fine may be salutary, but it should be moderate in amount;—the offence should be undoubted, and generally the first transgression of the kind can more appropriately be noticed by recorded reproof and warning.

24. Great care should be taken to maintain the respectability of the talseeldars. They should be selected with discrimination, and after inquiry into the goodness of their character, as well as their official capacity. They should always be received and treated with consideration, and confidentially consulted, as far as conveniently practicable, on all subjects connected with the districts entrusted to their charge. Reproof or censure, when necessary, should be given privately rather than publicly; and, so long as they are allowed to retain office, they should be treated with the confidence and respect which is due to their high station. The occasions are very rare in which the imposition of a fine upon a talseeldar is advisable, or even justifiable.

25. Frequent and unreserved intercourse with all classes of the community is most necessary for the efficient performance of a collector's duties. Nothing tends more to promote this than the habit of constantly moving about the district during the cold season. The work, which must necessarily be performed at the Sudder station, should be so arranged as to leave the collector free to move about the interior of his district for a considerable portion of the year, and the season, when this is practicable, should be diligently employed for the acquisition of that knowledge of the country and of the people which is indispensable for the full comprehension of many questions which must come before him for decision. A friendly and conciliatory demeanour towards the people should particularly be studied. The public officer who comes amongst them, not only as possessed of higher moral principle and of superior education and intelligence but also as their friend, sympathizing with them in their misfortunes and studious of their best interest, will always find them meet him with gratitude and ready obedience.

26. The collectors and their subordinates are always invested in these provinces with magisterial powers. The influence and the opportunity of beneficial exertion which result from this are great. It is essential to the advancement of the great interests entrusted to the collector, that complete security of life and property should exist throughout the district. It is essential to the development of industry that all lawless violence be repressed, and so repressed as least to interfere with the comfort and welfare of the peaceful and well-disposed. The strong establishments in the revenue department may be made the efficient agents for strengthening and regulating the police; and the magistrate, in the discharge of his duties as collector, will have opened out to him channels of information and sources of influence, which, when duly improved, cannot fail to exercise a most beneficial effect.

27. Nothing can pass in the district of which it is not the duty of the collector to keep himself informed, and to watch the operation. The vicissitudes of trade, the state of the currency, the administration of civil justice, the progress of public works, must all affect most materially the interests of the classes of whom he is the constituted guardian. Officious interference in matters beyond his immediate control must be avoided, but temperate and intelligent remonstrance against anything which he sees to be wrong is one of his most important duties.

28. Having premised thus much as to the general position and responsibilities of a collector, it is time to proceed to a consideration of his particular functions, as already enumerated in paragraph 6.

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promotion, it is not very extraordinary that the generality of them should be corrupt, and that no persons of any character or respectability offer themselves for the situation."

Para. 17. We have taken frequent occasion to urge the same point, and we trust that you will omit no favourable opportunity of enforcing it. Heavy fines imposed upon native officers whose allowances are barely, if at all, sufficient for their subsistence, must have the effect of driving them to acts of corruption and extortion, and the disregard of their just rights and reasonable feelings by their official superiors must degrade them in their own estimation, and in that of the public, and must deter men of respectable character from holding situations in which they are exposed to such hardship and disgrace.

SECTION II.—*The Collection of the Government Revenue.*

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29. The land revenue is the great source of the income of the Government in India. The powers and means necessary for its collection render it convenient to entrust to the same hands the management of the abkaree, *i. e.*, the excise on spirituous liquors, and also of the stamps. The rules under which the land revenue is collected first require notice.

30. According to the ancient constitution of India,\* the Government has a right to a portion of all produce of the soil, unless that right be alienated by a special grant. It follows that Government holds a lien upon this produce, and can insist upon the satisfaction of its demand before the crop is removed from the ground. This principle was at first adopted and acted upon by the British Government. The instalments of the public demand were so timed that they fell due before the crop from which they were to be liquidated could be cut. The collector and tushseeldars were empowered† to place shaenas or watchmen over the crops, so as to prevent their removal before the Government demand had been paid, or security furnished for its ultimate payment. The hardship and impolicy of thus forestalling, as it were, the revenues of the country are evident. The system is the rude device of a state of society where there was little security for life or property, and where property had consequently lost its right value.

31. In the year 1840 and 1841, the practice in this respect was altered. The number of instalments was reduced from eight or nine to four, and these were so timed as to fall due after the crop from which they were to be paid had been cut and carried. The khurreef kists or instalments were fixed for November, December or January, and both the rubbee kists were to be demanded after May 1st, with an interval of a month between them. The lien for the current revenue upon the growing crop has thus been formally renounced, and the Government has declared its intention of looking to the estate on which the demand is made, and to the other property of the malgoozar, for the satisfaction of its demand. This was done about the time that the late settlement of the provinces was completed, and it was believed that the value conferred on property by that measure was such as to prevent any loss to the Government from the change. So great an alteration could not be made without giving rise to difference of opinion on the subject. It evidently rendered the collection of the revenue more difficult than before. A simple and certain mode of procedure was abandoned, and recourse became necessary to other modes, uncertain in their effect, and requiring judgment in their application. The tushseeldars and native officers of Government disliked the change, not only from their natural aversion to all change, but because it circumscribed their power; and increased the difficulties of their position. The money lenders disliked it, because it rendered them less necessary to the agriculturists. The people themselves failed generally to understand or appreciate the boon, and, like all ignorant people, were suspicious and apprehensive of further design. The system has now been in operation for some years, and has hitherto worked well wherever the assessment has been moderate, and the state of the agricultural population flourishing.

32. It is important to remember that this lien is only abandoned where there is no balance against the estate. It is in the power of all, by punctually paying the Government demand, to secure themselves from this process; but if they are in balance, every means of realizing the right of Government must be put in force, and this amongst the rest.

33. The lien for the current revenue upon the growing crop being thus abandoned, it is of importance to consider what modes of realizing the public revenue are open to a collector, and what are the considerations which should influence him in having recourse to each.

34. So long as the Government revenue is punctually paid, it is most important that the collector, as a fiscal officer, should abstain from all interference with the mehal. The great desire and object of the Government is to teach the people self-government. If the proprietor cannot realize his rents from the tenants, or if the co-parceners cannot settle their quota of payment amongst themselves,

\* See Preamble to Regulation XXXI, 1803.

† See clause 12, section 2, Regulation XXVII, 1803.

themselves, or if any one class oppress another, the courts of justice are open to them, and simple means are at hand for rapidly bringing their disagreements to arbitrement. They should be instructed and encouraged thus to conduct their affairs, and by punctual payment of the Government demand to bar all direct interference on the part of the fiscal officers of the Government.

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35. But when once default occurs, it is the duty of the collector to exert himself with promptitude and vigour. The first step is to ascertain the cause of the default. For this purpose, all the means and appliances of his powerful establishment must be put in requisition to lay bare the real state of the case. The truth cannot be concealed from the person who knows his power and is willing to exert it.

36. Default arises from deficiency of assets, or from embezzlement of the proceeds, which should have been appropriated to the liquidation of the Government demand.\* The former, in ordinary cases, is beyond the control of the malgoozar, and is a misfortune deserving consideration. The latter arises from the improvidence or the perverseness of the malgoozar, and is more or less culpable according to the circumstances which occasion it.

37. Sometimes it occurs that deficiency of assets arises from wilful deterioration of the estate and neglect of cultivation. If this is only a mode in which ignorant men resist oppression and injustice, it may require some consideration. But if it be the mere contumacious resistance of lawless rebels to the constituted authority of the state, it must be visited with the utmost severity which the law admits. If the defaulters endeavour to deter others, either by threats or violence, from cultivating the land, which they refuse to cultivate themselves, the provisions of the criminal law must be enforced against them. No anxiety to lessen his existing balance, no reluctance to show on his papers a temporary financial deficiency, no aversion to the patient and painful course of proceeding which it involves, should deter a collector from boldly facing a clear case of opposition of this kind. The effectual punishment, at any loss, of such misconduct is a moral lesson to the whole district, which cannot but result in the promotion of industry in other classes, and the security of the just rights of the Government.

38. In general, however, deficiency of assets arises from calamity of season, either want of rain, or floods, or blight, or hail, &c. The greatest care must be taken to ascertain with promptitude the extent of the loss, as soon as possible after it is alleged to have occurred. The destruction of the crop may have been so complete as not to leave sufficient for the support of the people and payment of the demand, in which case the malgoozar must pay from other sources, or borrow, or the property must pass into other hands. In such a case it will be for consideration whether measures should be adopted for compelling such a result, or whether the relaxation of the demand would be just and politic. In weighing this, it must be remembered that the principle of the assessment has been to fix a moderate average demand for a long course of years. The Government agrees to relinquish the excess in a good year, and it is fair to expect that the deficiency of a bad year should be made good from the accumulated surplus of past or the anticipated surplus of coming years. If, therefore, the property is fairly assessed, and the malgoozar possessed of good means, it may be right to press for immediate payment, notwithstanding acknowledged deficiency of assets. It may also happen that the malgoozar is irretrievably ruined, and that any relaxation of the demand would be ineffectual for his relief, in which case the immediate forced transfer of the estate may be the best course. Supposing, however, that from severity of original assessment, from deterioration of the estate after settlement, or from poverty of the malgoozar, it may be right to relax the demand of the state, it must then be decided how this relaxation should have effect, whether as a suspension of demand, or a remission of balance, or a reduction of jummah.

39. The demand may be suspended under authority of the Commissioner or Sudder Board of Revenue, and this relief will often be sufficient and effectual when the estate is valuable, the calamity unusual, and the malgoozar industrious and frugal. To render it effectual, a kistbundee should be taken from the malgoozar,

\* See section 17, Regulation VI., 1795, and sections 12, 13 and 17, Regulation XXVII., 1803.  
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goozar, and arrangements made, with or without security, for repayment of the balance by instalments.

40. If however it be decided that the balance cannot be hereafter realized, without too hardly taxing the industry of the malgoozar, or permanently affecting the resources from which the future demand is to be paid, suspension of the demand becomes preparatory to remission of balance, which can only be done by the authority of the Government, and requires application for special sanction, and full explanation of the grounds on which the measure is recommended. The Board's rules for reporting balances are given in Appendix, No. II. [Care must be taken to determine for what cause and in whose favour a remission is granted. If this precaution be omitted, the mere remission of a balance due from an estate, held by a large co-parcenary body, may be the cause of much dissension amongst them.]

Not printed.

41. Evidently no simple allegation that the balance is irrecoverable, or that the assets are deficient, will satisfy the Government of the necessity for the remission. If the collector seeks to justify himself, or desires that any weight should be attached to his representation, he must explain the cause of the alleged deficiency of assets, the means he took for satisfying himself of its reality and extent, and the reasons why he considers the proposed remission of the demand just, politic and sufficient for the purpose.

42. It may be that the original assessment was so severe, or that the estate has become so much deteriorated, that it is impossible to maintain the former assessment. Revision of settlement and reduction of jummah then become necessary, but these should not be entered upon without the authority of the Government. It is seldom, except in some case which has been provided for, such as encroachment of a river, or occupation of land for public purposes, that this proposal can be justified, without previous endeavours to realize the demand by all legal means. Such a case may however be conceived, and therefore the proposal is mentioned. It must be remembered that the Government jummah is not a mere fixed fraction of the net produce, to which the demand must be lowered, whenever it can be shown that the net produce has fallen below the originally assumed amount. Such a supposition would be injurious to the Government, and tend to check the industry of the cultivators. The settlement is a contract between the Government and the malgoozars, and in its nature is equally binding upon both. Nothing can require that the fixed demand of the Government should be increased during the currency of a settlement, and its reduction can only be recommended on those general principles of policy and humanity which regulate all fiscal arrangements. The form prescribed by the Board for reporting summary settlements is shown in Appendix, No. III.

Not printed.

43. The above remarks apply to ordinary and casual instances of default. When a general famine prevails, arising from continued drought or any other extensive visitation of Providence, extraordinary measures evidently become necessary, and the Government interposes its authority to suspend the ordinary course of proceeding. Drought is the most common scourge of the country; in order to judge of its degree, all tuhseeldars have been furnished with rain-gauges of a simple construction [Appendix, No. IV]. Care must be taken to instruct the men in the use of the instrument, and to obtain from them accurate and trustworthy registers.

Not printed.

44. Much may be done towards diminishing the effect of famines by artificial irrigation from wells, reservoirs or canals, by improved modes of agriculture, and by the promotion of thrifty habits, which are the natural result of good government. When complaints of bad seasons and ruined crops are frequent, there is much reason to suspect some misgovernment. A prudent collector will not close his ears to such complaints; he will hear all that is said, examine for himself, and draw his own conclusions. But he will not give too easy credence to every assertion of the kind, or be led away by a weak facility of disposition to encourage such excuses, by lightly altering his measures on the assumption of their validity. Discrimination and firmness, as well as kindness and consideration, are necessary for the good government of the people.

45. When the resources of a malgoozar are much diminished, and there is great capability of improving the estate, it may be wise to aid the improvement by tuccavee, *i. e.*, advances from the public treasury. Such advances are common with Native Governments, and used frequently to be made under our own system. A vicious practice arose of making only nominal advances of tuccavee, which were



were immediately carried to the Government account in liquidation of existing balances, and thus enabled the collector to exhibit a clear balance sheet. This was quite inadmissible, and has thrown discredit on all such advances. There can, however, be no doubt that in certain states of the population and country, a collector who knows the people may do much good by judicious advances of tuccavee. Where the landed property is minutely divided, and the land capable of improvement by the formation of wells and reservoirs, or by draining and embanking, or in other such ways, and the people are industrious, though poor, such advances may be of the greatest service. The power of authorizing them is vested in the Sudder Board, to whom all applications should be addressed, through the Commissioner.

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46. In making such grants, the works for which they are required should be specified, and estimates of the cost of their construction should be carefully prepared and examined. The advance also would more appropriately come in aid of exertions made by the malgoozars themselves, than in liquidation of the whole charge.

47. Engagements should be taken for the repayment of the advances by instalments on fixed dates. It is usual also to require collateral security, but it may be observed that this entails expense on the persons whom it is intended to benefit, and materially detracts from the value of the boon. By law,\* tuccavee is recoverable by the same process as arrears of land revenue. The estate of the parties for whose benefit it is given is therefore hypothecated for its liquidation, and this is generally sufficient guarantee for its recovery without any collateral security. If, however, the advance be made for the exclusive benefit of one or more members of a large community, care will be requisite that the property which will receive the benefit is adequate security, or else that the whole community become jointly responsible for the ultimate repayment of the advance. The Sudder Board of Revenue's rules for the reporting upon tuccavee will be found in the Appendix, No. V.

Not printed.

48. The other frequent cause of default is embezzlement of proceeds. The right of the Government to a certain portion of all produce of the soil being held to be prior to all other rights, it follows that, till its satisfaction, the net produce of an estate is a trust in the hands of the malgoozar, and that a failure to surrender the trust is in itself an act of dishonesty, or, as the law terms it, † embezzlement.

49. It follows as a natural deduction from this doctrine, that the person who makes the collections in a mehal paying revenue to Government is personally responsible for as much as he can be proved to have collected, whether or not he be the rightful owner of the mehal. The civil courts have uniformly upheld the revenue officers of the Government in the exercise of this right, and this principle has been made the basis of the course enjoined as regards lessees ‡ of estates from the proprietors. [It also follows that collections, which can be proved to have been made from unsettled khalisah lands without due authority, can be recovered retrospectively, and if the zemindar voluntarily agrees to a retrospective settlement of the lands, the contract is legal and binding.]

50. Misappropriation of assets and refusal to account for them is sometimes wilful,

\* See section 43, Regulation XXVII., 1803.

† See section 17, Regulation XXVII., 1803 *et passim*.

‡ 1st. In cases where a sub-lease has been granted in consideration of a "sum of money advanced to the proprietor by the lessee, whether this lease is for a fixed term of years, or to continue till the repayment of the amount, the transaction is evidently a mortgage, and should be treated as such. The collector may admit the lessee to engagements, and may direct the transfer of names in the Malgoozaree Register."

2d. In cases where no such consideration has been given for the "lease, the management only, and not the proprietary right, must be held to have been temporarily transferred. There will therefore be no mutation of names in the Malgoozaree Register, but the transaction may be recognized by the collector upon the application of both parties, and the talseeldar may be directed to demand the revenue from the lessee, and to credit it to the estate in his name, as on behalf of the proprietor. This management will continue until either party may express his desire to terminate it after the close of the current year; during its continuance, the lessee will be responsible in his person and property for any sums which he may collect from the estate, and the estate itself will also continue liable to sale for any arrears that may become due on account of it."—Circular Order of Sudder Board of Revenue, dated 19 February 1846.

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wilful, and accompanied either by flight \* or open resistance of authority, in which case it must be dealt with in the same way as all other contumacious acts, as already noticed in paragraph 37. Contumacious refusal to pay (shurarut wu naduhindugee) is however so often alleged as the cause of default, that it may be useful to examine the subject a little more at length.

51. This explanation of the case is frequently given by tuhseeldars and other native revenue officers, when called upon to account for a balance, and the reasons for giving this reply are evident, for it involves no inquiry or proof, and it justifies the severest coercive measures. These are the very reasons why it should be received with the greatest caution. It is not in itself probable that small proprietors living peaceably and comfortably upon their lands would lightly or heedlessly imperil their possessions, and expose themselves to all manner of official annoyances. It is most probable that they would pay the demand if they had the money at hand, and that the omission to pay results from some cause which presses upon them more heavily than the fiscal process issued against them. Under the present system, and amongst a thoughtless, improvident people, it is not improbable that the money realized from their produce had been taken by their creditors, or spent by themselves, before the Government instalment was due, and that when the demand was made upon them, they had nothing to meet it. In despair they probably evaded process, and either concealed themselves, or fled the country with the little property they possessed. In such a case the landed property is answerable for the balance, and every effort should be made to farm or sell the land. But it may happen that the cultivating population is scanty, that capitalists cannot be found to take the estate, or that the combination amongst those of the same clan with the defaulters is so strong as to deter purchasers from coming forward. The difficulty is then great; and in no cases are the local influence and fertility of resource of the collector more severely tried. The main object must be so to coerce the defaulters as to make it evident to all that the true policy of a malgoozar is to be punctual in his payments. In proportion as this is effected, and the agency which he selects for dealing with the case is good, and the police is strong, instances of the kind will be of rare occurrence and easy remedy. Recourse to kham management, for a time at least, will probably have to be made, and this will only answer its purpose when exercised with great knowledge of the people, and with unremitting attention to duty.

52. Embezzlement or misappropriation of assets generally results from the pecuniary embarrassment of the malgoozar, or from disputes among the several

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\* *Note.*—In cases of flight to neighbouring independent states, the following remarks of the Honourable the Court of Directors, in a despatch, dated 27 May 1835, must be borne in mind:—

89. "You appear to us to have taken, on the whole, a sound view of these questions. On the subject of the mutual surrender of fugitives, the rule, you say, which it is the wish of the Supreme Government to establish, is, to confine our requisitions for the surrender of refugees, and our compliance with those of our neighbours, to the case of heinous offenders, such as murderers, highway robbers, &c., leaving the privilege of asylum inviolate as regards debtors, defaulters, and civil and petty offenders of every kind; and the same rule ought of course to be observed where we have occasion to interfere to regulate the intercourse of different native states between each other. Your local agents, guided by the spirit of these instructions, will be entrusted with a certain discretion as to the particular cases, or classes of cases, in which requisitions for the surrender of criminals shall be made or complied with. The feelings of the particular Native Government, the character of its institutions, and the general equity or oppressiveness of its rule, may often require to be adverted to in the determination of such questions. But the practice, whatever it be, should [unless there be very strong reasons to the contrary] be strictly reciprocal."

90. "We have on former occasions intimated to you our opinion that, except under peculiar circumstances, it is no less inadvisable to claim from other states our own revenue defaulters than to surrender theirs. We consider the abandonment of their native villages by the established cultivator as a sure indication of over-assessment, or of oppression, demanding the early interference of the local European authorities."

91. "The non-surrender of revenue defaulters is, in point of fact, a check against the continuance for any long period of such over-assessment and oppression."

92. "With regard to the interference, whether of our tribunals or of our political officers in civil cases against subjects of independent chiefs, you have adopted the sound principle that the complainant must be left to seek justice from the legitimate superior of the party against whom his claim is preferred, unless that party be resident or possess property within our territories. It was no less proper to interdict our officers from taking cognizance of civil claims preferred against independent chiefs, whether by their own subjects, or by others, or of cases of any description between independent chiefs and persons residing or possessing property in their dominions. Interference may sometimes be unavoidable in consequence of general mal-administration, but it seldom can be justified in individual cases, unless where the sufferer is entitled to our protection by some positive engagement."

several members of the community. The two causes are distinct, and require different treatment.

53. When the malgozar is bankrupt, and there appears no hope of his recovering himself, no hesitation should exist in immediately transferring from him his estate. When his property is about to pass from him in satisfaction of the claims of his creditors, he will naturally cease to be anxious to save it from sale in satisfaction of the Government demand. He will secure for himself what he can from the wreck, and will leave the Government and his creditors to get what they can for themselves. The transfer must therefore be so timed as to prevent the bankrupt from appropriating the value of the crops then standing, and immediately, on the first occurrence of default, the property should be attached to prevent waste, and to secure any assets that may be then available.

54. Quarrels amongst the several members of the community are the fertile source of default, and require much judgment in dealing with them. It has been already stated in paragraph 3, that all the members of the community are jointly responsible for the whole sum assessed upon a mehal.\* In another treatise (directions for settlement officers, paragraphs 84-97), an attempt has been made to explain in what way the several members of these communities are bound together, and how they account to each other for their respective shares. The settlement record, and the annual putwarrees' papers, will show the nature of the tenure, and the names of the proprietors. It is most desirable that every exertion should be first made to realize, from the individual defaulter, the balance he has failed to pay; but if this effort be unavailing, it is then important that the whole community be made to feel the strength of the bond which unites them, and the necessity of common exertion for the safety of the whole. This tie cannot be weakened without altering the whole framework of the community, and introducing a new state of society. If the separate responsibility be disregarded, great injustice is done, and an extensive alienation of property by public

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[\* Circular Order of the Sudder Board of Revenue, dated 8th May 1849. "The Sudder Board of Revenue, North-Western Provinces, by the direction of Government, prescribe the following rules regarding the mode of enforcing the joint responsibility of shares in undivided mehals:—

1st. The proprietors of an undivided mehal are jointly responsible to the Government for the whole of the jumma assessed on the mehal.

2d. It is in the option of any joint proprietor to separate his property from the rest of the mehal, by demanding the division of the estate, under the Regulations passed for the purpose.

3d. If the share or extent of land possessed by the proprietor is known, and beyond dispute, the collector is bound to make the division on application of the proprietor; otherwise the proprietor must first establish in the civil court his right to the share or land he claims.

4th. The division of the estate must be effected by the equable apportionment of the demand upon the several portions of the joint estate, according to the capabilities and assets ascertained at the time of division, as prescribed in clause 4, section 37, Regulation XXV. of 1803. The separation of proprietors on the adjustment of jumma, made at the time of settlement, will not be binding, but the land will be divided, or the jumma will be adjusted, on the same considerations as would have influenced the determination if a new settlement had been in progress at the time of the division of the estate.

5th. All proceedings which destroy or impair the joint responsibility, such as the purchase by Government; or the farm to a stranger, or the kham tuseel of a puttee of an undivided putteedaree estate, should, as a general rule, be avoided: unless it be ascertained that the adjustment of the jumma correspond with the capabilities and assets of the puttee at the time the measure is proposed, and that there be no design on the part of the proprietors, fraudulently or collusively, to free themselves from the responsibility to which they are legally liable.

6th. The joint responsibility may be enforced by selling or farming the entire mehal, or by holding it kham for a balance due from an individual proprietor or from a puttee; but these measures should not ordinarily be adopted till efforts to realize the balance from the actual defaulters have failed.

7th. When default has occurred, and it becomes necessary to adopt coercive measures for the realization of the balance, great difference should be observed in collecting from the shares in an undivided putteedaree estate, and from the proprietors of separate estates. The proceedings in the former case should be always carried on in immediate communication with the lumburdars, and the ultimate joint responsibility should be kept in view, and used as the means of lessening the costs of the process, and of producing the combined efforts of all members of the community for the liquidation of the balance.

8th. Exceptional cases may arise in which the prosperity or existence of the community may demand that the joint responsibility be suspended or relinquished, as they sometimes occur, in which the Government demand on entire estates must be suspended or relinquished. Both proposals are of the same nature, and rest on the same considerations." ]

public sales must take place. If the joint responsibility be disregarded, a revision of the whole settlement must take place. A separate allotment of jumma on every petty holding must be made, and the assameewar or ryotwar system be introduced, with all the inconveniences and risks to which it is liable, especially amongst a people who are unaccustomed to it.

55. Act I., 1841, has provided for this state of things. It has armed the collector with power to proceed against each individual defaulter from amongst a community, in the same way that he can do against a sudder malgoozar, whilst at the same time it avers that the joint responsibility remains unimpaired. The Government expects that every effort will be made to realize the balance from the individual before the demand is pressed upon the community.

56. Section VIII. of Act I., 1841, has enacted, "that a copy of the jumma wasil bakee and detailed khuteonee of the tuhseeldar, signed and sealed by him, and countersigned by the canoongoes and putwarree, exhibiting in detail the amount paid by, and arrears due from, each puttee, shall be taken to be sufficient evidence of the arrear due from each puttee." This does not render it necessary that the tuhseeldar should always keep a distinct jumma wasil bakee for the owner of every property in a co-parcenary estate. In general, the mehal may be considered as one head of account, but any specification made by the malgoozar of the persons on whose account the sum is paid in should be shown in the tuhseeldar's accounts. When in the event of default it may be necessary to proceed against the several proprietors under the terms of this Act, it will then be necessary to make out a separate jumma wasil bakee against each puttee or individual. This will be furnished by the tuhseeldar, and will be founded upon the putwarree's papers, and will be conformable with them. But it may, and not unfrequently does happen, that owing to disputes there may be difficulty in preparing this document. The decision of this dispute will require much care and judgment. It may be that the accuracy of the document, when first presented to the collector, is called in question by the parties concerned, in which case further inquiry, and perhaps eventual amendment of it may be necessary. The objections may be various. It may be pleaded that the extent of the property is wrongly stated, or that the rate of distribution (bach, h) is wrongly adjusted, or that the properties are not so separate that distinct responsibility can be established, so as to render the terms of the Act applicable. Each of these pleas should be heard and carefully weighed. The law, by requiring that the papers in question "shall invariably be filed with the collector's proceedings," provides a safeguard against the hasty enforcement of the provisions of the Act, contrary to the acknowledged customs of the people; but neither the law nor the order of Government binds down the collector to the blind reception of the papers in question, or to implicit reliance upon them.

57. It may probably be objected to the document, that the joint estate is zemindaree (*vide* para. 87, Directions to Settlement Officers), that the collections are made by the lumburdar, who is bound to account to the village community, and that the lumburdar has not rendered a faithful account, so far as the interests of the defaulter are concerned. This no doubt is a valid excuse, and deserving of inquiry. If in all its parts it be proved, the estate is not one in which the provisions of the Act ought to be enforced. If on the other hand it appear that the defaulter was a party to the annual adjustment of accounts (boojharut), assented to it, and received his portion of the profits, and subsequently embezzled them, then the separation of properties for the year will have been complete, and the separate responsibility may be enforced.

58. If there be no question as to the separate responsibility of the defaulting puttee, still all efforts to realize the balance from the owners of it may be ineffectual. They may have suffered their lands to fall out of cultivation, they may be bankrupt, or they may have absconded. In such cases it becomes necessary to fall back upon the joint responsibility of the whole community. It must be ascertained what is the village rule for making good default of this kind; as for instance, by re-distribution of the balance on the shares of the solvent proprietors, or by transfer to some co-parcener or puttee able to pay up the balance and take the lands. They must be called upon to act on this rule, and in the event of any or all refusing to comply with it, the recusants or the whole must be dealt with as defaulters. This power, conferred by section X., Act I., 1841, is most important. It holds the community together, and compels them to put forth

forth that united exertion which is the principal feature of the tenure. It follows, as a natural consequence, that the collector should abstain from any act, such as either partial annulment of lease and farming or holding kham, or purchase by Government of the defaulting puttee, which would throw upon the Government the responsibility for a share of an undivided estate. The only way in which the joint responsibility attaching to all the co-parceners in such a mehal can be destroyed is by forming the several puttees or other component properties into separate mehals, as provided for by section 30, Regulation XIX., 1814. If this distinction be not observed, there will be great opening left for fraud of all kinds.

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59. The cause of default being ascertained, the collector has open to him several legal methods of procedure for realizing the demand. No fixed rule can be laid down to guide him in the course he should follow. The law has allowed an option, and he must not shrink from the labour or responsibility of determining how he is to exercise the discretionary power with which he is invested. The object is to realise the balance with the greatest rapidity and facility, and with the least possible degree of annoyance or expense to the defaulter.

60. Some of the processes are directed against the mehal itself, on which the balance has arisen, and some against the person, or other property, real or personal, of the defaulter. The former rest upon the principle that every mehal is hypothecated to Government for the revenue assessed upon it, and to proceed against the mehal can never therefore be illegal, however inexpedient or impolitic it may be. Whatever successions or transfers may have taken place, a mehal may always be sold for an outstanding balance, or the settlement may be annulled, and the mehal be farmed, or held kham; but the actual defaulter, *i. e.*, the person who has received the Government share of the produce, and failed to account for it, is alone responsible in his person, and liable to imprisonment for the arrear. Property, whether personal or real, other than that on which the arrear has arisen, is only liable to distraint or sale when it belongs to the actual defaulter, or is held on a title derived from him subsequently to the default.

61. It will be useful to describe the several methods of procedure open to the collector, and to point out some of the most useful principles that should guide him in the exercise of his discretion.

62. The processes recognized by the regulations for the realization of the demand of the Government are the following :

- I. Dustuks, *i. e.*, writs of demand and summons.
- II. Personal imprisonment.
- III. Distraint of personal property.
- IV. Kham tuhseel, *i. e.*, sequestration of profits.
- V. Transfer to a putteedar of a defaulting puttee.
- VI. Farm to a stranger of the defaulting puttee or of the whole mehal.
- VII. Sale of the defaulting puttee or of the whole mehal.

63. I. Dustuks, or writs of demand and summons.—The dustuk\* is either a written notice of demand, or it is a summons to appear before the proper revenue authority and account for the default. The demand should be paid by the malgoozar, on or before the day on which it falls due, into the hands of the person authorized to receive it, either the collector or the tuhseeldar, as the mehal may be huzoory or otherwise. If the malgoozar fails in this duty, he is liable to a penalty, and the dustuk issued at his expense is the lightest penalty which can be inflicted.

64. Ordinarily, and in cases of first default, the dustuk, issued on the day following that fixed for payment, is a simple notice to pay. But if this be ineffectual, and payment be not made within the prescribed time, one or more dustuks should be served, either by peons or horsemen, and these should be considered writs of summons, and should serve to bring before the collector or the tuhseeldar all persons responsible for the balance. The number of dustuks will depend

\* Sections 3, 4, 5, 7, 8, 9, 10, Regulation XXVII., 1803, contain the provisions regarding the issue of dustuks in the ceded and conquered provinces, but the provisions on this head are more clearly stated in section 4, and clause 1, section 5, Regulation X. of 1818, when they were re-enacted for the district of Cuttack.

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depend on the number and character of the defaulters. It is not necessary that there be one for each defaulter. There should be no more than are probably adequate to ensure the attendance of the parties summoned. This is the process by which full discovery is made of all the causes of the default, supposing them to be previously unknown; but even if the defaulters themselves abscond, or refuse to attend, there will seldom be difficulty in ascertaining from the village or pergunnah officers and other sources the real cause of default. This duty in most cases will devolve upon the tuhseeldar, who in fact ought to be so well acquainted with the affairs of his district as to know beforehand how and where default is likely to occur. He must know whether the crops have been abundant or not, and whether the malgoozars are in prosperous or embarrassed circumstances; he must know whether the members of village communities are in harmony or at discord with each other; and he also must know the general character and repute of every malgoozar for punctuality or honesty. With this knowledge, he should be able at once to shape his course on the occurrence of default, and he should be prepared, immediately on failing to realize by the first or second dustuk, to report the whole circumstances to the collector, with his opinion as to the course which should be pursued, and the reasons for his recommendation. The collector should always require this detail to be furnished to him with the greatest promptitude. When received, he will test it by the many means of inquiry open to him, by his own previous knowledge of the case, the records of his office, or, if necessary, by the examination of persons likely to know the truth. Delay in such a case, or in deciding on the course to be subsequently pursued, is fatal. Whenever there is difficulty in making the collections, nothing is more important than promptly to make up the mind on the cause of the default, to fix on the proper mode of proceeding, and to follow out that course with no further delay than the law requires.

65. Dustuks must not be issued unnecessarily, so as to bring a useless charge upon the defaulter. The collections should be made mehalwar, not mouzahwar. When several mouzahs separately assessed and settled belong to one proprietor, or body of proprietors, they should be considered as one mehal, and a single dustuk may suffice. No more dustuks should be issued than are likely to effect the purpose of obtaining the defaulter's appearance, and if that be apparently unattainable, the dustuks should be discontinued. It is by no means necessary that dustuks be issued at all.\* If a balance lies over from a former kist, when a new kist falls due, or if the defaulter be notoriously bankrupt, or determined not to pay, it may be better to avoid the issue of one dustuk, thereby preventing the additional charge on the mehal, and saving the time which would be lost by awaiting the result of the issue.

66. The system devised by the Sudder Board of Revenue for regulating the issue of dustuks, and for preventing undue exaction in their issue, or speculation in accounting for the tullubanah leviable by means of them, is complete, and is given in Appendix, No. VI. It is almost unnecessary to caution against an abuse which has been known to exist. Some revenue officers, unwilling to swell their tullubanah account to a large amount, have permitted the demand to be made through Government peons or horse-men, at the expense of the malgoozars, without the issue of a dustuk. This is entirely illegal, and would be resisted by any but the most ignorant and timid of the agriculturists.

67. II. Personal imprisonment.—Every malgoozar is liable to imprisonment for the balance due from him to the Government. (This power is exercised through the civil judges †; but any individual who contests the claim made  
against

\* See clause 2, section 2, Regulation XI., 1822, the principle of which remains in force, though the Regulation is rescinded. See section 24, Act I., 1845.

† Under section 11, Regulation XXVII., 1803, the function of the civil judge in imprisoning is only ministerial. He is bound to imprison on application to that effect from the collector, and if the defaulter refuse to pay, the demand can be contested only by a suit under section 16 of the same Regulation, and this suit must be a regular one, according to Construction, No. 330, of the Sudder Dewanny Adawlut. The same course of proceeding is prescribed under section 20, Regulation VIII., 1831, and clause 3, section 23, Regulation VII., 1822, in the case of imprisonment under orders in summary suits by collectors; but in such cases the Court of Sudder Dewanny Adawlut have ruled in their Circular Order, dated 4th January 1833, and Construction, No. 784, that "the orders for the confinement and release of defaulters need not pass through the civil judges; and that the warrant of the collector is a sufficient authority to the civil gaoler to receive or discharge a prisoner; the powers heretofore vested in the judge in such cases having been virtually transferred to the collector." (A  
subsequent

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against him can obtain his release, by finding security for the amount, and bringing a regular suit in the civil court to make good his plea.) It is not necessary\* to imprison immediately upon apprehension. The defaulter may be kept 10 days in charge of the peons who apprehended him, by the tuhseeldar at the tuhseeldaree cutcherry, and by the collector at the sudder office. No person is liable to imprisonment except for a balance due from himself or some shareholder whom he represents. An heir, or assignee, or agent cannot be imprisoned for the default of the person from whom he derives his title or his powers.

68. It is only in peculiar cases that the process of imprisonment is likely to be effective. When the defaulter is living in circumstances which make him fear imprisonment, and when he has resources which enable him at once to pay the demand; there may be no more efficient process. But on the poor or the embarrassed it is not likely to have any effect, whilst to the unfortunate, but honest and industrious man, it is a cruel hardship. It used to be a very common practice to imprison defaulters, as the first step towards the realization of the demand but the hardship and impolicy of this has been long admitted, and within the last few years this mode of proceeding has been almost entirely discontinued. The checks placed upon it by the Sudder Board of Revenue will be found in Appendix, No. VII.

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69. III. Distrain of personal property of the defaulter.—The powers of distraint possessed by a collector are the same as those possessed by a private proprietor against his tenants,† and extend to the power of seizing, wherever he may find it, the personal or moveable (in Arabic law *مقتولا*, and Hindoo law *अस्तित्व*) property of the defaulter, except that implements of husbandry, and cattle employed in husbandry, together with the tools of artisans, are not subject to distress and sale on account of default.

70. This process is liable to very much the same objection as the preceding. The usual defaulters are small landed proprietors, whose personal property is of little value to any but themselves, and is easily removed. If it is distrained and sold, little is thereby realized, whilst they are greatly harassed and injured. If, however, the defaulter be in good circumstances, and wilfully withholds payment of the just claim of Government, there cannot perhaps be a better mode of proceeding than to distrain at once the most valuable articles of his private property. This course should be followed only when there is good reason to suppose that it will be the means of compelling payment of the whole or a considerable portion of the arrear.

71. IV. Kham tuhseel, or sequestration of profits.—Two very different processes are often confounded under this head, viz., temporary attachment of the property with an account of the profits on removal of the attachment, and annulment of settlement with sequestration of profits for a fixed period. The common feature of both is, that the collector, or officer deputed by him, is placed in the position of a proprietor, and invested with all the powers over the property which an owner usually exercises. In one of their effects, also, they are the same, for Section X., Act I., 1845, forbids sale of an estate for arrear which has accrued under attachment, without making any distinction between the two modes of attachment. In both cases, then, care is necessary, as well in having recourse to the process as in acting under it.

72. Temporary attachment ‡ has been sometimes designated “koork tuhseel,” and is a process which the collector is authorized to adopt on his own authority whenever default has occurred, and the time that is requisite for the completion of other proceedings renders it necessary to prevent waste on the estate. Some time must evidently elapse before a farm or sale of an estate can be completed, and occasionally even time is necessarily consumed in conducting the preliminary inquiries into the cause of default. In all these cases, it is necessary to provide that the defaulters, who may have become reckless, do not carry off, and appropriate to their own use, the proceeds of the estate. It may also happen that the defaulter has been apprehended and imprisoned, and that it is necessary to provide

subsequent Construction, No. 892, maintains the law of section 11. Regulation XXVII., 1803, as regards revenue defaulters. The practice, therefore, which has prevailed in some districts, of imprisoning under a direct order from the collector, must be discontinued.)

\* See section 11, Regulation XXVII., 1803.

† See clause 2, section 14, Regulation XXVII., 1803.

‡ Vide clause 1, section 14, and clauses 1, 2, 3 and 4, section 15, Regulation XXVII., 1803.



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vide a person to take charge of the estate on the part of Government. In ordinary cases this should be the tihseeldar; but whenever the estate is large, or requiring particular care, a suzawul or administrator may be appointed, who will exercise, on the part of the Government, all the functions of the proprietor, either for a per-centage on the collections, or for a fixed salary.

73. In all such cases the Government officer, whoever he may be, stands in the place of the defaulter, and realizes what it would otherwise be the duty of the malgoozar to realize. Where the land is cultivated by non-proprietary tenants, he will collect from them according to the authorized jumabundee or rent-roll. Where the land is cultivated by a community of proprietors, he will put in force the local law, whatever it may be, as regards balances from former years and the current revenue, and will collect accordingly. For instance, if they pay the Government revenue and village expenses by a rate or bach, on their seer land, he will include in the village expenses whatever may be his own authorized remuneration, make the bach, and then realize from each accordingly. This power may evidently be exerted with great advantage in cases of default arising from disputes amongst the community, which prevent them from auditing the accounts of the year, and distributing the burden on each man's land. The officer of Government does that by authority, which the village lumburdar was unable by himself to do. By the adoption of this process in case of default, that lien upon the crop which the Government originally possessed, and only waived as regarded the current revenue, is immediately revived in the person of the Government officer who is the representative of the owner.\* Wherever, therefore, the estate is valuable, the risk to the Government which results from the postponement of the kists (already mentioned in para. 28), extends only to the kists for one crop. The produce of that crop may be embezzled and made away with, but the existence of the balance places it at once in the collector's power to realize the demand in future from the growing crops till the balance is liquidated.

74. Whenever an estate is attached, the greatest promptitude is necessary in ascertaining from the putwarree the extent of cultivation, and the liabilities of each man. The settlement papers and the putwarree's annual papers should materially aid this, and the collector should not be unmindful that every such attachment gives him a valuable opportunity for testing, and, if need be, correcting these records. If the attachment take place at the commencement of the agricultural year, that is, before the commencement of the rainy season, it will devolve on the Government officer to make the arrangements for the cultivation in the coming year. This is a difficult undertaking, requiring much knowledge of the country and the people. Good agents should be chosen for its performance, and those agents should be well directed. Every effort should be made to secure the assistance and co-operation of the proprietors in its performance.

75. It must further be remembered, that all collections made during attachment must be appropriated to the payment of the current kists, and no portion devoted to the liquidation of the balance till the current kists are entirely made good. Thus when the attachment takes place before the rubbee crops are cut, in consequence of failure to pay the khurreef balances, the collections must be credited to the coming rubbee kists, and not to the past khurreef kists. Otherwise it is evident that when the attachment is removed, the proprietor will be left with a demand against him, and no means of paying it.

76. On releasing the property from attachment, an account should be faithfully rendered of all the collections from the village.† When this has been rendered, and the acquittance of the proprietor has been filed, the estate of course remains liable for any outstanding balances which were not accepted at the time of adjustment.

77. Sequestration of profits for a period of years, or kham tuhseel properly so called, was a process, contemplated from the first, and especially mentioned in clause 3, section 17, Regulation XXVII., 1803, as a punitive measure, consequent on embezzlement. The power has, however, been more distinctly conferred in all cases where an estate is not settled in perpetuity, by section 4, Regulation IX., 1825, and that is accordingly the enactment under which the process

\* See concluding para. of clause 2, section 17, Regulation XXVIII., 1803.

† See clause 2, section 15, Regulation XXVII., 1803.

process is now ordinarily enforced, but the period must not exceed 15 years. It will be observed that this process cannot be adopted till the expiration of a month after the balance falls due, that it involves annulment of the settlement, and that it cannot have effect without sanction of the Board, and that, even then, it is subject to such orders as the Government may issue. Ordinarily the operation is complete when sanctioned by the Sudder Board of Revenue, but the Board quarterly report such cases for the information of the Government, and the Government have the power then, or specially upon appeal made to them, to alter the proceeding. But this power is very seldom exercised. It is meant to provide against extreme cases, and only in such would its exercise be warranted. The forms of report and account in these cases, required by the Sudder Board of Revenue, will be found in the Appendix, No. VIII.

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78. When land is valuable, population abundant, and the assets of the estate consist of money collections from non-proprietary cultivators, and the rent-roll shows a fair surplus above the Government demand, there should be no hesitation in holding kham. Ordinary care will enable the collector to recover the balance, and probably improve the estate. But when the population is scanty, when the defaulters are a community of cultivating proprietors, when the collections are made in kind, or when the estate is deteriorated and fallen out of cultivation, kham management requires much caution. Its success evidently depends upon knowledge of agriculture, influence over the people, and prompt and steady action. When the collector is conscious that he possesses these qualities himself, or can command them through means of his subordinates, he has the strongest possible hold on the people. Nothing convinces them more of the hopelessness of attempting by combination to defraud the Government of its dues, or to force a reduction of settlement, than the example of a few estates successfully held kham, and made to yield more than the original assessment. With the intimate knowledge now possessed of the assets of every estate, and of the resources of the country, there should not be any great difficulty in holding kham, wherever the assessment is fair. It should not, however, be attempted on any great scale, because of the time and minute attention it requires, nor should it be attempted at all, unless the collector finds himself in a position where he may reasonably expect to have time and opportunity to carry his experiment fairly out. The defaulters cannot claim release from kham tulseel on payment of the balance, nor till the expiration of 15 years, and caution should be used in too easily re-admitting zemindars to the management of their estates as soon as the property begins to yield a surplus.

79. Estates are sometimes necessarily kham because of the refusal of the proprietors to engage for them, and because no farmers can be found to take them. These will be managed in the same manner as estates held kham on account of balances.

80. There is a material difference between kook and kham tulseel. In the former, as already stated in para. 73, the Government officer, who is charged with the management of the attached estate, stands in the place of the original proprietors, and is bound by all the obligations which they have legally incurred. He can collect no more than they were able to demand from lands leased or mortgaged at low rates, and he cannot demand from the proprietors more than the bachh or village custom warrants. In kham tulseel, on the contrary, all the proprietary rights and obligations of the owners of the property are for the time in abeyance. The Government officer in charge of the estate collects from all the cultivators the full rents of their lands, notwithstanding any engagements to the contrary into which the proprietors may have entered, or any privileges which they may possess in virtue of their rights of ownership. He is for the time being in the position which would be occupied by a person who had farmed or purchased the estate on account of arrears of revenue. It must also be remembered, on release from kham tulseel,\* that annulment of the previous settlement had been preliminary to the kham management, and that re-settlement is therefore necessary. New engagements must be taken from the parties admitted as proprietors, and the

\* In the permanently settled province of Benares, sequestration of profits takes place only under clauses 2 and 3, section 17, Regulation VI., 1795. It does not expressly involve annulment of lease; but in flagrant cases of embezzlement it may be continued till the balance be paid up, and the Government be reimbursed for all sums laid out in the improvement of the estate.

the opportunity should be seized for correcting the administration papers, and adjusting all the points which are open to adjustment on the formation of a new settlement.

81. V. Transfer of a defaulting puttee to a solvent putteedar.—When one or more persons possessed of separate holdings in a co-parcenary tenure find themselves involved in pecuniary difficulties, it is an ordinary practice for them to make over their proprietary rights for a time to another shareholder or body of shareholders, and either to go elsewhere themselves to seek their fortunes, or else to remain resident in the village, but divested of their character as proprietors. The law \* enables the collector to avail himself of this custom, and to compel its enforcement, whenever a member of the community defaults, and fails voluntarily to extricate himself from his difficulties in this manner. The property of the defaulter is transferred to a co-sharer, on payment of the balance by the transferee. The transfer may be in perpetuity, or for a term of years, or till repayment of the balance, which has led to the enforced transfer. In the first case, it is in fact an enforced sale; in the second case, it is a mortgage, of the kind commonly known as putbunduck, where the profits are held adequate to pay the interest and replace the principal in a course of years; and in the third case, it is an ordinary mortgage, but one in which an account of mesne profits cannot be demanded.† Of these processes it is evident that the second is the most lenient, as well as the most convenient, and it is the one generally adopted in modern practice. The third is the one most consonant with the ordinary practice of communities, and is much preferable to farm to a stranger. As the process rests for its foundation on the well-known joint responsibility of the whole community, so it results that the joint responsibility is by no means weakened by its enforcement. The whole mehal is still responsible for the revenue assessed upon it, and if the transferee ultimately default, the transferred portion is, notwithstanding the transfer, as liable to sale as any other part of the estate. It also results from the nature of the transaction, that the transferee's interest in the transferred puttee is both heritable and transferable.

82. Recourse should always be had to this process, if possible, whenever a part only of the joint proprietors default. A collector should not wait till tender is made to him by the solvent proprietors. He should invite their tenders, and he should explain to them the advantages which will result to them from thus preventing the intrusion of strangers into the estate, and the obligation that rests upon them to support their co-parceners.

83. As the law now stands, the sanction of the Government is required to complete these transfers. The form of report which this involves is given in the Appendix, No. IX., and it will be observed that a column is there assigned for showing the provision made for the support of the excluded proprietors, under section 7, Act I., 1841.

84. VI. Farm to a stranger of the defaulting puttee or of the whole mehal.—This also is a process commonly enforced by Native Governments. It amounts simply to this, that when the proprietor is unable to manage the estate, the Government provides a person to look after its own interests for a time, till the proprietor is in a condition to resume management. The process is a milder means of coercion than sale, and ought to be ordinarily had recourse to in preference to sale, especially when the estate is held by the old hereditary proprietors, whether as a community, or as a single family, or as an individual. Instances are not rare in which communities, who are either impoverished, or who have disagreed amongst themselves, voluntarily enter into an arrangement for farming their estate to some capitalist, who undertakes the management, and leaves them some small immunities, which they consider necessary for their support or essential to their dignity.

85. The provisions of the Regulations which authorize this process are vague. Clause 4, section 17, Regulation XXVII. of 1803, empowers the Government to let

\* See clause 1, section 17, Regulation XXVII., 1803; also clauses 3 and 4, section 3, Act I. of 1841. Section 14, Regulation IX., 1811, also confers the power, but it is not usual to act under the terms of that law.

† [Circular Order of the Sudder Board of Revenue, dated 23d July 1847. "When a puttee is transferred to a solvent putteedar, the transferee acquires in the transferred puttee the rights of a proprietor or of a mortgagee, according as the transfer is in perpetuity or temporary. The right thus acquired is transferable, and, therefore, no collateral security is necessary."]

let on lease the lands of any person who may be dispossessed on account of arrears, without any restriction as to period, or otherwise. Section 4, Regulation IX., 1825, empowers the collector, with the sanction of the Board, and subject to the orders of Government, when a balance remains unpaid for one month in estates not settled in perpetuity, to annul the settlement, and to let the mehal in farm for a period not exceeding 15 years. It is usual now, in all estates not permanently settled, to act under this latter clause, and to make the process lenient by reducing the farm to the shortest possible limit, with power to the malgoozar of re-entry on its expiration without repayment of the balance.

86. In selecting the farmer of the estate of a defaulter, the preference should always be given to any person who possesses a right of property in it. Thus, in a talookah where the settlement has been made with the biswahdar, on his default the farm should be offered to the talookdar, or in the case of a mortgaged estate, to the mortgager. The owner of property which may be contiguous to or intermixed with that of the defaulter should also have the first offer of the farm.

87. The lease in this case is a personal contract between the Government and the farmer, who may, in fact, be considered the manager of the estate on the part of Government, and it is neither heritable nor transferable. It follows that on the death of a farmer, his heir does not inherit of right, but the farm lapses, unless it be thought expedient to renew it with him; and that if there be more than one farmer, and one of them die, the survivor continues sole farmer; and that the civil courts cannot disturb the possession of the farmer, unless the Government be a party to the suit.\* Although, however, there may be no claim of right to succeed by inheritance, or to obtain by transfer the farm of an estate, applications of this nature should not be rejected except on very strong grounds. Such successions or transfers should, as a general rule, be permitted, and should only be disallowed when evidently objectionable. In other respects the farmer is for the time invested with full proprietary rights,† and the excluded owner is a mere cultivator of his seer lands, the rents of which will be determined as prescribed in sections 7 and 10, Act I., 1841. On lapse of the farm within the period of 15 years, the old proprietors cannot claim re-entry of right. During the 15 years for which they have rendered themselves liable to exclusion, the Government may make any arrangement regarding the estate which it thinks best. Sub-leasing, without the consent of the collector, should be barred by special stipulation in the farming lease, but this consent should not be withheld without sufficient cause.

88. The process under section 4, Regulation IX., 1825, involves annulment of settlement, so that the farming jumma is not necessarily the same as the former jumma, and after the expiration of the lease to the farmer, the estate is open to re-settlement, and the old proprietors, on whatever terms they may be re-admitted, should be required to enter into new engagements, and to complete all the other documents that are required on the settlement of an estate. [If the mehal be farmed for a higher jumma than that for which the estate was originally settled, and there be no unliquidated balance due to the Government, the proprietors are by section 4, Regulation IX., 1825, entitled to malikanah.]

89. It is of importance that the mode of enforcing this process should be well-defined and precise, so that the malgoozars may have sufficient warning of what is intended, and so that capitalists may feel assured that their contract will not be lightly set aside, and may be thereby encouraged to come forward and take such leases. The rules which have been promulgated by the Sudder Board of Revenue, under the sanction of the Government, for this purpose will be found in the Appendix, No. X. As no estate or portion of an estate, when thus farmed, is liable to sale for arrears of revenue, sufficient security must always be taken from the farmer for the punctual discharge of his jumma, and the security bonds should

Not printed.

\* This has been frequently asserted by the Sudder Board of Revenue, and was confirmed by the unanimous opinion of the judges of the Sudder Dewanny Adawlut, in the special appeal case of Imam Buksh and Imam Oollah, appellants, *versus* Syud Furzund Allee and others, respondents, decided on 29th December 1845.

† The farmer obtains for the time the same rights as those which in para. 96 are described as permanently acquired by an auction purchaser.

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should be registered,\* in order that the lien on the property specified in the bond may be complete.

90. VII. Sale of the defaulting puttee or of the whole mehal.—The realization of arrears of revenue, by sale of the estate on which the arrear has occurred, is a process unknown to native states, and is entirely the result of the British system of administration. Property in land is certainly known under Native Governments. Private transfers by sale, gift or mortgage constantly occur under them, but these are entirely dependent on the will of the parties, and are not enforced by the Government. The power of effecting public sales for arrears results from the limitation of the Government demand, and the confidence of the people, that when the demand is open to re-adjustment, it will not be unduly enhanced.

91. In Bengal, Behar and Orissa, the permanent settlement effected a great revolution in the state of landed property. It very extensively deprived the village communities and inferior holders of their rights, and created new and absolute rights of property in behalf of persons who had previously possessed only a limited interest in the produce of the land. The sale process was very well adapted for such a state of things. The persons first recognized as proprietors might be, and often were, ruined, but their rights passed into the hands of other capitalists, who were ready to speculate in land, and such changes made no alteration in the body of resident cultivators, who carried on their affairs much as they had always done, battling to the best of their power against the person entitled to receive their jumma, and remaining for a long time ignorant of the essential change which had been made in their position. When the rage for thus speculating in land was at its height, the ceded and conquered provinces were annexed to the British empire, a brief settlement was hastily made, and the sale process inconsiderately introduced. A few intriguing characters about the public offices eagerly seized upon this opportunity for enriching themselves, and great confusion ensued. The evil at length forced itself on the consideration of the Government. The Board of Revenue frequently exposed the real state of the circumstances, and Mr. T. C. Robertson, the intelligent and energetic judge and magistrate of Cawnpore, so strongly represented † the importance of the question, that a special commission was appointed, under Regulation I., 1821, to remedy the evils that had occurred, and to reverse all fraudulent or unjust sales of this nature. The preamble of that Regulation exposes the magnitude of the evil it was intended to remedy. The powers entrusted to the commission were subsequently enlarged by Regulation I., 1823. The special Commissioners were first selected men of tried ability, but in 1829 the already extensive powers of special Commissioners were still further enlarged, and were conferred by section 10, Regulation I. on every Commissioner of Revenue, and very great diversity of practice then prevailed. Many changes subsequently took place in the arrangements for disposing of these suits. At length by Act III., 1835, the further entertainment of suits of this nature was stopped; but it is only within the last few years that the labours of the commission have been laboriously and painfully brought to a close. Simultaneously with these measures, others have been pursued under Regulation VII., 1822, and IX., 1833, and similar enactments for ascertaining the real rights possessed in the land and the liabilities of the proprietors.

92. The effect of these measures has naturally been to shake confidence in sales. Intending purchasers have before them not only the risk of suits in court to set aside the sale on the numerous pleas of irregularities which are liable to occur, but also they remember the sweeping measure of 1821 for reversing such sales. They are aware, moreover, of the strong repugnance to the sale process, which has arisen on the part of public officers in consequence of its hardship, and they perceive that the minute record of rights, which has now been made, prevents them from exercising that large discretion in the purchased estate which the absence of that record previously allowed.

93. The

\* Before accepting as security property situated in military cantonments, revenue officers must be careful to see that the hypothecation is duly registered in the brigade major's office, and receives the consent of the commanding officer. C. O. S. B. R., 25 May 1847.

† See this letter, published in Revenue Appendix, No. 68, to the Report of the House of Commons, dated 16 August 1832.

93. The preceding brief retrospect is necessary to enable public officers to understand the real difficulties which beset resort to the sale process. The law is still absolute and lays no restriction on the discretion of the officers of the Government. The right of Government to hold the entire body of proprietors and the entire estate responsible for the amount of the whole jumma is declared in section 10, Act I., 1841, to be indefeasible, whilst any sale conducted in the prescribed method would be complete and final. The mode of conducting a sale is fully set forth in Regulation I., 1845, which must be carefully studied by every person who resolves to act under it. The precautions to be observed are few and simple, so as to leave no excuse if the sale be subsequently reversed in consequence of informality. It is of more consequence now to mention some of the circumstances which should influence a collector in his determination regarding this process.

94. If the estate be the undivided property of one or more persons, and especially if they do not cultivate it themselves nor reside upon it, there can be no objection to the sale. If the estate has been previously acquired by sale at public auction, the re-sale may enable the old proprietors to recover their land. It may, indeed, be advisable that sale should take place in such cases immediately that an arrear has occurred under section 2 of the Act, without having resort to any other process whatever;\* much expense is thus saved to the proprietor, and unnecessary labour and delay are avoided. When the defaulter is an irremediably ruined man, it is better to sell at once, in order to give a good title to the estate, and to free it from the burthens which prevent its improvement so long as it remains in the hands of its then possessor, and the sooner in such a case the sale is effected the better. It may be that from original defect of title or some other such cause, the proprietor finds himself unable to sell the estate by private contract, and is in fact desirous that it should pass from his hands by public sale for arrears. In such a case there can be no reason for delay. The default will of course be persisted in till the estate be sold, and therefore the sooner the estate is sold, the less will be the balance. (An estate should never be put up to sale by public auction at the upset price of the arrear. All bids should be received, but when the price bid is not sufficient to cover the balance, the estate should be ordinarily bought in for the Government. In such case the person and the other property of the defaulter are still liable for the balance, which may remain due after deducting the sum bid by the Government. If the defaulter be known to be possessed of much other property, the collector may sell the estate for less than the balance, and immediately proceed against the other property.)

95. When the estate belongs to a community of cultivating proprietors, and especially when those proprietors are numerous, and supported by other proprietors of neighbouring estates, who are members of the same clan, great caution is necessary in proceeding to sale. It can scarcely happen but that in such a case some innocent persons would suffer with the guilty, and it may be that indiscriminate resort to the process may arm the whole population against the Government, and lead to outrages which are greatly to be deprecated. No sale of an entire estate, under such circumstances, should be proposed till the cause of the balance has been fully ascertained, every other means of realising it tried in vain, and the probable adaptation of the means to the desired end ascertained. The case mentioned by the Sudder Board of Revenue, in paras. 118 and 119 of their Circular Order, No. II., is perhaps the strongest in which sale is justifiable. It is, "when sharers contrive to withhold the Government due, and endeavour by establishing a character for violence and contumacy, to deter persons

\* [See Circular Order of the Sudder Board of Revenue dated 30th July 1847.]

1st. There are certain classes of estates, the sale of which it is desirable should take place, without having resort to any other process, and immediately on the occurrence of an arrear.

2d. The Sudder Board desire me to direct that a list of such estates be drawn up for each district, and submitted for the sanction of the Board. No addition or change is to be allowed in this list, except under the authority of the Board.

3d. The list contemplated in these orders should contain estates acquired at public auction, whether for balances or under decree of court, and estates notoriously profitable when held by non-resident or non-cultivating proprietors. There may even be a few cases in which bhyachara estates where the assessment is notoriously very light, may be included in this list.

4th. In each case collectors are desired to give the specific reason for which the estate is proposed for entry in the list.]



persons from accepting a lease, or coming forward to make offers for the purchase of the property." In this case, "it is reasonable to suppose that all the brotherhood are equally implicated," "and the express object of the sale is to repress their contumacious bearing." Here the measure is essentially punitive. The proprietors are to be divested of all their proprietary rights, and reduced to the position of mere cultivators. Circumstances no doubt occur when such a course is deserved, as a punishment to the individuals and a salutary warning to others. But to make a punishment effectual it must be certain. An abortive attempt to punish only weakens authority, and exposes the governing power to contempt. The collector should, therefore, be careful to proceed with that perfect temper and discrimination which justifies the course he purposes. He must show that the default is contumacious, and that all other methods of persuasion and coercion have failed. He should satisfy himself of the capability of the land to yield a rental sufficient to defray the jumma, supposing it to be properly cultivated, and then, in the event of the sale being concluded, he should exert himself with all the great power at his command to prevent outrage, and put down forcible resistance to the law. When this is done, and the power of the laws is vindicated, it is of less consequence whether or not loss accrues upon the estate. The great object is to prevent the people becoming gainers in the struggle, and obtaining their object of a forcible reduction of the Government demand in their own favour. The collector will further bear in mind, that in order to effect this object, it is not merely necessary to be convinced in his own mind of the fact of the contumacy, and of the necessity of punishing it, he must show the proof of it on his recorded proceedings, and in his written representations. These only will enable him to justify his actions to the superiors whose sanction he solicits, and to the successor on whom the completion of his plan may probably devolve. The defaulters with whom he has to deal accurately appreciate character, and will be cautious how they enter upon a contest with an antagonist whose condemnation carries with it so much moral weight as necessarily results from such a course.

96. The provisions of sections 7 and 10, Act I. of 1841, enable the collector to determine the position of all cultivators who were formerly proprietors, and this duty should be promptly performed immediately after the sale, whether a portion only or the whole of the estate be sold, and whether the Government or a stranger be the purchaser. Much of the future peace and prosperity of the estate will depend on the careful performance of this duty. In performing it, the collector is of course, as in every other similar proceeding, bound to see that the just rights of the Government are not infringed by collusive proceedings between the parties more immediately concerned. It must also be remembered, that the annulment and forfeiture of the entire proprietary right of every member of the co-parcenary, which is declared by section 10, Act I., 1841, to result from the sale of an estate, transfers to the purchaser all rights in the sayer to which the former proprietors were entitled. This transfer always takes place as regards the proprietors' share of the produce of fruit trees, or the right to the spontaneous products of the earth; but the power of collecting cesses of any kind will depend on the circumstance of their having been recorded at the time of settlement, as required by section 9, Regulation IX. of 1825.

97. It has already been stated in paragraph 58, that an undivided puttee or portion of estate should not be bought in by the Government when put up to sale for an arrear of revenue. If no bidders appear, the lot should be withdrawn, and it will then be for consideration whether measures should be taken for enforcing payment of the demand from the entire estate.

98. The attention of the Government has for some years been much directed to the subject of sales of land for arrears of revenue. The sale advertisements published in the Gazette serve to keep the transaction in view during its progress whilst periodical statements are furnished by the Board, giving all necessary information regarding sales that have been effected. The directions and the forms which are required of the collector by the Board will be found in the Appendix, No. XI.

99. The estate on which the balance has occurred is primarily liable to sale for the Government revenue. It is hypothecated to the Government for the revenue assessed upon it, and, so long as it is in the hands of the owner, or of any person to whom the owner has voluntarily transferred it, must be sold in satisfaction



satisfaction of a balance due from it,\* before any other real property belonging to the malgoozar. But if the demand be not satisfied by the sale of the estate, then any other landed property belonging to the malgoozar may be brought to sale. If the estate be in the hands of a farmer, put in by Government, either on account of the recusance or default of the proprietor, then the estate is no longer liable to sale for the default of the farmer, but the balance must be liquidated by the sale of the real property of the farmer or his security.

100. Provision is made in Act I., 1845, for the sale of estates† other than those on which the arrear has accrued, as well as for the sale of estates in balance, but it must be remembered that the latter sales only convey, under section 27, a fresh and complete title to the purchaser. In the former case‡ it is only the rights and interests in the estate of the person who is concerned which can be sold, and the purchaser succeeds to all the liabilities or incumbrances which the former proprietor may have imposed.

101. Such are the duties of a collector in realizing the revenue due to the Government from the land. The collector of land revenue, from his position, is entrusted also with the collection of the abkaree, or excise upon spirituous liquors and upon intoxicating drugs. Any revenue to be derived from these sources is, under Native Governments, considered a branch of the sayar, and is collected from the malgoozar with the mal or land revenue. The British Government separated the one from the other, and introduced a new system for managing the abkaree.

102. In administering this department, it is far from the duty of a collector to aim at increasing the Government revenue, by encouraging the consumption of liquors or drugs. On the contrary, his object ought to be, by rigorously exacting the tax, to raise the price of the articles, and thus to diminish the consumption that would otherwise naturally take place. It is impossible to prevent the consumption, both because in moderation and under due control the consumption is not prejudicial, and because in the experience of all Governments, the smuggler under such circumstances baffles the excise officers. The object should be to raise the tax to that height which will most enhance the price, without offering to the smuggler a reward sufficiently high to induce him to run the risk of smuggling.

103. The system for collecting the abkaree revenue will be found detailed in Regulation X., 1813, and VII., 1824; but it may be useful to add a few remarks on each branch of the revenue.

104. The chief articles taxed are the following:

Spirits manufactured after the native method.

Spirits manufactured after the European method.

Taree or the juice of the palm tree (*borassus flabelliformis*).

Bhang or other intoxicating drug manufactured from the hemp plant (*cannabis sativa*).

Opium in its solid form, or in any of the liquid preparations, in which it is commonly used.

105. The main part of the abkaree revenue arises from the tax levied on spirits manufactured according to the native method, and this may be effected in three methods, by the establishment of sudder distilleries, by licensing separate shops for the manufacture and sale of spirits, or by farming out the right to collect these duties in a certain pergunnah or cluster of pergunnahs.

106. A sudder distillery consists of a walled inclosure in the immediate neighbourhood of any large town, within which alone the manufacture of spirits according to the native method is allowed for the supply of a tract of country, extending in a circle of four coss (eight miles), or such other distance as may be determined.

\* See this question argued in paragraph 127, Circular Order, Sudder Board of Revenue, No. II.

† [Note.—“Parcels of land, houses, orchards, in short, all real property, not being a mehal or part of a mehal, are to be sold under section 47, Regulation XXVII., 1803. That section prescribes that such property shall be sold under the same rules as lands subject to the payment of revenue, so far as those rules may be applicable. It will be necessary, therefore, to follow the same process with regard to them, modifying the statement of proposed sale, so as to suit the nature of the case.—Circular Order, Sudder Board of Revenue, 3d August 1847.”]

‡ See this distinction clearly set forth in section 29, Regulation XI., 1822. Although the Regulation is repealed, the principles set forth in this section are in force, and are implied in Act I., 1845.

determined on. The liquor must not be stronger than 25 per cent. below London proof, and is liable to a fixed duty per gallon of 304 sicca weight, on being removed from the inclosure. The liquor is sold by licensed vendors, who are bound to pay the still-head duty on the quantity of liquor for which the license is granted, and also to pay a certain sum per diem for the privilege of sale.

107. When there is no sudder distillery, or in parts of the country beyond the reach of the sudder distillery, licenses are granted for the manufacture of spirits, in one or more stills of fixed dimensions, and for their sale at the same or any other place, on payment of a certain sum per diem.

108. When the duties in a pergunnah or a cluster of pergunnahs are farmed, the farmer has full power to make with the distillers and sellers such arrangements as he may choose, but he is precluded from suffering any liquor to pass beyond the limits of his farm.

109. Spirits manufactured according to the European method are liable to a duty, and are not permitted to be moved or sold except under license, either certifying payment of the duty, or specifying that the despatch covered by the license is intended for exportation. These provisions have latterly become of importance in consequence of the establishment of manufactories of rum in connexion with speculations in sugar, such rum being intended either for export or consumption in the country. The most important of the circular orders of the Sudder Board of Revenue which have been issued on this subject will be found in the Appendix, No. XII.

Not printed.

110. The taree or juice of the palm tree is liable to duty in its fermented or unfermented state. The trees possess little value except for this product. Their number is easily ascertained, and the amount of duty they should yield calculated.

111. Bhang in its manufactured state is liable to a duty but great care must be taken that the fiscal measures for the collection of this duty be not allowed to impede the free cultivation of a plant, which is also most valuable for the hemp which it yields. It is only the sale of the manufactured article which is taxable; the law affords no impediment to the cultivation of the plant, or its storing, or the manufacture of the fibre.

112. It is very difficult to levy the duty on opium, especially in those districts where it is grown. Opium can only be grown under authority from Government, and for the use of Government, so that all which is bought and consumed for a less price than that fixed by Government must be smuggled. The Government price is of course regulated by that which can be obtained at the sales in Calcutta for exportation to China, and is much higher than persons will give here for an article that can be very easily smuggled. An experiment has lately been tried of selling some opium at a price below that which can be obtained in Calcutta, but this could not be sanctioned to any great extent, for it is evidently the interest of the Government to carry all the opium they can raise to the market where the highest price can be obtained. Care is necessary lest the too vigorous enforcement of the laws respecting the retail sale of opium become the cause of much oppression.

113. In order to enforce the abkaree laws and protect this branch of the public revenue, the collector is armed with extensive powers both to search for unlicensed stills and their produce, and also to punish all breaches of the law with fine or imprisonment. Balances are realizable from the defaulters or their sureties in the same manner as from farmers of land revenue or their sureties.

114. It is of importance that the abkaree revenue be so managed as to be kept subordinate to the maintenance of a good police, and the preservation of the public peace. Revocation of license and suppression of the shop should be made the penalty of all disorderly or riotous conduct, or of any thing tending to the disturbance of the public tranquillity.

115. In choosing between the different modes of managing the abkaree, the collector should bear in mind the great command he possesses over his district by means of his powerful establishments. Seasons of scarcity and difficulty, by raising the price of the articles from which spirituous liquors are distilled, or by diminishing the power of the people to purchase, must always greatly affect the abkaree here, as it does the excise in all countries. Independently, however, of these natural causes of fluctuation in the revenue, great changes will also result from the mode of administration, as the personal character of the collector cannot

cannot fail to affect greatly the administration of all branches of the revenue entrusted to him. Farming the different kinds of abkaree revenue is the usual mode of administration, and, when the collector is deficient in vigilance or determination, it is not improbable that combinations will occur amongst the farmers to lower the terms of their farms, to their own emolument and the loss of the Government. On this account the collector should always keep himself apprized of the real value of the farms. He should know the number of stills and shops, the terms on which they are let, and the incidental payments, besides rent, that may under any denomination be made to the farmer. He should also be prepared at any time to dispense with the farmer, and take the management into his own hands. This can best be done through the tuhseeldars, and the first step should be to cancel all outstanding licenses, and to issue new ones, under his own seal and signature, rigorously enforcing the laws against all unlicensed distillers or venders through the police, as well as through the revenue establishments.

116. A collector can always form a tolerably correct idea of the administration of the abkaree department in his district, by comparing its state with that of other districts, or by comparing its present with its past state, or its state in one part of the district with that in another. The Sudder Board of Revenue in 1842, called the attention of collectors to this mode of treating the subject in a circular, which will be found in the Appendix, No. XIII. This document is of use, not only in its bearing on this particular subject, but also as leading a public officer to reflect on the value of the statistical materials placed at his disposal by the late survey and settlement. Not printed.

117. The stamp revenue is entirely one of European introduction. It was unknown in India before the commencement of the British rule, and therefore should be cautiously introduced into all newly-acquired territories. The paper becomes valuable according to the amount of the stamp which it bears, and hence it is entrusted to the collector for safe custody and disbursement, as though it were paper money. The law regarding stamps is all contained in Regulation X., 1829, which is clear and explicit.

118. The great objects to be aimed at in the department of stamps are, the safe custody and honest sale of the paper; entire freedom of sale and purchase so as to prevent any monopoly and undue enhancement of the price; and the prevention of frauds on the revenue by the fabrication of stamps, or the second use of the same paper.

119. The safe custody and honest sale of the paper can only be secured by the same vigilance and care which prevents all embezzlement of money. The great store of paper should be kept in the Treasury under the collector's own key, and it should be given out for sale only to trustworthy venders, who can find security that they will faithfully account for their receipts, and then only to such an extent as will be amply covered by their security.

120. In order to prevent an undue enhancement of price, it is necessary always to keep a sufficient stock of paper on hand, by timely indents upon the superintendent in Calcutta, and also by establishing a sufficient number of venders in convenient positions, and as much as possible with conflicting interests, so as to prevent monopoly or extortion. If there is reason to suspect the existence of any combination amongst the venders unduly to raise the price, it may be advantageous to offer to sell paper wholesale from the Treasury direct, to the value of not less than 50 or 100 rupees to each person, with a discount equal to the last year's average cost of collections.

121. It is not often that forgery of stamp paper is attempted. The device and the water mark oppose obstacles to this, which are not easily overcome. But the native ink does not act chemically on the paper, and hence a common fraud is to wash out the old writing and to use the paper a second time. Sometimes also it has been the practice in the civil courts to allow two papers of small value to be filed instead of one of larger value; only one of the two pieces is written upon, the other is filed blank, and at some future period is withdrawn from the record, and sold for use a second time.

122. In suits adjusted in the civil courts by razeenamah, it is usual to return the whole or part of the value of the plaint; and advantage has been taken of this practice to pass off suspicious paper by instituting a fictitious suit, with the petition drawn on a washed stamp, and afterwards, by filing a razeenamah, obtaining

obtaining payment in money of the value of the stamp. Means \* have been adopted to check or to prevent all these frauds; but none will be effectual if vigilance be relaxed on the part of the officer who has charge of this branch of the revenue. He must ever be on the watch against the renewal of old modes of fraud, or the practice of new modes.

123. The powers granted to collectors of land revenue under section 15, Regulation X., 1829, to investigate and decide all cases of penalty attaching to the neglect of parties to execute deeds on paper of the prescribed value, are exercised under the control of the Superintendent of Stamps, and the Board of Customs, Salt and Opium, by orders of Government, dated 26 April 1843, circulated by the Sudder Board of Revenue on 1 December 1843.

124. Such are the powers with which the Legislature invests the collector for the realization of the Government revenue. But as it is not impossible that, from want of due deliberation or care, the provisions of the law may have been overlooked, and illegal proceedings adopted, provision has been made for empowering any individual who considers himself aggrieved to state his grievance, and obtain a deliberate review of the case. This is done by suit in civil court, before which all cases may be brought, those in which the Government is concerned, † as well as others. The Governor-general in Council was originally ‡ the chief Appellate Court, or Sudder Dewanny Adawlut, and the provision was then only a device for obtaining a careful review of an action by the same authority which originally performed it. Now, the judicial authority is lodged in distinct hands, and entrusted to judges specially selected for the purpose, and it sometimes happens that acts deliberately performed by the highest authority in the state, are submitted to the revision of very subordinate judicial officers. Collectors are liable to be sued for any of their actions, and it rests with the Board, subject to the final decision of the Government, to determine whether the defence shall be conducted at the risk of the individual or the expense of the Government. This is an important safeguard against error; but no Government officer should venture on an equivocal course of action, or omit any precaution or inquiry, trusting that, if he errs, he will be set right by the civil court. There are few cases where the decision of the civil court is justly against the Government officer, in which a severe censure is not thereby conveyed upon the defeated party. Great favour is shown to the Government officer in the case of sales, by the provision in section 24, Act I., 1845, which prevents the plaintiff from bringing forward any plea which he had not previously urged in appeal to the revenue authorities. It is impossible but that the collector had the case as fully before him as the judge can have; and there is no reason why his conclusions should be otherwise than right. Both administer the same laws, and are bound by the same rules, and should ordinarily arrive at the same conclusions. The rules for the conduct of suits prescribed by the Sudder Board of Revenue will be found in the Appendix, No. XIV.

Not printed.

125. In order to aid the collector in the conduct of such suits, he is allowed the assistance § of the ablest vakeel or pleader in the court. He selects ¶ the person he prefers, who is appointed by the Government on his recommendation through the superior revenue authorities, and who receives a small salary as a retaining fee in any cases which may arise. The fees calculated at the rate given in section 25, Regulation XXVII., 1814, should be punctually paid, for which facility is afforded by a direction of the Court of Sudder Dewanny Adawlut to the effect that, when a case is decided in which the Government is a party, a note shall be added to the judge's order specifying the amount due to the Government pleader. The amount thus notified should be paid immediately by the collector, and recovered from any party against whom it may be ultimately chargeable.

126. The vakeel of Government is the proper channel through whom the collector should realize all sums which are recoverable through the civil courts, whether they be costs of suits in this country or before the Queen in Council in England,

\* See Circular Orders of the Sudder Dewanny Adawlut, dated 2d August 1839, and 16th January and 29th May 1840, and No. 981, dated 25th May 1843.

† See section 7, Regulation II., 1803.

‡ See section 2, Regulation VI., 1793, and preamble to Regulation II., 1801.

§ See section 37, Regulation XXVII., 1814.

¶ See section 4, Regulation XIII., 1829, and orders of Government, dated 25th April 1838, circulated by Sudder Board of Revenue on 18th May 1838.

England, and whether they have reference to suits in which the Government was a party, or in which the interests of the Government are, as it were, accidentally involved; such, for instance, as suits before the Queen in Council in England, where the Honourable the Court of Directors have advanced the costs for both parties, or such as sums recoverable in pauper suits, for the value of stamps charged upon the defeated opponents of the pauper.

I.  
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SECTION III.—*The Custody of the Records and the Registration of Landed Property.*

127. The Collector's Record Office was formed by Regulation XXIII., 1803, with a view to "the future security of the dues of Government, and of rights and property of individuals." It was designed for the careful preservation of "all accounts and papers regarding the assessment, the allotment of the revenue on shares of estates that may be divided, as well as all other documents in any respect relating to the public demand upon the land."

128. The office was to be superintended by two natives, the importance of whose functions was at first marked by a declaration, that they were to be appointed by the Governor-general in Council, and that they were not removable but for misconduct proved to his satisfaction. This, however, has now been altered, and the native record keeper (Moohafiz Duftur) is appointed and removed in the same way as any native officer drawing 10 rupees or upwards, as already explained in paragraph 17.

129. In order to defray the expenses attendant on the maintenance of the record office, authority is conferred by section 9, for levying fees on the division or union of estates, or on their transfer by deed of sale, or gift or otherwise. These fees are fixed at the rate of one quarter or four annas per cent. on the annual jumma of estates paying revenue to Government, and 2½ per cent. on the annual produce of lands exempt from revenue. The payment is compulsory, and may be enforced by the same process as for arrears of land revenue due to Government. It is held that fees are not leviable under this Regulation upon succession to estates by inheritance, nor on the election of a new lumburdar, nor on the imperfect partition of estates, described hereafter in para. 169, nor on transfers of subordinate properties. They are leviable on all transfers or divisions (butwarrahs), or unions of estates (mehals), whether by act of the parties or orders of the civil courts.

130. As the office, thus constituted, is designed for the good of the community at large, it is of importance that all the arrangements regarding it should be such as to afford the freest access to the documents it contains, which may be consistent with their safe custody. The arrangements made with this view by the Sudder Board of Revenue will be found in the Appendix, No. XV.

Not printed.

131. The systematic arrangement of the collector's records has lately engaged much attention. The last settlement, and the survey on which it was based, have greatly facilitated the attainment of this very important end. The system on which the records have been arranged is uniform throughout the North-Western Provinces, and admits of easy explanation.

132. It is supposed that the local divisions of the district have been arranged as prescribed in the Resolution of Government, dated 30th October 1837, (*v.* Appendix, No. VI. to Directions for Settlement Officers), and that the pergunnah lists have been drawn up according to para. 45 of the above treatise.

Not printed.

133. A separate folio book should then be formed for each pergunnah, and in this book a distinct sheet should be allotted to each mouzah. The headings of each sheet should correspond as nearly as may be with the form given in Appendix, No. XVI., but no such head as Miscellaneous should be allowed: Every case regarding the mouzah should be referred to one or other distinct head, so that the nature of all cases regarding the mouzah may be shown. The entry in the column under each head should give simply the date of the final order of the case, and this should be entered in as the case is placed in the record office. These lists will form the general indexes.

Not printed.

134. The best mode of explaining the arrangement of the records will be to suppose the office in the greatest possible confusion, and to detail the steps necessary to bring it into order. Let it be supposed that the documents in loose sheets, unconnected with each other, are found thrown together in large chests. Many such chests full were found in collector's offices when attention was first turned to the subject.

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135. Papers which form part of the same case or proceedings (misl) should first be brought together. These misls may be more or less perfect, but whenever they are such as to be intelligible, and to throw any light on the affairs of the mouzahi, the leaves which compose them should be numbered according to date on the outer corner of each leaf, and should be united by a thread, and have an index on a separate sheet attached to them. This index should show prominently the name of the mouzah, the nature of the case [corresponding with some head of the general index], and the date of the final order. It should also give the designation and dates of the papers composing the misl, each entry being marked with a number corresponding with that borne on the outer corner of the leaves of the paper. The lists should be totalled and closed, so as to prevent future additions. When the misl regards two or more mouzahs, as in the case of a boundary dispute or talookah, it should be recorded under the name of the most prominent mouzah, but a note of reference (jakur) should be put up with the bundles of misls of the other mouzahs, and corresponding entries should be made in their fly and general indexes.

136. The misls, regarding the same mouzah should then be brought together, and arranged according to dates in an open fly index, bearing the name of the mouzah. At the same time the date on which each case was disposed of should be entered in the sheet of the general index allotted to the mouzah, under its appropriate head. It will be observed that there is an essential difference in construction between the fly index and the general index.\* In the former, the entries show both the subject and date, and are made consecutively according to the date of the final order; but in the latter, they show only the date, and are made under heads, which indicate the subject.

137. The misls of each mouzah, with their fly index, should be tied together, and as many misls as can conveniently be kept together should be bound up in a white cloth, on the outside of which should be legibly written the pergunnah and the letters of the alphabet under which the mouzahs contained in the bundle (bustah) fall.

138. These bundles should then be arranged in alphabetical order on racks or shelves of suitable size, one or more of which should be appropriated to each pergunnah, and the name of the pergunnah should be shown in large letters on some conspicuous part of the shelf or rack.

139. It will thus be seen that the arrangement of the records is according to locality. In order to find any required document, it is only necessary to know the mouzah to which it has reference, and the pergunnah in which the mouzah is situate, the date of the document or nature of the case being secondary considerations. In the civil courts the arrangement is necessarily chronological, according to the date of the decree; but as by section 11, Regulation III., 1803, copies of all decrees regarding landed property must be lodged in the collector's record office, it is evident that the latter contains the local index to all such decrees of the civil courts.

140. The vernacular proceedings generally contain a reference to any English correspondence which has passed regarding a mouzah; but it would also be convenient to have a column in the general index, which should show the dates of letters which have been written or received connected with its affairs. These indexes would then afford a clue to all recorded facts and opinions regarding every mouzah in the district.

141. As

\* [2d. "It is commonly supposed that the fly index is a mere transcript of the entries in the general pergunnah register relating to the mouzah, with the bundle of which it is placed; but such is not the case. The object of the fly index is to arrange the misls of each bundle in a new form, not with reference to the matter they contain, but so as to prevent the abstraction of any one misl or the papers of any misl. The misls should, therefore, be numbered consecutively, according to the date of the final order. The fly index should show the misls arranged as they are received by the record keeper, with the number borne by each, a notice of the head of the general pergunnah register to which it refers, the date and the total numbers of papers in the misl. As each new misl is placed in the record office, an entry will be made in the pergunnah register under the proper head, and a fresh entry at the foot of the open fly index recording the above facts. The entries in the pergunnah register are according to heads, and in the fly index consecutively according to chronological order.

3d. "It may not be advisable now to order the reconstruction of all the fly indexes, but there seems to be no difficulty in closing all the present erroneously constructed fly indexes, by a brief entry of the total of the misls which they include, and in opening new indexes in the correct form.

4th. "Two specimens are added of the correct form of fly index, one of which is supposed to have been rightly compiled from the commencement, and the other shows how an erroneous form which is now prevalent may be corrected, and in future rightly carried on."—Circular Order, Sudder Board of Revenue, dated 11th January 1848.]



141. As it has been directed in para. 13, that the classification of cases under investigation in the office should correspond with the heads of the general index, the deciding officer will have the opportunity, as the cases pass under his review, of correcting any error of classification which may have been committed in the first instance. Adequate security is thus afforded for the uniform and correct entry of all cases under their proper headings.

142. The collector's office becomes the depository of the records of the tihseeldars, canoongoes and putwarrees, regarding each of which some observations are necessary.

143. The chief duty of the tihseeldar is to make the collections and to keep the accounts of that part of the district entrusted to his charge. Forms have been prescribed for his guidance in this duty, but they will come more appropriately under consideration in a future section of this treatise, when the collector will be considered as the accountant and treasurer of the district.

144. The tihseeldar is also the local referee in many judicial cases which come before the collector. In summary suits his functions in this capacity are specially recognized by section 13, Regulation VIII., 1831. In case of default his report also becomes the groundwork of future proceedings. In questions regarding registration of lauded property, regarding mesne profits, regarding boundary disputes, and many others of a similar nature having reference to land, which come before the collector, the tihseeldar is the instrument through whom the local investigation is made; but he possesses no power to decide, and hence all his inquiries are thrown into the shape of reports, on each of which the final order of the collector or of one of his subordinates is passed, and the cases subsequently take their place in the collector's record office, according to the mouzah to which they relate, and the date of the final order. The tihseeldar is not required to keep duplicates of such proceedings, but he generally does so for his own satisfaction,\* and it is very desirable that such should be the case.

145. The canoongoe's duties are enumerated in section 7, Regulation IV., 1808. The most important of those which he now performs are the following:

- I. To keep a duplicate set of the most important papers regarding the accounts which are made out at the tihseeldaree.
- II. To countersign all accounts kept by the pergunnah revenue officers, including receipts for land revenue furnished to parties.
- III. To receive, examine and arrange the putwarree's papers, and to bring to the notice of the tihseeldar any irregularities there may be.

The old canoongoe records are very valuable, especially those of a date prior to British rule. They should be preserved with great care. Now that a complete system of record and registration has been organized in the collector's office, the chief value of the canoongoe's office consists in the check which it affords over the pergunnah accounts and returns. There are no longer any distinct papers kept by this officer which require separate record, but many papers with his signature will be found in all the proceedings.

146. The canoongoe should be familiar with the principles and details of all the systems of returns and records in the district, and is the official exponent of everything regarding the landed property which should be noticed in such records. The canoongoe's seal and signature are considered the most trustworthy attestation to private deeds and agreements regarding landed property situate in the pergunnah.

147. The putwarree is the village registrar and accountant. He attests all written engagements entered into between the proprietor and cultivators, and records all arrangements regarding land between co-parceners in a joint estate. As every entry in the village account affects the rights and interests of some cultivator or proprietor in the village, the putwarree's papers are most important documents. The Sudder Board of Revenue have, with much labour and care, matured the system of village accounts enjoined by sections 12 and 13, Regulation IX., 1833, and this system cannot be better explained than in their own words, which will be found in the Appendix, No. XVII. The penalty for the non-delivery of these accounts, under sections 14 and 15, Regulation IX. of 1833,

Not printed.

\* The tihseeldar is authorized by Circular Order, Sudder Board of Revenue, dated 2d September 1842; to give authenticated copies of extracts from the malgoozaree or other registers, but not of miscellaneous papers of other descriptions.



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is severe, for it prevents the proprietors who have failed to deliver them from bringing suit "in any court of justice for an arrear of rent, or the breach of any engagement that may have been contracted by any ryot or tenant." It hence became necessary for the civil courts to be apprized when, under the Sudder Board of Revenue's rules, the proprietors of land became liable to these penalties. As the settlement progressed, intimation was from time to time given by public notification in the Gazette of the introduction of the rules, but as the settlements are now completed, the rules are universally prevalent.

148. The putwarree's papers, as they are annually furnished, should be deposited with the other records regarding the mouzah on the proper shelf, and the necessary entry should be made in the general index.

149. Care will be requisite to maintain the proper arrangement of the records when they have once been put in order. The state of a record office and the efficiency of the record keeper are easily ascertained. It is only necessary to call for the general indexes, to open them at random, to lay the hand upon the entry regarding any particular misl, and then to observe the time occupied in its production, and the means by which it is found. In a well-regulated office only a few minutes should be occupied in producing the required papers. Rules should be prescribed for the delivery of the completed misls to the record office, and the deposit of them by the record keeper in their appropriate place. It might be a rule that on each Saturday the serishtadar should make over to the record keeper the misls, disposed of in the week immediately preceding that just expired, and that these should always be placed in their proper shelves in the course of the following week. Arrears ought never to be allowed to accumulate, and that they do not accumulate can always be ascertained by demanding from the serishtadar the file of any class of suits, by observing the date of decision of any late case, and the date of delivery to the record keeper, and by then seeing whether it has been properly placed in the record office. When the record keeper has once given his receipt for it, he becomes entirely responsible for its safe custody, if the precautions enjoined by the Sudder Board of Revenue, and mentioned in para 130, are duly observed.

150. In order, then, to satisfy oneself of the efficient state of a record office, it will be necessary to ascertain that the records are rightly arranged, and can be quickly produced; that they are placed up to the latest date required by the standing rules of the office, and entered in the indexes; that the fly indexes for each mouzah are properly kept up; and that the misls themselves are rightly compiled, the papers being properly numbered and enumerated in the list, and the list closed. The last-named operation should be done in the serishtadar's office before delivery to the record keeper, and that officer should refuse to receive the misl till it has been thus made up.

151. The registers of landed property which the collector is required by Regulation XLII., 1803, to keep up, constitute an important part of his records, and their importance is so great that they require distinct mention.

152. It must be remembered that when Regulation XLII., 1803, was enacted, the revenue system of these provinces was different in many essential particulars from what it now is. The early settlements in these provinces were made very much as those in Bengal, without minute inquiry into the extent or capabilities of the several estates, or into the nature of the rights possessed by the persons with whom the settlements were made. Since then, under the provisions of Regulations VII., 1822, and IX., 1833, a minute inquiry has been made into every circumstance connected with landed property, and a complete record has been compiled of every fact, so far as it could be ascertained. Hence not only can a far more perfect system of registration be enforced now than formerly, but it also follows that some of the terms used in the Regulation are not precisely applicable to the present state of things. The Regulation is not a legislative enactment affecting rights, but it is an administrative rule of practice prescribing a certain course of conduct, and is therefore to be taken in its spirit rather than with a precise regard to its letter.

153. In considering the subject it will be unnecessary to advert at present to that portion which regards lakheraj or rent-free estates. All tenures of this kind have now been investigated and decided. Those which were considered invalid have been resumed, assessed and brought on the rent-roll. Those which were declared valid have been released, either for the lives of the present incumbents, or in perpetuity. Provision has been made for bringing life tenures on

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the rent-roll as they fall in. The rule, therefore, for the periodical registry of lands held exempt from payment of revenue, which are contained in the concluding sections of Regulation XXXI. and XXXVI., 1803, are superseded. One register of all such lands exceeding in extent 10 beeghas should be made, and should remain as a permanent record in the office. The chief object of this register and of the certificates of tenure given to the holders of the land is to confirm the titles, and save the owners from the vexation and annoyance of future inquiry. In order that this may be the better understood, the form of registry and the correspondence connected with its establishment are given in the Appendix, No. XVIII. When it becomes necessary to establish a system of registration for successions and transfers of lakheraj, as well as of khalisah mouzahs, this register will form the basis of the arrangement.

154. As regards lands paying revenue to Government, it is essential for the security of the Government revenue, as well as for the maintenance of private rights of property in the land, that a complete system of registration be devised, and that the registers be maintained with accuracy.

155. In Regulation XLII., 1803, instructions are given for the maintenance of two sets of registers: one set, to which reference is made in sections 2 to 29, is generally known as the malgoozaree register, and the other, treated of in sections 30 to 39, is there called the pergunnah register. The latter set of registers is of later origin than the former, for in Bengal and Benares, the malgoozaree registers were instituted by Regulation XLVIII., 1793, and XIX, 1795, whilst the pergunnah registers were opened under Regulation VIII., 1800. In the code of 1803 for the ceded and conquered provinces, the rules for both are contained in the same Regulation.

156. The malgoozaree registers were to be arranged entirely with reference to the mehals or estates of proprietors, without any reference to the local divisions into pergunnahs, tuppahs or turufs. The pergunnah registers were to be arranged with primary reference to the local subdivisions of pergunnahs, tuppahs, turufs, &c., under which were to be shown the whole mehals or the portions of mehals comprised in such local subdivisions of the district. These principles of arrangement evidently had reference to a settlement where the jummah had frequently been fixed upon mehals containing many mouzahs or villages situate in the same or different pergunnahs, without any specification of the jummah to be demanded from each mouzah. It also had reference to a period when no complete survey of the country had been made, and consequently when the position of villages and the limits of pergunnahs were very imperfectly known.

157. In both these respects the present state of things is widely different. The mouzahs have been measured and grouped into compact pergunnahs. In general, separate engagements were taken at the time of settlement for each mouzah,\* or portion of a mouzah, but in some cases several mouzahs or parts of mouzahs were formed into one mehal or estate, as defined in section 2, Regulation XLII., 1803, a single engagement having been taken for all as one. Even then, however, the jummah of each mouzah was generally fixed and specified either in the engagement or in the settlement proceedings. The exceptions to this course of proceeding are so few, that the character of the settlement, as being mouzahwar, remains unaffected.

158. The principle, then, of registration will be maintained if the malgoozaree register be made to show the mehals in each pergunnah or tuhseeldaree, arranged together according as they belong to the same proprietor or body of proprietors; and if the pergunnah register be made to show the mouzahs as they stand, grouped into pergunnahs without reference to the distribution into mehals. In official parlance, the malgoozaree register will be mehalwar, and the pergunnah register, mouzahwar, *i. e.*, in the former the land will be shown according as it belongs to each proprietor, or body of proprietors, and in the latter according as it lies in each mouzah or village, or, as it may be more correctly expressed, in each township.

159. The Regulation contemplated the formation of new and complete registers every fifth year, and the maintenance of registers of intermediate mutations, from which the quinquennial registers were to be compiled. The malgoozaree registers, both quinquennial and intermediate, were to be kept in English and Persian;

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\* For the definitions of mouzah and mehal, see Directions for Settlement Officers, paras. 5 and 6.

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Persian; the pergunnah registers in Persian only. In practice these provisions have been greatly neglected. Quinquennial registers were not always formed, and where they were once formed, they had seldom been renewed. Accurate registers in the prescribed form seldom exist, though all the materials for them are at hand, and most of the substantial objects contemplated by the regulation are attained. The essential principle in this scheme is, that correct registers should be periodically formed at stated intervals, and that there should be an accurate record made of all changes which intermediately occur. The length of the interval and the form of the intermediate register are minor considerations.

160. It will not be difficult by a few immaterial alterations to combine with the objects contemplated by the regulation several others of direct practical benefit, which will, moreover, facilitate the preparation and ensure the maintenance of the registers.

161. The malgoozaree register is designed to show who are the persons responsible to Government for the payment of the revenue as proprietors, and for what amount of revenue and from what lands they are responsible. It has already been remarked (para. 65) that process should be issued, and that the collections should be made mehalwar and not mouzahwar, *i. e.*, the payments due from one proprietor, or body of proprietors, should be demanded as one sum, and separate demands should not be made for the jummah fixed on each mouzah. If a fresh malgoozaree register be prepared at the commencement of each year, it may show how many items of demand can thus be thrown together, at the same time that it fully answers the other objects for which it is designed. It will become the guide to the tuhseeldar in making his demand, and keeping his accounts. Its annual requisition, and the practical use to which it is put, will ensure its punctual maintenance. The form of this register, with directions for its preparation, will be found in the Appendix, No. XIX.

Not printed.

162. The register should be prepared by the tuhseeldar when he makes up his accounts for the collection of the revenue of the ensuing year. All changes in the disposition of property during the year, should be notified by the collector to the tuhseeldar, and should be shown in the following year's register, where each change must be supported by a reference to the collector's order which notifies it. No register of intermediate mutations will be necessary. If on coming to compile the register at the commencement of the year, the tuhseeldar finds that some changes have taken place, which have not been notified to him, it will be his duty then to report them, and to await orders, retaining in the register the old entry, with a note of his report.

163. The alterations which may take place in this register are the result of some of the most important functions of a collector, and require distinct mention. Some of them affect the constitution of the mehal, and consist of the union or division of estates; others affect the names of the proprietors, and are called kharij dakhil cases; and others affect the jummah of mouzahs, and consist in bringing new mouzahs on the rent-roll, striking old mouzahs off the rent-roll, and in altering the jummah of mouzahs. These several classes of cases will be considered separately.

- I. Union of estates.
- II. Division of estates (butwarrahs).
- III. Changes of proprietors (kharij dakhil cases).
- IV. Bringing mouzahs on rent-roll.
- V. Removal of mouzahs from rent-roll.
- VI. Alteration of the jummah of mouzahs.

164. I. The union of estates.—Section 6, Regulation XIX., 1814, provides for the formal performance of this Act, which can only be completely done in cases where the several lands to be united were formerly part of one zemindaree, and on special application of the owner. It involves also the payment of a fee of  $\frac{1}{4}$  per cent. on the jummah of the united mehal. Its effect would be so to unite the lands that they could only be dissevered by a fresh partition and new allotment of jummah, having no reference to the old allotment. This proceeding is seldom adopted, but cases are conceivable in which such union may be desired.

165. The grouping together of several mehals belonging to the same proprietor, or body of proprietors, which is to be effected in the register (*vide* para. 161), may be made without these formalities, and is calculated to promote the convenience

convenience both of the officers of Government, and of the proprietors of the land. In cases of default, succession, &c., it lessens the number of processes which the former have to issue, and which the latter have to receive, and thereby lessens the trouble of the former, and reduces the charges on the latter. If, however, the proprietor for any reason object, the grouping cannot take place. The separation of the jummah on the several mehals, so grouped together, remains complete. If the proprietor should wish to pay up the jummah first on any particular mouzahs, he can always do so by specifying in the urz-irsal the name of the mouzah to which it is to be credited, and in that event the collector could only proceed in the first place against the mouzah on which the balance was left due (*vide para. 99*). Without such specification the payment would be credited to the whole mehal, and, in the event of default and sale by public auction, the collector should, in conformity with section 14, Act I., 1845, put up first to sale that mouzah which stands first on his register, and then proceed to sell the next, till the whole balance is realized; supposing always that resort to sale is the mode of proceeding which is suitable to the case, and which has been sanctioned by the proper authority.

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166. There is reason to believe that when all the features of this arrangement are understood, there will be every disposition on the part of the proprietors, as well as of the Government officers, to throw together different mehals as much as possible. Where the different properties lie in separate tuseeldarees they cannot be grouped together, unless all the mehals be made huzooree in the proper sense of that term, as used in section 9, Regulation XXVII., 1803, *i. e.*, unless the proprietor be allowed to pay in his jummah direct to the Sudder treasury. No proprietor can claim of right to be made huzooree. Such an arrangement, however, possesses many advantages. It is often a great convenience to the malgoozar, and lessens the correspondence between the collector and the tuseeldar, as well as the risk of cash remittances from the tuseeldaree to the treasury. It can always be effected with the approval of the Sudder Board of Revenue, but its continuance should be made dependent on the punctual payment of the revenue.

167. II. The division of estates (butwarras).—The nature and constitution of co-parcenary estates, or those in which several persons possess heritable and transferable properties of the same kind, have been explained in paras. 84-97 of the Directions for Settlement Officers, and the mode in which the joint responsibility of the co-parceners in such estates is to be enforced in the realization of the Government revenue has been shown in paras. 54-58 of this treatise. The law at the same time has provided\* that all co-parceners or bodies of co-parceners, who wish to free themselves from this joint responsibility, and to become sole possessors of their own property, should have the power of claiming the separation of their portion of the estate, and its formation into a distinct estate or mehal. If the extent of their portion is disputed by the other co-parceners, they must establish in a civil court their right to what they claim before

\* The course of legislation regarding the division of estates shows that the Government were quite sensible of the dangers to which private rights might be exposed from the well known principle, that joint proprietors were "considered jointly and severally responsible for the payment of the public revenue assessed upon the estates;" and that the Government also recognized, as the safeguard against this danger, the power possessed by proprietors in a joint estate "at any time to obtain a division and separation of their respective shares of the lands, whenever they may deem it conducive to their interest to have recourse to that measure."

See section 3,  
Regulation XVII.,  
1805.

See Preamble of  
Regulation XVII.,  
1805.

This was provided for by section 31, Regulation XXVI.; 1803, which declared that "when the proprietor of a joint undivided estate is desirous to have separate possession of his share, the collector shall immediately proceed to make the division of the joint property."

The temporary and partial forgetfulness of this principle, which caused the enactment of Regulation VI., 1807, to prevent the formation of estates paying less than 1,000 rupees, or 500 jummah annually, only led to its more distinct and perfect recognition by Regulation V., 1810, which rescinded Regulation VI., 1807, and declared that the restriction "laid on the partition of small estates had been the cause of considerable injury to numbers of individual sharers, thereby inducing a sacrifice of private rights which the degree of public inconvenience, arising from the minute division of landed property, does not appear of sufficient magnitude to justify or require."

Regulation XIX. of 1814 re-enacted with some modifications the former laws, and maintained the obligation on the collector to divide the estate on application from one or more of the joint proprietors, provided that there were no disputes regarding the shares. But it left untouched the provisions of Regulation IX., 1811, which afford peculiar facilities for the separation of properties in putteedaree estates, on the ground that "the interest and welfare of the landholders require that the division of portions of estates should be easily effected."

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before it can be separated off from the rest. But if there is no question as to the extent of their portion, the collector is bound on their requisition to make the separation. If the extent of the portion has been fixed by the decree of a civil court, or declared and defined by the proceeding of a settlement officer, and possession given accordingly, the collector is bound on demand to make the separation, unless transactions subsequent to the date of the decision have altered the position of the parties, so as to render necessary a fresh judicial decision to rule the point in dispute.

168. This entire separation of the parts of an estate from each other, and their formation into distinct estates, is called the division \* of estates (butwarrah), and is enforced under the provisions † of Regulation IX., 1811, or Regulation XIX., 1814.

169. In those co-parcenary estates in which the whole or part of the land is held and managed in common by all the community, an imperfect partition often takes place, by which the whole of the common land is divided and allotted to the several co-parceners, and each allotment of land is assessed with its proper share of the Government demand upon the whole estate, but still the mehal remains undivided, and the joint responsibility is maintained. Under this process the estate ceases to be zumeendaree or imperfect putteedaree, and becomes putteedaree. This kind of partition is in fact often what the co-parceners require when they apply for butwarrah. The distinction should be explained to them, and if they prefer the imperfect partition, the complete division need not be effected, whether the proceeding be directed by the civil court, or carried out on application of the parties.

170. The advantages of the imperfect partition are, that it holds the co-parcenary community together, and thus promotes self-government; that it preserves to them the right of pre-emption conferred by section 4, Act. I., 1841, and that by decreasing the village expenses, it enables them more economically to manage the estate. Its disadvantage is that by leaving the ultimate joint responsibility untouched, the industrious may suffer for the neglect of the idle members of the community. When the question is rightly understood, the members of an old community, who are not openly at variance with each other, will seldom desire the complete division into separate estates, but will prefer the imperfect partition of properties. But where strangers have obtruded themselves into the village, or dissensions are high in the community, complete division will be preferable.

171. It is evident that the course to be followed, and the principles to be observed, whether in the complete division of an estate, or the imperfect partition of properties, are the same. The separate portions of the estate are to be in conformity with the rights possessed by the parties, and the distribution of the Government demand over the several portions is to be equable. In the former case, however, greater caution is necessary than in the latter, because as the joint responsibility

\* *Vide* sec. 3, Regulation XIX., 1814. The Sudder Board of Revenue, in their Circular Order of 10 July 1846, para. 5, have called the two degrees of partition "butwarrahs under Regulation XXX., 1814," and "partitions at the request of the parties." The terms "complete division" and "imperfect partition" are here used as the equivalents of those terms. Under the powers now vested in collectors, by Regulation VII., 1822, they can enforce the "inferior partition" as well as the "complete division," but any person can claim the latter in preference to the former, under the terms of Regulation XIX., 1814.

† "The principal difference between the special rules in Regulation IX., 1811, for facilitating the division of landed property in Benares and the Upper Provinces, and the general provisions in Regulation XIX., 1814, for the partition of estates paying revenue to Government, consists in the more ready means of obtaining an allotment of the public assessment. Under section 8, Regulation XIX., 1814, the public revenue must be assessed on each portion of the divided estate according to the actual rent produced; and in due proportion to the produce and assessment of the entire estate at the time of the division. But under sections 2 and 5 of Regulation IX., 1811, one or more villages belonging to a putteedar, or sharer of a joint estate, or any defined share of an undivided estate, in the actual possession of a joint sharer, may be separated from the general estate, on a measurement of the lands comprised in the separable portion, and an adjustment of the assessment is to be made by deducting from the gross produce 15 or 20 per cent. for the expense of management and income of the proprietor; provided that no objection to the fairness of this mode of adjustment be offered by the other sharers; and that the quantity of land in actual cultivation, in the portion of the estate proposed to be separated, be not less than five-sixths of the land capable of tillage. Section 6 of Regulation IX., 1811, also contains a further provision for an allotment of the public jummah by the whole of the occupant sharers of an undivided estate, on a statement to be delivered by themselves, subject to the examination of the collector, and the approbation of the Board of Commissioners."—Harington's Analysis, vol. 2, page 481. Since the late settlement proceedings have afforded full information regarding the value of every portion of an estate, partition has been so greatly facilitated that this distinction has lost much of its importance.

responsibility of the co-parceners is dissolved, the interests of the Government are concerned in providing that the distribution be equable. Collusive and unfair divisions, by burthening one portion of the estate with an excessive demand, would cause a loss to the Government of part of its just revenue. Hence under section 25, Regulation XIX., 1814, although the Board of Revenue is authorized to confirm such divisions, the power is reserved to the Government, within ten years from the date of such confirmation, to annul the division, and to order a new division, if it be proved that "the jummah was fraudulently or erroneously apportioned."

172. Instances have occurred in which mehals have become irregularly divided by an erroneous proceeding in the collector's office, without any regular legal inquiry or reference to the superior authority. In such cases it has been ruled, on the precedent in the case of the collector of Tipperah and Ameenooddeen, Appellant, *versus* Kishoreram Doss, Defendant, decided by the Court of Sudder Dewanny Adawlut on 5th June 1811, and published in page 331, vol. i. of the Reports, that the owners of the separate portions were not jointly responsible for arrears that occurred prior to the discovery of the error, but that the irregular division was in itself null and void, and that a new division might then be made under the law applicable to the case.

173. The mode of making either the complete division or the imperfect partition of a co-parcenary estate will vary according to the nature of the tenure.

174. In zumeendaree estates, *i. e.*, "in joint estates held in common tenancy, where all the sharers have a common right and interest in the whole of the estate, without any separate title to distinct lands, forming part of the estate,"\* the rules laid down in sections 7-24, of Regulation XIX., 1814, must be followed. The whole estate will then be divided into portions corresponding with the shares of the parties, and assigned to each, either by their consent, or the award of arbitrators, or by lot.

175. In imperfect putteedaree estates, *i. e.*, in those where part of the land is held in common, and part in severalty, the several possessions should be maintained as much as possible, if the parties require it, and the inequalities made up by allotments of the common land. In imperfect partitions such an arrangement as this is peculiarly desirable; but in complete divisions, where the lands held in severalty by the same person are distant from one another, it will be better if the co-parceners can be prevailed upon to relinquish their old lands, and to make an entirely new allotment, so that each new estate may be compact. [Difficulty will often be experienced in this class of cases in determining the rule by which the land or the rights held in common, such as the sayer, &c. are to be divided. Probably the ancestral shares are known and partly recognized, but the separate holdings are not in conformity therewith. Those who have holdings larger than their fractional share will claim division according to their lands; whilst those who have less will claim division according to their shares. Any decision upon this point passed by the collector under Regulation VII., 1822, must be based on the maintenance of the existing state of property. He has no power to introduce a new rule for the regulation of the extent of interest possessed by the several co-parceners, without the consent of all. Those who desire the revival of an old custom, or the introduction of a rule for the distribution of the profits, different from what has prevailed hitherto, can only obtain it by a suit in the civil court, where the issue will be tried on its merits.]

176. (In putteedaree estates, where the lands are already partitioned and held in severalty by the different proprietors, entire division of the estate is the only operation that can be desired, for imperfect partition is supposed to have been already completed.) [Some caution is necessary in the recognition of a tenure, as belonging to this class. The lands are often said to be partitioned, and the properties to be separate, when, in fact, a considerable portion of the land is still undivided, and when the estate should be designated as imperfect putteedaree. The distinction is of importance, because the provisions of Regulation IX., 1811, are held to be peculiarly applicable to a pure putteedaree mehal.]

177. (It may happen that, even in a pure putteedaree mehal, the rights of the parties are expressed in fractional shares of the whole, and these shares may be admitted

\* See section 30, Regulation XIX., 1814.



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admitted by all parties to have been the original measure of the rights of the co-parceners. Subsequently, however, to partition according to these shares, the value of the several holdings may have become unequal. The owners of the less valuable lands will claim repartition according to the shares, whilst the holders of the more valuable lands will resist any such alteration of existing holdings. The collector\* can only of his own authority make a division according to the existing holdings, and must adjust the Government demand upon each holding according to its value at the time, without any reference to the quota of the revenue which each of the co-parceners may have been in the habit of paying. Whatever decision the courts may give regarding the extent of the holdings of each co-parcener, it rests with the revenue authorities† alone to determine the amount of jumma to be paid for each of the new mehals into which the estate may be divided.)

178. When the rights of the co-parceners in a putteedaree estate consist of certain fields within the area of the mehal, on which the Government demand is distributed by local custom, division of estate or re-allotment of the demand will be claimed whenever from any cause the demand presses more heavily on some properties than on others. One of the chief peculiarities of the bhej-burar tenures in Bundelkund is that they contain provisions for effecting this re-allotment of jumma, under certain conditions, whilst the estate remains undivided. At the time of the settlement of Bundelkund, the circumstances under which it is advisable to divide large mehals so circumstanced into several smaller mehals were much discussed, as will be seen in the published settlement reports.‡ There can be no doubt that the greatest caution is necessary in all such operations, and that they should not be effected unless on the demand of the parties, or with the full understanding and entire consent of all who are concerned. It must be remembered that in the division of these putteedaree estates, as well as of those mentioned in the preceding paragraph, the allotment of jumma is to be made according to the assets of the several portions at the time of the division,§ and that on no account are the several portions to be declared separate mehals, with the jumma allotted to each at the time of settlement, unless it be found on inquiry that the allotment then made is still in accordance with the actual net produce. The observance of this rule is essential to the security of the Government revenue in joint estates, but it is likely to occasion much opposition to the division on the part of those who possess profitable portions of the estates on terms more favourable than they would have if the jumma were equally distributed according to the existing assets.

179. The mode of effecting the division of an estate requires consideration wherever the provisions of sections 7-24 of Regulation XIX., 1814, are not strictly applicable, as indeed they seldom are in the North-Western Provinces. From not fully understanding cases of this nature, divisions are sometimes protracted for years, to the ruin of the proprietors, and the great deterioration of the property. On the other hand, if the process be well understood and intelligently executed, no delay should occur in its completion.

180. The first step should be to make an accurate measurement and appraisal of all the lands by a skilful ameen, who will also prepare a shujrah or field map. This measurement should be conducted as much as possible in the presence of all the members of the community, whose objections to the accuracy of any of the entries should be heard and examined. The work should further be tested, if possible, by the tuhseeldar or some respectable officer either of the sudder omlah or of the tuhseeldar's establishment. It may, however, happen that

\* (See two decisions by the Court of Sudder Dewanny Adawlut at Agra, in the case of Bukshee Ram and another, *Apts. versus Sheo Buksh and others*, Rests., the first dated 11th January 1848, p. 16 of printed decisions for 1848, and the second dated 23d Aug. 1849, p. 291 of the printed decisions for 1849. The court at first ordered repartition of the estate according to the admitted shares of the parties, but on a review of judgment, they considered themselves precluded from this course by the terms of Regulation IX., 1811, and ordered the estate to be divided according to the existing holdings. It is evident that under this decision the defendants will obtain more than the half of the estate, which they admit to be the extent of their right, and they will have to pay more than half the jumma. It remains to be determined whether there are any possible circumstances under which repartition of the estate according to fractional shares can in such a case be claimed.)

† See clause 2, section 12, Regulation VII., 1822.

‡ See Mr. Allen's Report on Humeerpore, para. 75, and Mr. W. Muir's Report on the Culpee Pergunnahs, paras. 156 to 159, and pp. 61-71.

§ See section 87, Regulation XXV., 1803.



that the settlement khusrah and field map are considered by all parties accurate enough to form the basis of the partition. In this case the trouble and expense of a new measurement may be avoided.

181. This being settled, the co-parceners should be called upon to declare how they wish the partition to be made; whether ancestral right or village custom is to be the measure of their shares; whether they will throw the whole land into a common stock, and re-divide it anew; or whether each will retain his severalty, and make good inequalities by additions from the common land; and if the latter, how the additions are to be made—by fixed rule, such as contiguity, or former possession, or nature of soil, or by the award of a common referee or arbitrator. It must also be preliminarily decided whether the estates are to be intermixed or separate (khetbut or kitabut), and also how far the partition is to extend, whether to the jheels, barren land, assamees and village site, or whether any of these are to be left in common. All these points can generally be determined by the co-parceners amongst themselves, especially if some one of weight and influence, such as the tuhseeldar or canoongoe, be directed to superintend their proceedings, and persuade them to an agreement. Objections are liable to be raised to each clause of the agreement, especially when there is great animosity in the village. These objections must be heard, considered, and ruled according as may appear equitable, and most in accordance with the views of the parties themselves, or of the most intelligent of their neighbours. The agreement should be full in all its parts; it should be drawn out in writing, and should be signed by as many of the community as will consent to sign, before the parties are allowed to depart.

182. When the mode of partition is thus determined, a copy of the agreement, or of the proceeding which embodies its provisions, should be given to the ameen, who should be required to repair again to the village to carry its provisions into effect, and to return within a fixed time with all the papers regularly drawn out as for newly-settled mehals. In the course of execution fresh difficulties may arise, but they will be easily overcome by attention. The ameen should be instructed, if he is unable to overcome them himself, immediately to report them for orders, and no delay should take place in ruling the point referred. Factious opponents will endeavour to impede operations by absenting themselves, but this should never cause delay. They should be warned that by so doing they endanger their own interests, but that they cannot be allowed by such a course of conduct to inconvenience and injure their co-parceners. Section 21, Regulation XIX., 1814, further empowers the collector to impose fines for wilful opposition to his proceedings.

183. It must always be borne in mind, that the ameen naturally has an interest in fomenting discord and protracting the operation, as it affords him many openings for unauthorized gain. This tendency can only be effectually checked by complete mastery of the subject, constant attention to the progress of the work, and prompt punishment of any misbehaviour of the ameen by fine and removal. It will be advantageous to have a set of practised ameens always at hand for such operations, whose interest it is, by the rapid and faithful execution of their duty, to retain their places on the list, and get a large share of the work. It has been determined by the orders of Government, with reference to Act XI., 1838, that the scale of allowance fixed by Regulation XIX., 1814, shall be continued for the present, as the rate of remuneration to be given to ameens effecting the partition of estates.

184. When the division of the estate has been completed, the fees authorized by Regulation XXIII., 1803, should be levied from the parties from whom they are due, under section 14 of that Regulation.

185. III. Changes of proprietors (kharij dakhil cases).—This process has no judicial character. It is the mere declaration of a fact. It is the entry in the register of the proprietor, *i. e.*, of the person to whom the collector is to look as responsible for payment of the Government revenue, and whom he is to recognize as authorized to collect the rents of the estate and manage its affairs. But there is a constant tendency to regard the act as judicial, and as being necessary to the exercise of a right, whereas it is simply the consequence of a successfully asserted claim. This mistake will be liable to occur unless the principle on which the registers are made is well understood. It is necessary, then, to inquire whose name should be entered on the list, and in what manner the entry should be made.

186. The proprietors entitled to registry are those who pay direct to Government the revenue due from the mehal, and are commonly called sudder malgoozars or lumburdars. They are so either in their own right, or as the representatives of a village community.

187. The person whose name should be entered in his own right is the proprietor *de facto*, *i. e.*, the person in apparent and acknowledged proprietary possession. This appears from the whole tenor of Regulation XLII., 1803, and especially from sections 23 and 41, as well as from the necessity of the case. The register must be compiled on some uniform plan. It would be impossible to make it a complete and correct register of proprietors *de jure*, because right as separate from possession is an obscure matter, difficult of ascertainment, and falling entirely within the province of the civil courts, and beyond the cognizance of a collector. To enter in the registers sometimes proprietors *de jure*, and at other times proprietors *de facto*, would cause confusion, and deprive the register of its proper character as uniformly exhibiting the same class of facts. It therefore results, that the latter only should be entered.

188. But cases occur where the acknowledged proprietor is not the manager of the estate, and consequently is not the person to whom the collector is to look as primarily responsible for payment of the Government revenue, and whom he is to recognize as authorized to collect the rents of the estate. For instance, an agent often manages an estate for his principal, a son for his father, or a guardian for his ward. The real acknowledged proprietor may be temporarily out of possession, and his right may be transferred for a time to another, as for instance, to a mortgagee, a Government farmer, or an administrator appointed by the civil court. To meet these cases, columns are provided in the malgoozaree register for showing both the proprietor and the manager. When the proprietor manages his own property, the latter column will be blank. In private leases, given by the proprietor, a stipulation is sometimes made in the lease that the lessee shall pay the Government revenue, and manage the estate.\* In such cases the name of the lessee would appear as manager; but if the proprietor continue to pay the Government demand himself, there will be no such entry.

189. Changes may occur either of proprietor or of manager, and both should be shown. For instance, in a mortgaged estate the mortgagee is entirely responsible for the Government revenue, and yet the equity of redemption is a legal right possessed by the mortgager, and is capable of transfer. The mortgager is entitled to claim that such transfer should be shown in the Government registers. It may be shown in the column headed Proprietor, without in any way affecting the title or possession of the mortgagee, whose name as manager will be retained in the register.

190. Mutations of names in the register take place on any change of proprietary right or of management. This sometimes happens under order of the executive authority, as by decree of court, or in consequence of sales by public auction either in satisfaction of decrees, or on account of arrears of land revenue, or further in consequence of temporary exclusion from management on account of default. In all these cases it is consequent on the order of the directing authority, and involves no reference to the parties concerned. If the registers are properly kept up, and show the persons in actual possession, there will be no difficulty in making the mutation of names.

191. Changes of proprietary right or of management also happen by act of the parties, such as sale, mortgage, gift, &c. It is usual in such cases for the two parties to the transfer to appear together, and both to request that the mutation of names take place. In such cases notification of the intended mutation should be made at the cutcherry of the collector and in the mehal, and 15 clear days should be allowed for objectors to appear. A report of all the circumstances should also be required from the tuhseeldar of the pergunnah. If it then appear that there is no objection to the transfer, the desired mutation may be made, and the actual change of possession will occur either simultaneously, or immediately after. There is evidently no objection to such a course of proceeding. It is a convenient method, by which intending purchasers can ascertain whether any person is likely to oppose the sale. But it by no means necessarily follows that transfers can only be effected in this manner, nor do objections raised in consequence of the notification always bar the transfer. It may also happen

\* See foot-note to para. 49 of this treatise.

happen that notwithstanding the mutation of names, circumstances will arise to prevent the actual transfer, and in that case the mutation of names in the register will have to be cancelled.

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192. Perplexing cases of disputed transfers sometimes arise. Persons may allege that certain property has been transferred to them, and may apply to be registered as proprietors, whilst the persons whose names formerly stood in the registers as proprietors may deny the transfer. The point in such case to be ascertained, under section 41, Regulation XLII., 1803, is "the truth of the transfer." If the transfer "shall appear to have taken place," the mutation of names must follow. It is not necessary that the former proprietors consent to the mutation of names, nor that the transferee prove the transfer to be a rightful one, because it is expressly declared that "these entries shall not in any degree affect the rights of any party whose name may be registered as the ostensible proprietor of the land, or whose name may not have been registered, but who may establish a right of property in the Court of Adawlut or otherwise." The fact of the transfer cannot be altered by the collector, and his entry of the fact in his register neither strengthens the title of the transferee, nor weakens the right of the former proprietor.

193. The case is still more perplexing when the person who applies for the entry of his name as proprietor, was before as manager in the apparent exercise of proprietary right, and when the former proprietor denies the transfer, and resists the entry. This difficulty can only arise in cases where the manager has no legal title, such as is possessed by a Government farmer or mortgagee, but where he is the mere agent of a person whom he formerly acknowledged as proprietor. It is unnecessary to contemplate the occurrence of so gross a breach of trust as would be involved in an entirely groundless application of this sort, and the collector would be naturally reluctant to afford his countenance in any way to an unprincipled action of the kind. Under such circumstances, the collector would use the influence, which arises from the exercise of this power of registration, to discourage wrongful acts, and to prevent expensive litigation. When, however, there is good reason to believe that a transfer has actually taken place, and that the former recorded proprietor has altogether ceased to have interest in the estate, there is no object in refusing to make the mutation. The injury, if any, which the former proprietor has suffered is altogether the result of the conduct of his agent, and that can only be remedied by resort to the courts of law. Whatever benefit the former proprietor can derive from the entry of his name in the register, consists in its having already appeared there, and in his having protested against the change. The mutation of names merely shows that the transfer has actually taken place, without at all affecting the rights of any party.

194. In co-parcenary estates, a right of pre-emption generally exists on the part of each co-parcener, in the event of the sale of a share. Provision is made for the enforcement of this right by section 4, Act I., 1841, on the occasion of the sale of any puttee by public auction for arrears of revenue, and by the 8th rule promulgated by the Court of Sudder Dewanny Adawlut, under section 11, Act IV., 1846, on the occasion of the sale of the right and interests of a co-parcener in satisfaction of a decree of court. The existence of this right generally forms the subject of stipulation in the administration paper at the time of settlement, and has been frequently recognized by the courts of justice. There does not, however, exist any summary process for its assertion, except in the case of sales by public auction, noticed above. If, then, in cases of private sale a co-parcener objects and claims the right of pre-emption before the collector, mutation of names must not be made, unless it be certain that an actual transfer has been effected. But if this be undoubted, the mutation of names in the register cannot be refused. The remedy of the party claiming pre-emption lies in suit before the civil court. The petition to the collector remains as a protest on his part against the transaction, and as a proof that he made every possible exertion for the assertion of his right at the proper time. When the right of pre-emption is claimed under the provisions of the Mahomedan law of Shoofaa, the same course should be followed. The petition to the collector would then be something of the nature of the "immediate claim" \* (tulub-i-mowasibut) required by the Mahomedan law.

195. In

\* See Macnaghten's Principles and Precedents of Mahomedan Law, pp. 48, 183 and 187.

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195. In cases of succession by inheritance there is this difficulty, that the possession of the former proprietor suddenly terminates, and that there may be doubts who, out of many claimants, is the successor. The collector can in such case only make the mutation if a claimant of the succession obtains complete possession. \* Act XIX., 1841, has so amply provided for cases of disputed succession, that an authoritative order of the civil court is sure quickly to terminate all doubts as to the person whose name is to be entered.

196. Section 24, Regulation XLII., 1803, mentions some of the channels through which the collector will obtain information regarding the changes of property in the district. It may, however, be observed that the keepers of registers of deeds established by Regulation XVII., 1803, can only notify the execution of the deeds, and not the actual transfers, so that mutation of names in the collector's register will not be made till the provisions of the deed have been carried into effect, or are on the point of being so, as explained in paragraph 191. The rules promulgated by the Sudder Dewauny Adawlut, and by the Sudder Board of Revenue, for making the two modes of registration the means of preventing fraud, and of facilitating reference to the deed, will be found in the Appendix, No. XX. Section 41, Regulation XLII., 1803, mentions the application of the transferee or successor to the property as a means of information, but also contemplates the existence of another source, because it provides for the infliction of a fine on the successor if he fail to give information. Accordingly, in section 7, Regulation IV., 1808, it is declared to be the duty of the canoongoe to notify all mutations of property. This is a duty which will be punctually performed when the tubseeldars are compelled, as in para. 162, to furnish annual registers.

Not printed.

197. Proprietors entered in the registers not in their own right, but as representatives of the village community, do not necessarily possess a heritable or transferable right in the management of this estate. The elective nature of such offices has now been generally recognized at the time of settlement. In paras. 153 to 158 of the Directions for Settlement Officers, the position of the lumburdar has been explained. Whenever the name of one of these proprietors is to be changed, a reference should be made to the administration paper of the village, as declaratory of the custom in such cases, and the custom, whatever it is found to be, should be enforced.

198. The practice regarding these cases of mutation of names has been so often erroneous, that it is necessary to point out the more generally prevalent errors, and the correct course which should be followed.

199. Entry of name in the register (kharij dakhil) has often been considered a privilege to which a rightful proprietor is entitled. It has not been made except on his application, and has been deferred till full satisfaction has been obtained regarding his right as well as his possession, and till he has paid the fees prescribed by section 10, Regulation XXIII., 1803. He is then called upon to sign a fresh engagement for the payment of the jumma of the mehal, and when all these conditions have been fulfilled, the name of the former proprietor has been declared excluded, and that of the new proprietor entered. This may even have been done without the existence of any regular registers, in which the mutation could be made.

200. In truth, however, the mutation of names in the register is a duty incumbent on the collector, without reference to the wishes of any party. He is bound, by means of the establishment placed at his disposal, to keep himself apprized of all changes of property. On satisfying himself of their actual occurrence, he is bound to make the corresponding mutations of names in his registers, and to levy the fees appropriated by the legislature for the maintenance of his records. Unless he punctually perform this duty, his registers will lose their value, and will cease to be the accurate record of facts, which they are designed to be. The execution of a new engagement for payment of the land revenue is unnecessary, because no private transfer affects the right of Government to realize its demand from the land itself, or from the property of the occupant proprietor.

201. VI. Bringing mouzahs on the rent-roll. — Provision is made in section 40, Regulation XLII., 1803, for bringing new villages on the rent-roll. None such can now be formed which could affect the Government revenue. The revenue survey has measured the whole surface of the country, and allotted all

\* See para. 4, Construction No. 1008, Sudder Dewauny Adawlut, Western Court, 19th May 1836.

all land to one village or another, where it bears its appropriate jumma. Villages not brought under assessment, which were formerly known as towfeer, cannot now exist, and the positive termination of all vexatious claims of this sort is not the smallest of the benefits conferred on the country by the late survey. The canoongoes perhaps still find on their old mowazenah lists the names of mouzahs which before paid revenue to Government, and which are not now on the rent-roll, but the lands which composed the villages are assessed, or are ascertained to form part of waste land, from which no demand of revenue is at present made, and discovery of the position of those particular villages ceases to be a matter of consequence to the Government.

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202. It frequently happens that several contiguous villages belonging to the same persons, and held by the same title, have been thrown into one, and measured as one, and received the names of the several constituent mouzahs. (r. Directions for Settlement Officers, para. 7). If the proprietor wishes to separate these, and assign to each a distinct jumma, the case becomes simply one of the division of an estate, and may be treated under the rules applicable to that class of cases. It may be, also, that the proprietor founds a new village site on his lands, and gives it a new name, and is desirous that the name should appear on the Government records, either conjointly with the former names, or as a separate mehal. Applications of this nature can be easily disposed of in a similar manner.

203. It may happen that a part of the land settled with an individual or community under one name may be claimed in the civil courts by another party as their rightful property under another name, and that the claim may be made good. The execution of this decree will also resolve itself into a simple case of partition. The collector will allot to the new mouzah a fair portion of the jumma formerly assigned to the whole, and the two mouzahs (like the two parts of a divided estate) will occupy the position of the old mouzah.

204. Mouzahs held rent-free for life, or for a term of lives, will be brought on the rent-rolls as they fall in. Vigilance will be necessary to prevent the concealment of lapses of this nature. The tuhseeldars and canoongoes should be furnished with lists of all such tenures, and should be held strictly responsible for reporting the lapses.

205. In some parts of the country, especially in zillah Goruckpore and at the foot of the Himalayan range from the Jumna to the Surdah, there are large tracts of waste land covered with forest or grass jungle, which were excluded from the settlement, and left to be disposed of by the Government in such way as might be deemed best. The limits of these lands were marked off and laid down by the surveyor. The terms on which they will be granted have since been determined, and have been approved by the honourable Court of Directors. The extent of each grant is limited to 4,000 acres. In the Appendix, No. XXI., information will be found regarding the terms on which grants are made. Many grants have been taken by Europeans and Natives in Goruckpore and Seharunpore, and in the Dehra Dhoon. All waste lands of this sort should be divided off into convenient plots, not exceeding 4,000 acres each, and mapped, and good boundary marks should be erected, before the land is made over to the grantee. Each allotment, as taken up and granted by the Government, will take its place on the rent-roll, under such name as the owner may prefer.

Not printed.

206. V. Removal of mouzahs from the rent-roll.—The investigations into rent-free tenures having been once concluded, instances can seldom occur of the entire removal of a mouzah from the rent-roll. The Government does not grant mouzahs in rent-free tenure of its own act. A whole mouzah may be entirely swept away by a river, and should in that case be removed from the rent-roll, as it can never again be restored. Any land which may be subsequently thrown up by the river will be an increment to the mouzahs on the bank, which originally were further removed from the river than the destroyed mouzah. A grant of waste lands, when thrown upon the hands of the Government again by failure of the grantee to fulfil the terms which he engaged, may probably need to be removed from the rent-roll.

207. VI. Alteration of the jumma of mouzahs.—The settlement is a contract between the Government and the malgoozar, under which the latter is entitled to all the profit he can make on the land included within the recorded boundary of his estate, over and above the Government demand during the period of his lease. The professional survey map is generally a faithful record

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of the boundary, and the total area, as shown by that survey, correctly exhibits the quantity of land to which the malgoozar is entitled. No fraud or inaccuracy in the khusrah which may show a greater or less extent of cultivated land than existed at the time of the survey can affect the terms of the contract. A putwarree who fraudulently omitted certain fields from his khusrah may be liable to punishment, and the village map and record should be amended; but the jumma, when once sanctioned by the Government, cannot on this account be increased. The only possible case in which a claim for additional rent on towfeer lands can now be made good is when land may be found that has been excluded from both of two contiguous independent professional surveys. In clause 2, section 31, Regulation II., 1819, it is enacted that "all claims to additional revenue from lands which were at the time of the decennial settlement included within the limits of estates for which a permanent settlement has been concluded, whether on the plea of error or of fraud, or on any pretext whatever, shall be illegal and invalid." And the spirit of this rule is strictly applicable to settlements in the North-Western Provinces, where the limits of all estates have been carefully fixed.

208. There are, however, many causes constantly in operation which may occasion alterations in the jumma of mouzahs on the rent-roll. The most common causes are the following:—

- I. Alteration of area by alluvion or diluvion.
- II. Remissions on account of land taken for public purposes.
- III. Reduction of jumma on account of ascertained over-assessment.
- IV. Partial forfeiture of land included in a grant.
- V. Transfer of land by decree of court from one mouzah to another.

A few remarks will be necessary on each of these subjects.

209. I. Alteration of area by alluvion and diluvion.—The settlement of every mouzah having been made after survey, it is always easy to ascertain how much land a village has lost by the encroachment of a river, or gained by its desertion of the former channel. In some cases at the time of settlement a special rule was laid down to regulate the assessment in each of these events. But in order to meet cases where no such stipulation was made, a general rule has been prescribed by the Government, under date 27th August 1844, to the following effect.

210. "By law in cases of diluvion the zumeendar is bound to stand to his engagements till the injury to the estate is so great that payment from the assets is impossible. On the other hand, Government can claim revenue from any new land which may accrue by alluvion to the estate. This state of thing is modified by para. 167\* of the Sudder Board's Circular, No. II., the equity of which is apparent. It is thereby ruled that whenever one-tenth of the land, or a portion of land yielding one-tenth of the rental, may be cut away, the zumeendar can claim a re-settlement upon the assets; while the Government can assert no claim to assess any increment unless it amount in extent or in produce to more than one-tenth of the original estate."

211. "These rules should be observed, even though the settlement officer may have neglected to embody them in the stipulations recorded at settlement. When a revision of settlement shall take place under the above rules, on the plea of diluvion put forward by the zumeendar, if the assets shall be found to be from any cause larger than, or as large as, they were computed to be at time of settlement, the proprietor will not be entitled to a reduction of revenue. If they be less, a proportionate reduction will be allowed, the jumma being calculated on the existing assets in the same manner as when the settlement was originally formed. If, on the other hand, the Government should claim an increase of revenue, on the ground of an increment exceeding one-tenth of the original estate, it will be in the option of the proprietor either to throw open the whole estate to re-settlement, or to come under engagements for the sum which may be demandable upon the newly-accrued portion alone."

212. Reductions.

\* Para. 167. "The rates of the revised settlement are so moderate that a reduction of jumma can rarely be necessary except where the lands are subject to injury from the encroachment of rivers; and as, in such instances, provision should be made for the prospective adjustment of the revenue in the event of alluvial increment or further diluvion, you will always cause a condition to be entered in the lease and counterpart of all mehals so circumstanced, that if at any time the increment or diluvion be found to exceed 10 per cent., the estate will be open to a fresh settlement."



212. Reductions of jumma in consequence of diluvion are generally shown in the accounts as remissions of land revenue, and require to be annually written off under the authority of Government as nominal balances. Enhancements of jumma on account of alluvion must be sanctioned by Government before they are brought on the rent-roll.

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213. Cases of diluvion will always be brought to notice by the owners of the land, but efforts will be made to conceal cases of alluvion. Claims of this nature must not be vexatiously advanced, but neither should they be carelessly neglected. The rules prescribed by the Sudder Board of Revenue for the guidance of collectors in reporting cases of alluvion and diluvion will be found in the Appendix, No. XXII.

Not printed.

214. In the case of increase by alluvion of the area of a rent-free village, the maafeedar should be left in undisturbed possession, so long as the culturable land gained by the recess of the river does not cause the total area of the maafee grant to exceed by more than 10 per cent. that which is entered in the register already mentioned in para. 153. If the increment of culturable land cause the total area to exceed by more than 10 per cent. that which is shown in the register, the excess will belong to the proprietor of the maafee estate, and will be open to assessment. If the maafee estate be entirely carried away, any new land which may be subsequently formed by the recess of the river will be an increment to the estates in its rear, and the maafee estate will never be revived.

215. II. Remission on account of lands taken for public purposes.—When land in khalisah mouzahs is required for public purposes, whether for cantonments or public buildings, or roads or canals, the annual remuneration which is due to the proprietors consequent on its occupation can be best shown in the form of a deduction from the annual demand. Regulation I., 1824, contains the legal provisions under which the surrender of the property is compulsory. In the Appendix, No. XXIII., will be found the orders of the Sudder Board of Revenue, prescribing the form in which the report is to be made, and also the instructions of the Government regarding the award of compensation for lands taken on account of the Ganges Canal. Those instructions will serve as a general rule of procedure in other similar cases. The rate of compensation mentioned by the Board must be considered as the collector's preliminary offer under the Regulation above quoted. The proprietor is free to object to it, but it has been found that objections are seldom made.

Not printed.

216. The collector must not suppose that his duty is terminated as soon as the amount of compensation is determined, and the Government demand on the mouzah re-adjusted. When the land thus taken belongs to non-proprietary cultivators, it will be necessary to see that their interests are regarded, and that they are provided with other lands, or receive compensation in some way for the injury they may sustain. If the land has been held as seer by any member of a proprietary community, the loss of the land may materially affect his position amongst his co-parceners, and may give rise to questions which, if not at once set at rest, will disorganize and ruin the whole body of proprietors. It is impossible to detail the many questions that may arise. It is sufficient to direct attention to this important feature of the operation. Arbitration is the mode in which difficulties of the kind can best be overcome. In this as in every other stage of the process, the collector should be prompt in taking up the case, and should dispose of it in all its possible bearings. When the Government for the public good thus interferes with the rights of private property, every possible care should be taken that no unnecessary injury or hardship is inflicted on the proprietors.

217. III. Reduction of jumma on account of over-assessment.—The circumstances under which this may be necessary have already been explained in para. 42 of this treatise. The form in which they are to be shown has also been given in Appendix, No. III.

Not printed.

218. IV. Partial forfeiture of land included in a grant.—When a grantee has failed to fulfil the terms on which he obtained a grant of waste land, and part of it becomes liable to resumption on re-measurement after the expiration of the 5th and 10th years, the remainder will be held on the supposition that the cultivated portion has been brought into cultivation in equal quantities in each of the preceding years, and has become liable to the increasing rates of assessment accordingly.

219. V. Transfer of land by decree of court, from one mouzah to another.—



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At the time of settlement the boundaries of all mouzahs were settled, and the jumma fixed accordingly. But the decisions of the settlement officers were liable to be contested in the civil courts, and the boundaries to be finally adjusted, differently from what they were when the assessment was fixed. In such case the land will carry with it its portion of jumma, and a re-adjustment of the jumma on the two mouzahs should be made. The revenue officers of the Government are the persons to decide what is the amount of jumma to be borne by the transferred land, for this is a question beyond the cognizance of the civil courts. If, however, the suit be for the possession of land said to have been included in the limits of the village at the time of settlement, and to have been then assessed, a decree in favour of the plaintiff will not involve any re-adjustment of the jumma. In such a case the interests of the Government may be concerned, for by an erroneous or collusive decision of this nature, one of the two estates might be rendered unable to bear the assessment fixed on it. The Government, therefore, as an interested party, has a right to be heard, and its claim to the jumma from the land cannot be affected, unless it was made a party to the suit.

220. It may be necessary to remark that, in all but the last case, the sanction of the Government to the alteration of the jumma is necessary. The last case being in pursuance of a decree of the civil court, and being more of the nature of a butwarrah, in so far as it is a re-distribution rather than alteration of jumma, is within the competency of the Sudder Board of Revenue.

221. The remarks, contained above in paragraphs 185-200, have reference to mutations in the malgoozaree register of the names of proprietors, who pay their revenue direct to the Government. But there are many other proprietors who ordinarily pay their revenue to Government through their representative, and it is most important that provision be made for showing the mutations of property amongst them. The putwarrees' papers, which have been already noticed in paragraph 147, contain provisions for this purpose. The rules of the Sudder Board of Revenue in this respect, given in their printed circular, No. 3, are so complete and important that they are inserted entire.

222. "220th. The putwarree of every mehal in every settled district is to be caused to take a correct copy of the khewut paper or record of administration. This will furnish the name of every sharer, the land he holds, where land is held in severalty, or the proportionate share possessed at the time of settlement, and the amount of jumma for which he is responsible.

223. "221st. Of course where sharers recorded themselves as holding in common at the settlement, their possession and liabilities will appear in common in this khewut record.

224. "222d. The putwarree will be required to make out by the 1st of October of every year a fresh paper in triplicate, according to the form given in the Appendix;\* one copy to remain in his own custody, and to be kept with his records; the other two to be delivered to the tuhseeldar.

225. "223d. In the six first columns will be inserted the number and name of the mouzah, and the names of the lumburdars and putteedars, with the land held by, and jumma demandable from, each on the commencement of the first year after settlement, according to the khewut paper. In the six following columns will be inserted the particulars of any transaction which may take place during the year, by which a change of possession is effected. In the four last columns will be inserted the state of possession and liability at the close of the year, with which the first four columns of the succeeding year will of course entirely coincide.

226. "224th. It will be observed, that in the specimen the name of only one lumburdar is found at the close of the year. By the entry in columns 9, 10, 11 and 12, it will appear that Surn Sing, lumburdar, died in the month of Bhadoon, and his son and heir, Buhadoor Sing, succeeded to his possession, and liability connected with his possession, but not to his office of lumburdar. The office of lumburdar will be filled up according to the constitution of the village by the collector, and when so filled up, the collector will notify the same to the tuhseeldar, and the tuhseeldar will send for the putwarree, and cause the name  
of

Not printed.

\* Note.—See Appendix, No. XVII., Form No. VII. Only the names of persons in full proprietary possession should be shown here. Resident and cultivating claimants of proprietary right, who are out of possession, should be shown only in the jumma bundee. So also non-proprietary cultivators, who pay according to the village bach, h, should be shown only in the jumma bundee.

of the new lumburdar to be entered in the appropriate column. This process is supposed not to have been effected by the close of the year, and consequently there is one name wanting in the 13th or lumburdars' column in the putwarree's register of the mutations at the close of the year.

227. "225th. Of the two copies of these returns, which are to be delivered to the tuhseeldar, one he is himself to retain, having affixed his seal thereto, among his own records; the other, having also affixed his seal thereto, he is to forward to the collector's office, where, having received the signature of the collector or his deputy, it is to be kept with the records of the village for reference when required.

228. "226th. Where no change may have occurred either in persons or the distribution of property during the year, the paper of the current year will of course be in all respects similar to that of the year preceding. But if any sharer may have died or have mortgaged or sold his share, the name of the heir or transferee will appear in the paper of the current year, and the putwarree will be required to affix a note, stating the cause of the change; viz., by succession, sale, &c. The tuhseeldar and canoongoe will of course be responsible that no conveyance is registered, in which the right transferred is not in exact accordance with the administration paper filed at the settlement.

229. "227th. In some districts it is not unusual for parties intending to make a transfer to present a petition to the collector, stating the arrangement for his information, the object of the petitioners being to secure a kind of record of the transaction. In all such cases the petition must be sent to the tuhseeldar, whose duty it will be to see that the transaction, if actually including a change of liability and possession, appears in the khewut paper of the year.

230. "228th. Also whenever a court of justice may decree a proportionate share in a mouzah held in common, or may give specific instructions for putting a plaintiff in possession of certain specified fields in a mouzah of which the lands are held in severalty, the transactions in question being supposed to involve no change in the parties under direct engagements to Government, the tuhseeldar will be instructed to see the fact duly noted in the khewut paper of the coming year. Transfers of puttees, &c., by the Revenue Department will be similarly recorded.

231. "229th. You will of course understand that the object of this order is strictly to secure a record of the right of sharers not under direct engagements with Government, and whose names are consequently not entered in the Government malgoozaree register.

232. "230th. You will be pleased to require the putwarrees to file these papers at the tuhseeldar's office by the 15th of October of each year, and the tuhseeldar will be responsible for forwarding the copy intended for the collector by the 1st of November. You will require every collector to certify to your office, by the 1st of January of each year, that the papers have been received, and placed with the records of each village, and you will report to the Sudder Board, on the 1st of each February, that the completion of these orders has been effected.

233. "231st. It is obvious that the benefit of the settlement cannot be secured to the people unless an authentic record of the facts ascertained at the time of settlement be carefully maintained; and the Board have been induced to adopt the measure now promulgated as the simplest, most natural, and at the same time most effectual mode of securing the end aimed at, and they are satisfied that, if carefully watched and carried through by the local authorities, it will not disappoint expectation."

234. The preceding remarks will explain in what way the several entries of the malgoozaree register are to be maintained, and all changes of proprietary possession are to be shown. The pergunnah register now comes under consideration.

235. It has been already remarked in paras. 156-158, that the principle of the arrangement of this register is according to locality. The mouzahs will be arranged according to the lists, for the compilation of which instructions are contained in paras. 7 and 45 of Directions for Settlement Officers. The lists so compiled necessarily exhibit all the land in the district as divided into mouzahs\*

at

\* A mouzah has been defined in para. 5 of the Directions for Settlement Officers. The best practical direction in this case is to consider as a separate mouzah whatever occupies a separate line in the general statement prepared at the time of settlement. Appendix, No. XIV. of Directions for Settlement Officers. Not printed.

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at the time of settlement. The form appended to a memorandum circulated by the Government in 1844 (Appendix, No. XXIV.) may conveniently be adopted as that of the pergunnah register, and will possess this advantage, that it will be in accordance with all the other statistical details which may be collected under that scheme as a permanent record. It need not be quinquennially renewed. All particulars regarding the divisions of the mouzahs, and the alteration of the areas or jummas of the mouzahs, will be readily found by referring to the general indexes in the record office (*vide* para. 136). But it would be convenient to keep also a supplementary register, where a note in English may be made of each such change as it occurs. These notes should be numbered consecutively, and the exhibition of the number in the column of remarks, opposite the name of the mouzah in the pergunnah register, will afford the clue to the record of the transaction. Illustrative entries are made in the form which is contained in the Appendix. The form of pergunnah register shows the population as well as other particulars. This is not required by the terms of Regulation XLII., 1803, but is most necessary for the formation of a just estimate of the value of the village. Considerable difficulty is experienced in procuring returns of this nature, and their accuracy is often questionable; nevertheless a proximate entry is better than none.\*

236. A description has now been given of a system of record and registration which in its design is very complete, the whole machinery for the maintenance of which is in operation, and which is capable of being maintained with more or less of accuracy by the exhibition of ordinary care or method. It may be useful to add a few general remarks on the subject, having special reference to the state of landed property in the North-Western Provinces.

237. It is unnecessary to mention the advantages which in all countries are allowed to result from the careful preservation of all documents affecting the titles to landed property. In India the Government has a direct interest in the preservation of these records, because the greatest part of its revenues is drawn from the rents of the land, or from a tax on those rents. Whatever adds to the value of landed property gives greater security to the present revenue, and better hope of future increase. But the system of revenue administration in the North-Western Provinces renders the subject one of peculiar importance.

238. Under Native Governments the land was annually assessed, and the assessment was determined by no fixed rule, but varied according to the strength or abilities of the two parties concerned, viz., the receiver and the payer of the jumma. In such a state of property it was unnecessary to inquire who was the owner of the land. It might be undoubted that a property in land existed, and such property might often be the subject of sale and transfer, but its value depended on the character of the Government of the day, or on the feelings of the people of the place, rather than on any fixed laws, to which a certain appeal could be made.

239. The British Government, by fixing its demand for a term of years at a moderate amount on certain tracts of land, called mouzahs (villages, or rather townships), has given an additional and definite value to the land. Whatever surplus there may be, after paying the Government revenue, belongs to the proprietors of the land, whether it results from increase of cultivation within the limits of the mouzah, or from improved husbandry, or from any other cause. In order, therefore, to prevent disputes, and to enable each man to improve his property, it has become necessary accurately to define who is the proprietor, what is the nature and extent of his property, and to what incidents it is liable.

240. This is the more necessary under the system of joint responsibility, which binds together the several members of the village communities. Under any circumstances such a kind of tenure is likely to lead to cases of hardship; but if it is desired to avoid the grossest acts of injustice, some means must be afforded for determining, in cases of default, who is the defaulting member of the community, and how far he is able to make good the demand against him.

241. In the early years of British rule in the North-Western Provinces, it was thought that the decision of all questions of individual right might be left to the operation of the ordinary courts of justice, where every person who considered himself aggrieved could claim of right a hearing of his case. It was thought

\* [See Memoir on the Statistics of the North-Western Provinces of the Bengal Presidency, compiled from official documents by A. Shakespear, esq., and printed at Calcutta in 1848.]

thought that all wrongs; whether resulting directly from acts of aggression, or indirectly from the operation of the fiscal laws, might thus be always redressed. Experience, however, has proved the contrary. Twenty years had not elapsed before a special commission was appointed, under Regulation I., 1821, with extraordinary powers to remedy the injustice which had already been done, and Regulation VII., 1822, was enacted to prevent future wrong, by the formation of this very system of record and registration which has now been described.

242. It is not surprising that the courts of justice failed in the performance of the duties allotted to them. The natives of this country were unaccustomed to examine general questions regarding rights of property, with a view to their classification, and to the formation of general rules applicable to them. It is surprising, even to this day, how ill-informed native gentlemen of education and even of official experience are on the subject, unless they have been especially trained to its consideration. But still less were they able then to appreciate the change that had been effected in the old village institutions by engrafting upon them the system and modes of procedure adopted by the British Government. The English functionaries, on the other hand, understood their own rules, but had no leisure or opportunity to study the old institutions of the country. There were not, therefore, any persons, Native or European, who were sufficiently conversant with all branches of the subject to reason consistently regarding it. The regulations of the Government afforded no information, and the numerous functionaries who were called upon to come to an immediate decision could not be otherwise than perplexed. Injustice and confusion necessarily ensued. Designing men usurped rights which did not belong to them, and blunders of all possible kinds were committed by those who ought to have protected the rights of the weaker parties. In such confusion, litigation increased, and arrears necessarily accumulated, till the whole machinery of the judicial administration was choked, and it became necessary to take active measures in order to prevent the further spread of the evil. It was as necessary for the credit of the judicial as for the safety of the revenue administration that a systematic attempt should be made to reconcile the discordant parts of the system, and to introduce order and certainty, where hitherto confusion and uncertainty only had reigned. Hence resulted the system of record which was introduced by Regulation VII., 1822.

243. There are some who still look with despair on the magnitude and difficulty of the undertaking. They see the country divided into small properties which are held on peculiar tenures, differing one from another to a considerable extent. They are aware of the general ignorance of the people, and they are brought into constant intercourse with some of the most crafty, designing and unprincipled of the mass. Hence they are ready to conclude that all efforts under such circumstances to form an accurate record must be useless, and that it is better to refrain from the attempt, lest by forming an erroneous record the evil should be increased.

244. There is no desire to under-rate these difficulties. It is most important that every public officer should know of their existence, and be prepared to combat them. It is impossible now to withdraw from the course which has been commenced, and it is the more necessary carefully to examine what causes obstruct its completion. The intention has been wisely disclaimed of making any great revolution in the disposition of property by the enactment of arbitrary laws. It has been justly determined to inquire and ascertain what are the existing rights, and to uphold them by equitable proceedings and laws. The mode in which this may be effected has been laid down by legislative enactments. Great progress has been made in its performance. It only remains now for each officer in his allotted sphere to set himself to inquire what has been done towards the accomplishment of the desired object, and how he can contribute to its furtherance.

245. It would be vain to suppose that all which is necessary has already been done. The original record formed at the time of settlement was often erroneous and imperfect, and it could not be otherwise. At the time of settlement the system was new and imperfectly organized; the persons selected for its performance were not always the best qualified; and the work was necessarily performed with far more rapidity than was compatible with accuracy. The mass of the people were ignorant, and unable to comprehend the object or nature of the proceedings, or the bearing on their position of the settlement, and they

were moreover suspicious of any measures connected with the assessment of their lands. Under these circumstances, it is surprising that so much was done, and well done, at the time of settlement. There is far more reason to take courage from the great progress already made, than to despair at the magnitude of what still remains to be done.

246. Let us suppose an intelligent officer appointed to the charge of a district, where he is likely to remain for some years. He is acquainted with the system of registration, and convinced of the importance and practicability of maintaining it. On coming, however, to refer to his settlement records in cases that casually occur, he finds them imperfect or erroneous. He concludes that registers resting on such a basis must be defective, and he determines to apply himself in earnest to the correction of the errors. It is the design of the present treatise to aid him in such an undertaking, and to show that it is not difficult at any time to make a fresh commencement, and to attain that degree of accuracy which it was designed to ensure at the time of settlement.

247. He will find the necessary powers conferred upon him by a resolution of the Government, dated 12th September 1818, which is given in the Appendix, No. XXV. In this resolution are defined the limits within which the powers are to be exercised, and the precautions to be observed in the conduct of the investigations. In order to obtain the full support of his superiors in the Revenue Department, it will be necessary for him to show that he is aware of the nature and extent of the work that is before him, and of the method in which it should be performed.

248. His first efforts should be directed to the instruction of his sudder omlah, and of both the pergunnah and village officers in the system of record and registration prescribed by the Government. Great facilities have been lately afforded for the instruction of all classes of people in the peculiarities of the system, by publishing treatises on the subject in the vernacular languages, and by the series of elementary school-books in Oordoo and Hindee, which are designed to lead the pupils to this very subject, viz., the comprehension of the putwarrees' papers. The revenue system, when rightly understood and properly worked, affords the greatest stimulus to the general education of the people. Indeed it cannot be expected that the registration of rights will ever become perfect till the people are sufficiently educated to understand it, and to watch over its execution. There is reason, however, to apprehend that with all the means of information that are now available, a considerable time will elapse before it can be taken for granted that even the higher and better paid class of officers, such as serishtadars, tuhseeldars and canoongoes, are sufficiently familiar with the system to enable them to judge whether the record of a mouzah has been accurately formed, or to cause its correction where it may be faulty.

249. When the collector is satisfied that the agents whom he is to employ possess the requisite degree of knowledge, he will endeavour to ascertain through their means how far the existing records are defective. Lists should be prepared of those mouzahs in which it is most necessary to amend or wholly to re-cast the record. Some will probably be found in which re-measurement of the lands, and the formation of an entirely new misl, is urgently required.

250. Several opportunities will occur when re-measurement and re-casting of the whole records is necessary, and can be enforced, such as the division of an estate or its being held kham for a balance. These opportunities should be seized, and the remedy applied. There are other cases where disputes of the people, or partial injury to the estate, will render the people willing to re-measure the estate, and re-cast the papers at their own cost. These are likely to be the cases in which such a process is the most necessary. Every effort should be used to carry it on, so as to be least expensive to the people, and so as to expose them to the least annoyance. Pains should also be taken to explain to the people the benefit they will derive from the measure, and the uses to which it may be put. The field work should be prosecuted as much as possible in the cold weather, when the collector can give it his personal superintendence. If he cannot himself be near to control and supervise, a properly qualified subordinate officer should have the duty entrusted to him.

251. It is most probable that he will thus in the course of a short time, by address and management, be able to correct all the records which most need correction, without any expense whatever to the state. Each such new record will afford, as it were, a fresh start to the entries in the malgoozaree and pergunnah register

register regarding the mouzahs, and to the whole of the putwarrees' papers. The operation will in fact consist in the formation of a new set of putwarree papers, based on the judicially ascertained state of property in the village at the time, and not deduced from the record of a former year, as is ordinarily the case. The opportunity will not have been lost of instructing the putwarrees in the discharge of their duties, and of pointing out to the people how much their welfare depends on themselves understanding the putwarrees' accounts, and being careful to ensure their accuracy. If the people do not seem willing at first to re-measure their estates and correct their records at their own expense, it may be necessary to apply to superior authority for permission to aid the work on the part of Government by charging in the contingent bill a part or the whole of the expense in some mouzahs, where the people are the poorest, or the most averse to the proceeding. It has been found in some districts that the putwarrees may be instructed with little difficulty to measure the land, prepare field maps, and perform all the work of experienced ameens.

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252. All decisions passed by collectors under the powers thus entrusted to them are liable to be reviewed on their merits in the civil courts within the period of three years\* from the date of final decision. It therefore is important that the grounds of every decision be fully stated, so that the reasoning on which it rests may be evident. The careless or faulty drawing up of the final order in the case may deprive the proceeding of much of its value, and may even lead to the ultimate reversal of what was in itself just and proper. Whenever also the civil courts, under the provisions of clause 1, section 31, Regulation VII., 1822, call for the proceedings from a collector's office, the collector who makes the return to the precept should be careful † that all the material papers bearing on the case should be forwarded to the court. That labour is always usefully bestowed which furnishes full information to the judge, and enables him to come to a correct decision on the particular point which may be submitted to him by the parties in a civil suit.

253. The bulk of the records of the collector's office cannot fail to draw attention. Year after year a mass of papers is sent into the office which must crowd up any room of ordinary dimensions. It will no doubt soon be necessary to destroy the bulk of them, retaining only those of a late date, or of more than ordinary importance. The pergunnah indexes afford facilities for separating the useful from the worthless, and the opportunity should be seized of every re-measurement and of every re-casting of the record to set aside the former record for destruction, as soon as the lapse of a few years shall have shown its uselessness, and to effectually substitute the new in the place of the old record.

#### SECTION IV.—*The Summary Decision of Suits between Landlord and Tenant.*

254. The proprietor who has come under engagements with the Government for the revenue of a mouzah seldom cultivates much of the land himself. It is cultivated in great part by others, either his co-parceners, or subordinate proprietors, or his mere tenants. As the collector possesses summary powers over the proprietor to enforce payment of the Government revenue, so it becomes necessary

\* [See Act XIII., 1848.]

† CIRCULAR ORDER of the Sadder Board of Revenue, North-Western Provinces, No. 23 of 1847; dated the 8th of October, 1847.

The Sadder Dewanny, having recognized and concurred in the principle laid down in para. 2 of the Board's manuscript circular, No. —, dated 27th November last, it is of great importance that the course of proceeding therein directed be carefully observed. The circular alluded to is the following:

2d. "Whenever the courts may call for proceedings in the Revenue Department, under clause 1, section 31, Regulation VII. of 1822, the collector should be careful himself to examine the case, and to see that the return is complete, adding to it any documents which may seem to be wanting, or forwarding the roobakarees in other similar cases, where the arguments may be more fully set forth. If these have not before been translated into the vernacular language, they should be so translated before transmission, for it is important that all which bears on the case should be as accessible as possible to all parties."

3d. In all cases alluded to in the above paragraph, the collector is required to submit the papers to the commissioner, who will be responsible for seeing that all the documents bearing on the case or class of cases in question, but which may not be in the ordinary misl, are included in it, and, if necessary, translated into the vernacular language.

4th. The commissioner will lose no time in passing orders upon the collector's reference, and he will likewise keep the Board informed of all particulars respecting these cases.



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necessary to provide for the summary decision of all disputes between the sudder malgoozah and his subordinates, regarding the payment of their quota of the revenue, or of their rents, and regarding all questions connected therewith. This summary jurisdiction is vested in the collector by Regulation VIII., 1831.

255. The cases which thus come under the cognizance of the collector are :

- I. Suits of landlords against tenants for rent claimed as due.
- II. Suits of tenants against landlords for the exaction of more than is due.
- III. Suits of tenants against landlords for ouster from their holdings.
- IV. Suits of landlords against their putwarrees or agents to compel production of accounts.

Each class of cases requires separate consideration.

256. I. Suits of landlords against tenants for rent claimed as due.—The person whom the collector is bound to recognize as competent to collect the rents is the apparent proprietary possessor, or in other words the person who collected the rents of the former year, and discharged the other functions of a proprietor, unless he has been since legally dispossessed by his own act, or the order of a competent authority. This is the person from whom the Government revenue will be collected, and whose name should appear in the malgoozaree register, as already explained in para. 185.

257. A proprietor in his own right can claim from his under-tenant under the summary process only the customary amount which has been paid in past years. This is specified in section 10, Regulation VIII., 1831, which precludes all claims to increased rent under sections 9 and 10, Regulation V., 1812. The only exceptions to this are, where the tenant has consented in writing to pay an increased rent, and where the rents may have been settled under the provisions of sections 7 and 10, Act I., 1841.

258. A proprietor, who is also the representative of a village community, can demand from his co-parceners whatever the village custom prescribes to be due from them, viz., their quota of the Government revenue, and of the authorized village expenses. This may be either a fixed amount, determined at the time of settlement, or it may be levied at a fixed rate on his lands, cultivated or uncultivated, or it may be determined according to the annual bach, h, or equal distribution. The equity of the demand in such cases must be settled by a reference to the village custom, as set forth in the administration paper at the time of settlement, or if that be inconclusive, by evidence taken at the time.

259. Though the Government have postponed the date of their own demand upon the landlord till after the crops have been cut and carried, they have not thereby weakened the landlord's lien on the crop of his tenants, which is recognized in clause 2, section 17, Regulation XXVIII., 1803. The landlords can prevent the crops from being removed from the ground till their demand is satisfied, and they can sue summarily for balance claimed by them within a month before the Government instalment falls due.

260. The landlord has the option of proceeding against his tenant either by dstraint or summary suit.

261. In the former case he distrains of his own authority, and brings the distrained property to sale through the agency of the person appointed for the purpose under Act I., 1839,\* who is either the naib tuhseeldar of the pergunnah, or a person specially appointed for the purpose. In this event, the tenant, in order to save his property from sale, must either pay the demand, or find

\* The following orders were issued by the Sudder Board of Revenue consequent on this enactment, and will be found in their Circular Order, No. II.

43. "As Act I. of 1839, has vested the collectors with powers to appoint any person to exercise the functions of selling property distrained for the recovery of arrears of rent, the Board requires that you will direct them to appoint a man in each tuhseeldaree for this purpose, to reside at the station of the tuhseeldar, and to draw 10 per cent. of the proceeds of property distrained by him."

44. "If, however, there be not duty enough for a separate officer, the Board direct that the appointment be given to the naib tuhseeldar."

45. "The collectors, in all instances of sale or dstraint executed by these officers, should insist on their recording a distinct schedule of the property attached, clearly accounting for every article, on pain of being made responsible for the value claimed of any article not so accounted for."



find security for the payment, with interest, whilst he contests the claim before the collector by an action of replevin.

262. In the latter case the landlord proceeds against the person of his tenant, and has him arrested to answer the demand, or, in the event of his non-appearance, on obtaining a decree sues out execution either against the personal property of the defaulter, or against the tenure on which the balance has arisen.

263. If the tenure on which the balance has arisen be an intermediate tenure between the landlord and the actual cultivator, then the landlord is competent, when he has instituted a summary suit for the recovery of the arrear, to send a suzawul of his own authority to attach and collect the rents of the actual cultivators immediately from themselves, provided the arrear shall have been due for one whole month, and shall not be less than an entire kist.\* As soon as the arrear is adjudged due in the summary suit, the landlord is at liberty, of his own authority, to cancel the tenure if it be a lease, farm or other limited interest; † but if it be an heritable and transferable property, he can bring it to sale in satisfaction of the summary decree. ‡ But no real property of a defaulter can be brought to sale in execution of a summary decree other than that on which the default has occurred. Trees, tanks and houses are considered real (or, more correctly speaking, immovable) property, and are therefore not liable to be sold in execution of summary decrees.

264. If the tenure on which the balance has arisen be that of a khood-kasht ryot or other resident cultivator of the soil, and the defaulter fail on demand immediately to pay into court the sum adjudged to be due, the plaintiff shall be authorized by the collector to oust the defaulter, and to make such arrangements as he may judge proper for the future management of the lands. §

265. If the rents are taken in kind by division of the crop, according to the custom call buttai, the landlord can distrain the standing crop when it is ripe, and under section 11, Regulation XXVIII., 1803, can cause it to be reaped and divided. If in this proceeding he act contrary to custom, or oppressively so as to occasion unnecessary loss to the tenant, the latter has his remedy by an action of replevin, or for undue exaction, or for damages. If the landlord interferes with the tenant's crop, otherwise than by legal process of attachment, he commits a breach of the peace, for which he is liable to punishment in the criminal court. By summary suit the landlord may establish his right to a certain quantity of grain or its money equivalent, at the market price of the day.

266. If the rents are taken in the money equivalent for a certain portion of the crop, determined by estimate, according to the custom called kunkoot, the same course of proceeding may be followed. If the tenant object to the distrainer's appraisal, he has his remedy by an action of replevin, or for undue exaction, or for damages. In both of these classes of cases it may be observed that the rent is due on the ripening of the crop, and that if the tenant neglect then to make provision for the payment, he is a defaulter. It is only a special agreement to the contrary between the parties which could bar the landlord's demand on the ripening of the crop.

267. In cases where the payments are made in kind or in the money equivalent at the market price of the day, according to the customs of buttai or kunkoot, mentioned in the two preceding paragraphs, the landlord has evidently an interest in the cultivation of certain crops. The rotation of crops is fixed by custom, and if that custom is violated, so that crops are grown of a less value than the custom requires, the landlord will be a considerable loser, by receiving no more than his ordinary share. He is, however, entitled to the full value of his share of an average crop of the more valuable kind sanctioned by the custom, and he can distrain or sue summarily for its equivalent in money, or in the grain that may be sown. If the existence of the custom be disputed, this is a point which

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\* See clause 2, section 18, Regulation VIII., 1819, and Construction of the Sudder Dewanny Adawlut, No. 456, dated 17th August 1827.

† See clause 4, section 18, Regulation VIII., 1819.

‡ See clause 7, section 32, Regulation XXVIII., 1803, and Act VIII., 1835.

§ See clause 5, section 18, Regulation VIII., 1819, and para. 2 of Construction of Sudder Dewanny Adawlut, No. 1205, dated 15th March 1839.

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must be decided like any other question arising out of the suit. A dispute of this kind may probably be brought before the collector at the sowing time, when the landlord may endeavour to eject the tenant, and the tenant bring an action for ouster. If the tenant is not in arrears he cannot be ejected, but he may be warned of the certain ruin he will bring upon himself by resisting any legitimate requisition of this nature which may be made upon him by his landlord.

268. It is unnecessary here to specify the provisions made by the law for enabling landlords to obtain their rights by either of these processes. The law regarding this class of summary suits will be found well summed up by Mr. J. C. Marshman in his Guide to the Civil Law, in pp. 272-292, and regarding distraint in pp. 493-505.\* Every assistant should be required to study and master these provisions before application is made that he be invested with special powers to try summary suits under section 21, Regulation VIII., 1831. Execution † of a summary decree may be taken out within twelve years from the date of such decree.

269. Every effort should be made to render the process as cheap and summary as can be. With this view a general authority has been given to receive petitions of plaint for whatever amount, on paper of 8 annas value (as authorized by section 7, Regulation VIII., 1831), and on reference to sections 7 and 8, Regulation XIV., 1824, it will be seen that there are few other documents which require to be written on stamp paper. Hence, too, has arisen the practice of allowing the landlord to include in one suit several tenants, who are in balance to him. There is nothing in the law opposed to this practice, and it conduces much to rapidity and facility of decision. The costs should also be kept within the lowest practicable amount; [complicated claims on account of] interest should not be allowed; and no further charge should be admitted for the remuneration of mookhtears or agents than the circumstances of the case absolutely require.

270. The proceedings are essentially summary. The point to be tried is reduced to simple terms, viz., whether the plaintiff in possession has received from the defendant the sum due according to the rate of last year, or according to his written agreement. In the former case, the putwarree, as the sworn accountant of the village, is the general referee, and, unless under extraordinary circumstances, his evidence is sufficient. His signature is also usually required to authenticate written agreements. His evidence should in all cases be taken, and the party objecting to his evidence should make out a very strong *prima facie* case before further witnesses are heard.

271. By section 13, Regulation VIII., 1831, collectors are empowered, with the sanction of the commissioner, to refer summary suits to the tuhseeldars for investigation and report. This course possesses so many advantages that it ought to be the general rule, that all plaints, immediately they are filed, be sent to the tuhseeldar. He will generally be able, near the spot, and with little comparative trouble to the parties, to arrange the dispute, and return the case so adjusted, that it may be immediately struck off the file. If, however, any objection be made to the report, issue should be joined on it, and the case should be immediately disposed of by the officer in charge of the department. The cases in which it would be preferable not thus to refer to the tuhseeldar are those in which his impartiality may be suspected, in which the parties concerned may have authorized agents in the collector's court, or which may turn upon points coming under the collector's cognizance in other departments of his office, such as disputed succession, or the rights of certain classes of tenants, or the execution of orders of the civil courts.

272. Under section 9, Regulation VIII., 1831, the collectors have the power of referring plaintiffs in summary suits to regular suits, by endorsement on the back of the petition of plaint. This power may always be beneficially exerted whenever there is reason to think that the demand is in itself just and legal, but that

\* [These portions of the entire work have since been published in a separate form for the use of revenue officers. The book is entitled "The Rules regarding Dstraint and Summary Suits." Serampore, 1850, 8vo. pp. 168.]

† See Construction of the Sudder Dewanny Adawlut, No. 1266, dated 6th September 1839; also Circular Order of the Sudder Dewanny Adawlut, No. 35 of 1843, dated 14th October 1843; and Circular Order of the Sudder Board of Revenue, No. 7, dated 24th June 1845.

that its enforcement by summary process is barred by the special rules applicable to such a course of proceeding, or that the reception of the case would lead to a long and complicated inquiry. The indiscriminate or too frequent reference of persons to the regular courts may be hard on the plaintiffs, and injurious to the defendants.

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273. In all cases, landlords are bound to treat their tenants with consideration, even in the enforcement of legal claims. If they proceed with unnecessary harshness, they are liable to be cast in damages, and these can be awarded in a summary suit under Circular Order, Sudder Dewanny Adawlut, 15th November, 1833, para. 3. Thus, for instance, landlords are liable for damages—if they distrain irregularly, *i. e.*, without observance of the strict legal forms (clause 2, section 2, Regulation XXVIII., 1803); if they distrain and sell when no arrear is due (section 6, Regulation XXVIII., 1803); if they wilfully distrain property, the value of which is disproportionate to the arrear demanded (section 14, Regulation XXVIII., 1803); if they proceed to sell distrained property, notwithstanding tender of payments (section 9, Regulation XXVIII., 1803); or if they oust a ryot, or distrain without having previously filed the required putwarree's papers (section 15, Regulation IX., 1833). On the other hand, tenants who resist legal attachment are liable to damages in twice the amount rescued (clause 2, section 17, Regulation XXVIII., 1803). Whilst, however, this power of awarding damages is given in order to prevent illegal or oppressive conduct, it evidently should be used with caution, and only in the clearest and most flagrant cases. If a distrainer, on discovery of an irregularity which he has committed, tender sufficient indemnification, he is not liable for damages (clause 2, section 2, Regulation XXVIII., 1803).

274. II. Suits of tenants against landlords for exaction of rent.—If the landlord by legal or by illegal measures compel his tenant against his will to pay what is not justly and legally recoverable by the summary process, the tenant has his remedy by summary suit\* for refund of the sum thus exacted, with or without damages, as the case may be.

275. Thus, if a landlord extort payment of a demand by confining or corporally punishing his tenant, the amount may be recovered in a summary suit (section 26, Regulation XXVIII., 1803). So, too, if the tenant pay an unjust demand to avoid imprisonment (section 33, Regulation XXVIII., 1803); or if an unjust demand be realized by distraint and sale of his property (section 17, Regulation V., 1812).

276. III. Suits of tenants against landlords for ouster from their holdings.—This jurisdiction is founded on clause 5, section 18, Regulation XVIII., 1819 (extended to the ceded and conquered provinces by section 22, Regulation VII., 1822), which declares that it is illegal for landlords to oust "khood-kasht or other resident cultivators of the soil," except under certain circumstances. Hence the Court of Sudder Dewanny Adawlut have ruled, in their Circular Order of 15th November 1833, that "in case of a contravention of this rule, a remedy should be afforded by the collector on the summary application of the ejected ryot, by an order for his being restored to possession, and his retaining it until the process prescribed by the Regulation shall have been observed." If the landlord again eject the ryot, after he has been restored to possession, or otherwise molest or harass him, clause 8, section 32, Regulation XXVIII., 1803, empowers the collector to punish such oppression by the award of full costs and damages, besides a fine to Government.

277. This jurisdiction includes all cases of dispossession from cultivation, when arising out of claims for rent as between landlord and tenant, but it does not include such cases when arising out of questions of right between claimants of the same land. It may, however, be that the case, though really between landlord and tenant, is apparently one between two persons both claiming the right of occupancy. For instance, a landlord wishing to oust a tenant may prompt another person, with whom he has an understanding, to oust the tenant. In such cases the landlord should be made a party to the suit, and the case summarily treated according to apparent facts. If the intruder

claims

\* The Court of Sudder Dewanny Adawlut, in para. 3 of their Circular Order, No. 100, dated 15th November 1833, ruled that such cases had been cognizable by the judges under a summary process, and became cognizable by collectors under Regulation VIII., 1831.

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claims under any title immediately derived from the landlord, the complicity of the landlord is apparent, and the remedy should be afforded.

278. There is no summary power of ejectment given to the landlord in cases where the cultivator is a mere tenant at will, and has no right of occupancy.\* But any actual cultivator who resists summary ejectment has his summary remedy, the sole point cognizable by the collector being the fact of ejectment from actual occupancy. In order, therefore, to eject a tenant at will who is not in arrear, the landlord, as the law stands, may find it necessary to institute a regular suit. In practice, this is not found to occasion inconvenience. Unless where there is an actual valuable right of occupancy, questions of this sort readily adjust themselves by considerations of mutual interest.

279. IV. Suits of landlords against putwarrees or agents for the production of accounts.—Suits of this kind are not common. The putwarree is generally recognized as a servant of the Government, as well as of the landlord, and the annual production of his accounts is enforced by the Government for the purposes of protecting the rights of all concerned. Still the existence of this power on the part of the landlord is essential for the maintenance of his authority. If the putwarree is remiss in performing his duty, the efforts of the landlord in keeping him to the discharge of his duty should be well seconded. Suits may be thus brought † not only against the putwarree, when he is employed by the landlord in the management of his estate, but also against all other native agents of every description, whilst in service or immediately after resignation or dismissal, and for any matter relating to the discharge of their respective trusts.

280. The Sudder Board of Revenue require from collectors and commissioners monthly returns of the three first classes of cases, in forms which will be found in the Appendix, No. XXVI. The arrangements in this department are now so complete, and the facilities for the adjudication of these cases are so great, that very few cases remain on the file more than three months. Whenever a longer period than that elapses, a special explanation of the cause of delay is required. The sole ground of appeal, ‡ from the authority who first decides the suit to the commissioner, is on the plea of irrelevancy of the regulation to the case appealed. This restricts the number of appeals to a very small amount. The proper appeal on the merits of the case is by regular suit in the civil court.

281. The collector who is desirous to keep himself acquainted with the state of his district should pay close attention to the file of summary suits. It is most important to provide for their rapid decision, and to prevent the accumulation of arrears, and much general information may be gathered from the file. The increase or decrease of the suits should be watched, and the causes of the fluctuations investigated. An unusual number of suits of any particular class, or in any particular locality, may often afford the clue to some erroneous practice or to some local abuse, which requires correction and remedy. If, however, it results

\* [Under clause 1, section 20, Regulation VII., 1822, collectors may be vested with authority to determine by summary process all complaints of "any violation of subsisting engagements in disputes respecting the rent and occupancy of land, between landholders or farmers of land and their under-tenants, of whatever denomination." Wherever, therefore, this power is conferred—and it has been generally conferred in the North-Western Provinces by the notification of 12th September 1848, v. App. No. XXV.—disputes of this kind between landholders and farmers or cultivators may be readily brought to adjudication at the time when an order is most wanted, *i. e.*, in June or July, when the arrangements for the cultivation of land during the ensuing year are usually made. Care, however, must be taken that the real rights of occupancy possessed by cultivators be not hastily held to be barred by the omission of their mention in the settlement record.]

† See section 19, Regulation V., 1800, for Benares, and section 37, Regulation XXVIII., 1803, for the Ceded Provinces. See also Construction of the Sudder Dewanny Adawlut, No. 946, 24th April 1835.

‡ The extent to which a collector may revise the decisions of his subordinates is thus defined by the Sudder Board of Revenue, in their Circular Order, No. 10, dated 30th May 1848:

"No party can claim of right to be heard in appeal in the Revenue Department from the decision of a collector, deputy collector, or assistant collector, in the Summary Suit Court, except by the Revenue Commissioners, and then only on the ground of irrelevancy of the Regulation to the case appealed.

"Nevertheless, if a collector think that injustice have been done by the decision in a summary suit of any deputy or assistant collector subordinate to him, he may within one month annul or amend the decision.

"After the lapse of one month from the date of a decision in a summary suit by a deputy or assistant collector, the collector loses all power of interference, and the decision stands subject to the same conditions as a decision passed by the collector himself."

Not printed.

Not printed.

results from the efforts of the people to manage their own affairs, so as to prevent the intervention of the officers of Government on the occurrence of default, it is in itself a most desirable and satisfactory event. Every encouragement should be given to the malgoozars to realize their just dues by their own efforts legally exerted. The law arms the malgoozar with sufficient authority, and all irregular interference between him and his under-tenant is much to be deprecated.

282. The same considerations which constitute the collector the judge in all summary suits between landlord and tenant regarding the rent of land, make him also the judge in all suits brought under clause 2, section 8, Regulation VII., 1824, by abkaree farmers against the venders and manufacturers of spirituous liquors for arrears of abkarree revenue.

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SECTION V.—*The execution of the Orders of the Civil Courts.*

283. There are many reasons which render it desirable, in cases connected with landed property, to employ the collectors of land revenue in giving effect to the orders of the regular courts established for the administration of civil justice.

284. All orders of the civil courts regarding land paying revenue to the Government must more or less affect the interests of the Government. An absolute right of property in the land has been recognized, and full power\* has been given to transfer it at the option of the proprietor in any way consistent with the laws. But still the mode in which those transfers are made, or the orders of the civil courts respecting such transfers, may materially affect the value of the land. When the title to land is good, its value is high, and it is likely to be improved, other circumstances being favourable. But when the title is rendered doubtful, either by the misconduct of the owner or by the errors of the courts, the estate is likely to suffer greatly in value, if not to be entirely ruined. The prosperity of a district must therefore greatly depend on the mode in which civil justice is administered in it, and the collector is deeply interested in using his utmost endeavours to further its right administration.

285. But there are circumstances in the system, established in these provinces, which render it peculiarly desirable that the collector should keep himself apprized of the proceedings of the civil courts.

286. When an estate falls into arrears, and it becomes necessary to decide on the means which are to be adopted for recovering the arrear, the title to the property must be taken into consideration. If the proprietor be harassed by expensive litigation, it may be hard and useless to proceed against his person and personal property, and it may be the best course to transfer the property to another party, either by farm for a time, or by sale in perpetuity. This course need not prejudice the right of any person who has a better title to the estate than the person in possession, because he is at liberty to offer for the farm or to pay down the balance, and thus to save the estate from sale.†

287. The strong establishments and great influence of the collector may also be most beneficially exerted in supporting the authority of the courts. The decrees of the courts, when finally passed, are irreversible. It is essential to good government that their decrees be carried into effect as completely and speedily as possible. The collectors are efficient instruments for this purpose, and they can moreover exert great power with very little expense to the parties concerned.

288. These remarks will sufficiently indicate the spirit in which the collector should enter on the discharge of this part of his duties. He must altogether discard the petty jealousy which is sometimes found to actuate one class of public servants in their communications with another. He will regard all as working together for one common end, viz., the public good. In the system under which he is employed, the civil courts exercise an overruling power superior to his own, and that without reference to the persons who may happen to be judges at the time. Whilst, therefore, he keeps himself apprized of all material occurrences, he will dispose all his operations as much as possible, so as to facilitate the administration

\* See section 36, Regulation XXV., 1803.

† See section 9, Act I., 1845. [The principle of this enactment is extended to the case of farms by a decision of the Sudder Dewanny Adawlut, North-Western Provinces, dated 23d January 1849. See printed decisions.]

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administration of justice. He will afford his zealous assistance whenever it may be needed, and he will treat the orders of the court with perfect deference and implicit obedience. He is the officer of the courts of justice, and he is bound as such to execute their orders with intelligence and discrimination. If the order appear to be founded on a misapprehension of facts, or to be inapplicable to the real circumstances of the case, and is open to revision, he can submit his view for the court's consideration, and await further orders; but when his view is overruled, he must immediately give way, and carry out the instructions he receives to the best of his ability. Captious opposition must be avoided as much as blind indifference.

289. All communications with the courts in the capacity of their ministerial officer will be conducted by the collector in the form of proceedings in the vernacular language, or of English correspondence.\* It is not necessary in such cases to move the court by petition or through the Government pleader.

290. A collector should always bear in mind that he may probably be himself called upon at some future period to fill the office of judge, and that he possesses a valuable opportunity for watching the effects of this part of the system from a point of view which in many respects is most favourable for the purpose. He may often be able to trace the effects of litigation in the history of a family or a village community. He may be able to discern how much of the resulting evil arises from the bad passions of the parties, and how much from the faults or defects of the judicial system. These observations may suggest to him improvements either in the system or in its practice, which may be of great value, and which it may become his duty to submit for the consideration of superior authority on any favourable opportunity.

291. The occasions on which the courts call upon the collectors to execute their orders are where such reference is rendered necessary by the law, or where it is left optional with the judges.

292. The reference is rendered necessary by law in case of—

- I. The division of estates paying revenue to Government.
- II. The attachment and sale of land paying revenue to Government, or of considerable rent-free estates.
- III. The registration of transfers of landed property.

293. I. Division of estates.—It is provided by section 3, Regulation XIX., 1814, that this operation must always be effected by the collector of land revenue. The rules which have already been laid down in paras. 167–184, for the performance of this operation on the application of the parties, are generally applicable to its performance under orders of the civil court; but many of the steps of the process which are ordinarily submitted to the wishes of the parties or ruled by the order of the collector may come under the cognizance of the court. The court has adjudged a certain portion of the estate to be the property of the decree-holder, and is of course bound to see that he is fairly treated.

294. If the decree is for a fractional portion of an undivided estate, the court will see that a proper portion of the estate is conveyed to the decree-holder, in conformity with the rule prescribed in section 8, Regulation XIX., 1814, and the enactments therein referred to.

295. If the decree is for certain specified lands in a joint undivided estate, on which the collector is required to fix a fair amount of jumma, and thus to form it into a separate estate, the powers of the courts are more restricted, for the adjustment of the jumma is a function with which they have not † the power of authoritative interference. In all such cases, however, the collector should treat the representations of the court with deference, and, in finally reporting the case for confirmation under section 19, Regulation XIX., 1814, he should state any representations of this nature which may have been made to him, and the considerations which influenced him in disposing of them.

296. It

\* In determining whether the correspondence should be in the vernacular or English language, the rule laid down by the Court of Sudder Dewanny Adawlut, in their Circular Order of 18th April 1811, regarding discussions between judicial officers, should be observed; viz., that "all discussions regarding the relative powers of European officers, or animadversions upon points of a general nature, not immediately connected with the trial and decision of any case, should be conducted in the English language."

† See clause 2, section 12, Regulation VII., 1822.

296. It may sometimes happen that divisions are ordered in terms inapplicable to the state of property in a mehal. A decree may be given for a fractional share, when the estate consists of several separate independent properties, and it may be difficult, if not impossible, to determine how the decreed portion is to be separated, or from whose lands it is to be taken. Such cases were of more common occurrence when the nature of land tenures in these provinces was little understood, and the Sudder Dewanny Adawlut found themselves compelled to declare\* such decrees incapable of execution, and to order them to be struck off the file, with leave to the parties to bring fresh suit. Now, however, a remedy is provided in the proper stage, by requiring † every plaintiff to bring his suit in terms applicable to the state of property, and it will seldom happen that decrees are passed which cannot be easily carried into effect. If, however, cases of difficulty occur, the collector should explain the circumstances to the courts, and await their instructions. The instructions should be followed as far as may be practicable, but if the collector is still at a loss how to proceed, he should refer to the commissioner of the division, and be guided by his advice.

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297. II. The attachment and sale of landed property paying revenue to Government.—Under the provisions of Regulation V., 1827, the civil courts are bound to make all attachments of landed property through the instrumentality of collectors of land revenue. Entire joint undivided estates may be thus attached under section 26, Regulation V., 1812, whenever disputes amongst the proprietors produce inconvenience to the public, or injury to private rights. So also portions of estates may be attached under clause 2, section 5, Regulation II., 1806, and it must be remembered that whenever a portion or the whole of an estate is attached by order of the civil court, sale in realization of a balance can only take place at the end of the Fussily year, section 10, Regulation I., 1845.

298. Attachment also sometimes takes place to prevent waste preparatory to the sale of land, in execution of decrees of court. In such cases the collector, or the officer appointed by him to the management of the estates, ordinarily stands in the place of the former proprietor, and possesses no other powers than those which the former proprietor possessed. The remarks contained in paras. 72-76, regarding temporary attachment in consequence of default, are applicable to these cases of attachment under orders of the court. [But under section 4, Regulation V., 1837, the civil court has to state specifically the property to be attached, and therefore the extent of the attachment in the property indicated. The management only of the property rests with the revenue authorities. Whenever, therefore, the proprietors cultivate themselves, and their profits are derived from favourable rates on their seer lands, the court should be moved to state whether they desire the whole of the proprietary profits on the land to be attached. If such is the case, the collector will have to determine what is rightfully held as seer, and to fix on it a fair ryottee rate. The Resolution of 12th September 1848, (see Appendix, No. XXV.,) gives him the power to do this. If it be necessary to raise the rates of non-proprietary cultivators, he can do this under sections 9 and 10 of Regulation V., 1812, which by section 11 are made especially applicable to sequestrators on the part of Government. The commissioner should consider it an important part of his duty to provide, that estates thus held in trust by collectors are rightly and faithfully administered.] The present arrangement, which throws the rubbee kists into the official year following that in which the collections were made, is liable to occasion hardship. For instance, the collector may be required, after he has made the rubbee collections, to pay the amount into court before the rubbee kists are due to Government. In that case there would be a balance in the following year's accounts, which it might be hard to realize from the person then placed in possession. The collector should make exertions to prevent hardships of this kind, and he would no doubt be warranted in detaining the rubbee collections to make good the rubbee kists; but if through error or inadvertence this has not been done, the mere fact of the employment of the collector in executing this process of the court

Not printed.

\* See Rule 7, Circular Order, Sudder Dewanny Adawlut, No. 1143, dated 24th June 1842, given in Appendix, No. XVIII., to Directions for Settlement Officers.

† This will be found clearly set forth in the Circular Order of the Sudder Dewanny Adawlut, dated 3d August 1847, which explains and modifies their former order of 24th June 1842. See Appendix, No. XVIII., to Directions for Settlement Officers.



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court cannot bar the claim of the Government to the full demand. The Government is entitled to its jumma whatever may be the acts of private parties in their spontaneous transactions, or in the enforcement of their rights through the civil courts.

299. Sales of landed property paying revenue to Government, or of large portions of land exempt from payment of revenue, are made in the North-Western Provinces through the agency of the collectors of land revenue, under the provisions of section 6, Act IV., 1846. The considerations which influenced the legislature in adopting in these provinces a different course in this respect from what is enjoined in the Lower Provinces, were no doubt those peculiarities of functions and powers which have been mentioned at the commencement of this section. The rules under which such sales are to be conducted, as sanctioned by the Government of India under section II., Act IV., 1846, were promulgated by the Court of Sudder Dewanny Adawlut on 14th December 1846, and will be found in the Appendix, No. XXVII.

Not printed.

300. It sometimes occurs that, through the mistake or malicious design of the decree-holder, property is advertised for sale in which the person against whom the decree is issued has in fact no right or interest whatever. The sale in such case might occasion much alarm and risk to the real owners of the property, and the Circular Orders\* of the Sudder Dewanny Adawlut provide effectually for the prevention of such injustice. If the collector has reason to suspect that such is the case, he will be careful to inform the real owner of the property of the intended sale, and instruct him what steps he should take to prevent it. The civil court cannot set aside the sale merely on a remonstrance addressed to them by the collector; but if the party whose interests are affected petitions them, and prays an investigation, they cannot refuse to hear him.

301. Collectors must be careful to perform this duty with diligence and punctuality. They will not fail also to view such sales as affording them information regarding the value of landed property in their district. Inferences must not be hastily drawn from the sums bid at such sales, for the property often bears a fictitious value. The decree-holder may be willing to take the property in satisfaction of his entire demand, knowing that no other available assets can be found, or feelings of rivalry or enmity may lead to the offer of an excessive price, or perhaps the whole transaction may be collusive to bar the right of some third party. But it will be found that, after the rejection of all doubtful cases of this nature, there will still be left a sufficient number from which sound conclusions may be drawn regarding the market value of landed property, and the effects of the existing system upon its price. Few inquiries are likely to be more interesting, or to lead to more useful results.

302. III. The registration of transfers of landed property.—By section 11, Regulation III., 1803, the civil courts are required to furnish to the collector copies of all decrees regarding land paying revenue to Government. These should always be lodged in the record office with the other documents regarding the mouzahs to which they belong, and should be entered in their proper places in the indexes. The importance of this, as affording a local index to the decrees of court, has already been shown in para. 139. If the decree affects more than one mouzah, a reference to it should be made in the indexes of every mouzah affected.

303. On giving possession of landed property to any party under a decree of court, the judge orders mutation of names in the collector's malgoozaree register. This is the necessary consequence of the enforced transfer of the property. It may happen that the name of another person is entered in the register than that of the person whose exclusion from the property is ordered. If so, this should be certified to the civil court, and further instructions requested. The orders then issued should be immediately carried into effect, though the collector of course possesses the power of representing to the commissioner any injustice which he may perceive to result from the enforcement of the order.

304. When the person whose name is entered in the malgoozaree register is the mere representative of the village community, it may be that under the constitution

\* See Circular Orders, Sudder Dewanny Adawlut, dated 10th June 1842, and 21st May 1847.

stitution of the village as settled in the administration paper, the civil court does not possess the power of placing another person in his room. Whatever property the lumbaradar possessed in his own right will pass by the decree of the court; and if the effect of the decree be entirely to sever his connexion with the village, he will cease to be the representative of the community, but the right of election will then revert to the community, who will proceed to fill up the vacancy according to the rule locally in force. If the decree order severance from the estate of the land decreed, then the decree-holder will appear as the recorded proprietor of a new mehal, and the old community will elect a new representative for the remainder. This course of proceeding has been recognized by the courts.

305. If the person against whom the decree is passed is not a lumbaradar, and division of the estate is not ordered, the mutation of names will then only be made in the putwarree's paper, No. VII., by order addressed to that officer through the tuhseeldar.

306. When property is under litigation in the civil courts, instructions are sometimes addressed to the collector forbidding mutation of names (kharij dakhil) without the authority of the court. This proceeding is of the nature of a caveat. The collector is supposed to have the best and earliest information regarding intended or actual transfers. If the collector has reason to believe that a transfer of the property is taking place, notwithstanding the injunction of the court, he should warn the parties, and immediately apprise the court of the circumstance. If the transfer is allowed provisionally to take place, subject to the court's future decision as to the right of the transferrer, mutation of names should be made on this understanding.

307. In the above cases the courts are required by law to refer to the collectors the execution of decrees they have passed. Section 6, Regulation VII., 1825, further authorizes the courts "to require the aid of the collector in the enforcement of decrees whenever it may appear conducive to their speedy and complete execution, whether by giving possession to the parties entitled thereto, or by the adjustment of a wasilat account, or otherwise." The Court of Sudder Dewanny Adawlut\* have expressed their opinion of the expediency of the judicial authorities availing themselves, so far as may be practicable, of this power, and they consider it obviously calculated to conduce, in a very material degree, to the speedy and satisfactory execution of decrees regarding landed property. In such cases, as well as in others where a reference to him is enjoined by law, the collector is bound to yield a hearty and ready concurrence to whatever the courts may require. The judge is the person to determine whether the collector's agency is likely to be beneficial, and if the judge does so determine, the collector must obey.

308. In order to ensure the prompt attention of the collectors to this branch of their duties, quarterly returns are made † by the civil courts to the Sudder Dewanny Adawlut of all requisitions to collectors regarding the execution of decrees, which remain incomplete at the close of the quarter. The fourth column of this statement is headed, "Reasons assigned by Collector for non-execution," ‡ and is to be filled up by the collector himself, to whom the statement is forwarded by the judge for that purpose. When the judge does not consider the collector's explanation satisfactory, he excerpts § the questionable entry from the statement, and sends it to the commissioner of the division, whose duty it then becomes to inquire into the cause of the delay, and to instruct the collector in the course he should pursue.

#### SECTION VI.—*The Charge of the Accounts and of the Treasury of the District.*

309. It has already been shown in paragraph 147, how the collector's office becomes the place where the village accounts prepared by the putwarree are deposited.

\* See Circular Order, Western Court, No. 196, 30th September 1836.

† See Circular Order, Sudder Dewanny Adawlut, No. 127, dated 12th December 1834.

      "      "      "      "      No. 28, " 21st December 1838.

      "      "      "      "      No. 88, " 19th June 1840.

‡ See Circular Order, Sudder Dewanny Adawlut, No. 52, dated 2d May 1844, and Circular Order, Sudder Board of Revenue, No. 4, dated 28th May 1844.

§ See Circular Order, Sudder Dewanny Adawlut, No. 14, dated 1st May 1843.

deposited. These accounts are designed to show how much the proprietors collected from the cultivators, and when, and by whom, and on whose account the payments on account of land revenue were made by them into the public treasury.

310. Payments are made by proprietors into the tihseeldar's treasuries, all of which may be considered branches of the treasury at the principal station. The tihseeldar is only so far responsible for the safe custody of the money, as he is bound to see that all rules for the proper conduct of the duties of his office are properly observed. The tihseeldar or treasurer is the officer personally charged with the money, and he is always a nominee of the collector's treasurer, who is security for all the tihseeldars in the district. Whenever, therefore, the tihseeldar has given his receipt for any sum, the person who makes the payment is to that extent discharged from all further demand on the part of the Government, and the collector has to provide that the sum is correctly shown in the public accounts, and the cash carefully kept. There are, therefore, two sets of accounts to which his attention must be directed, viz., those furnished by the tihseeldar of sums received in his treasury and remitted to the collector's treasury, and those furnished by the collector to the accountant of sums received and disbursed from his own treasury.

311. The accounts furnished by the tihseeldar to the collector are in the Persian character, according to the system of notation called "Siyak," with which every revenue officer should be familiar. In the Appendix, No. XXVIII., will be found the directions regarding these accounts, and the forms prescribed by the Sudder Board of Revenue. The main check on the accounts consists in the obligation on the tihseeldar to despatch every day, before he closes his office, a copy of the journal (Seeaha), No. III., showing all the pecuniary transactions of the day. Arrangements must be made in the collector's office to ensure the punctual receipt of these, and the comparison of them with the periodical returns furnished by the tihseeldar in the middle and close of each month. It will be observed that the entries are chiefly those of receipts. The tihseeldar has no power of making disbursements without the special order of the collector, except in the case of the repayment of deposits received from the moonsiffs.

312. Provision must be made in concert with the police for the rapid and safe transport of treasure from the tihseeldar's to the collector's treasury, either at fixed times or whenever a certain sum has accumulated. The treasure should be brought in, if possible, in one day, but if the halt of a night is unavoidable, then the place selected for the halt should be strong and well-defended by a sufficient guard. During his progress through the district in the cold weather, the collector should examine the tihseeldarees, and see that the treasury is securely constructed, and that a vigilant guard is maintained over it, and that the sum actually in the treasury corresponds with what is shown in the journal (Seeaha).

313. The necessity for cash remittances from the tihseeldarees to the collector's treasury may often be obviated by orders on the tihseeldars to pay sums which have been received in the collector's treasury. It is sometimes convenient for private individuals engaged in mercantile transactions, or for officers of Government charged with the construction of public works, thus to receive the money they may require at a distance from the sudder station. Every effort should be made to facilitate arrangements of this nature, provided that all risk of loss be avoided. The most obvious precautions consist in providing that the money shall always be credited in the collector's treasury before the order on the tihseeldar for payment is given; and that the orders shall always be signed and sealed by the collector, and shall not be mere checks given by the treasurer on the tihseeldars.

314. The accounts furnished by the collector to the commissioner and to the accountant are in the English language. They embrace all the pecuniary transactions of the Government in the district, and are of course very voluminous. A full explanation of them is given in Mr. C. Allen's Accountant's Manual, which was published under the authority of the Government at Agra, in 1847, and rules are there laid down for the compilation of each. It is only possible in this place to give a few general observations on the nature and objects of some of the principal accounts.

315. The monthly treasury account shows every item of receipt and disbursement, arranged under appropriate heads. The greatest importance attaches to the

the correct compilation and punctual despatch of this document to the accountant's office. It is the document from which the books of the Presidency are made up, and those books cannot be closed till every treasury account of the year has been received from every Treasury.

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316. Each department of receipts has its separate system of check or registration. That which regulates the receipt of the land revenue the most requires to be studied and understood.

317. The Government, when it gives its sanction to the settlement of a district, determines the amount which in each year of the settlement is to be collected from every mehal in the district. This is shown at the commencement of every year for each pergunnah, as the instalments fall due, in a return (No. XIII. of the Manual) called the Pergunnahwar Kistbundee. This is checked in the accountant's office by comparison with the orders received from Government regarding the settlement. The total must neither exceed nor fall short of the sum sanctioned by the Government.

318. In order to show how this authorized demand is realized, the collector furnishes every month a document called hal touzeeh (No. VII. of Accountant's Manual), which gives the demand, collections and balances for the current month. The demand corresponds with what was furnished at the commencement of the year; the collections correspond with the credit entry under this head in the treasury account, and the balance must be carried forward and accounted for in the statement for the following month. The balance which remains at the close of the last month, *i. e.*, on April 30th, is the balance on the year's demand, and this, after deducting the remissions by Government in the year, is subsequently exhibited in a fresh series of accounts of outstanding balances of preceding years, called the Bukya Touzeeh (No. XVI. of Accountant's Manual), from which it can never be removed till realized or remitted by a special order of Government.

319. These outstanding balances at the end of the year form the subject of separate and detailed report to the commissioner, as has already been explained in para. 40 of this treatise.

320. Disbursements can only be made on the order of a competent authority, or on the receipts of public officers duly empowered to draw, or of individuals authorized to receive the sums in liquidation of audited bills, or in repayment of sums advanced under the head of deposits, or of sums paid into other treasuries for bills. Every entry under the head of disbursements must be supported by its voucher, when the treasury account is sent to the accountant, and every charge must be accompanied by the audited bill. The collector, therefore, in every payment has to prove that the claim was valid, and that the payee actually received the sum charged.

321. The inefficient balance is an anomalous but convenient device, by which the collector makes on his own responsibility certain payments on account. These he shows in his treasury account as so much cash in hand, till he procures authority for the charge and consequent audit, when they are transferred to the several heads of account to which they properly belong. As all unadjusted items under this head stand at the personal debit of the collector, he will be careful to keep the total within the narrowest possible limits, and not to make any disbursements without due authority, unless under very urgent circumstances.

322. The collector is personally responsible for the treasure in his charge. In the event of any embezzlement or loss occurring, he may be called upon to make good the amount, unless he can prove that he observed all the prescribed and usual safeguards against the loss, and that it occurred from circumstances beyond his control, or which could not be ordinarily calculated on. In order to aid him in his duty of keeping the treasure, he is furnished with the services of a native treasurer, who is usually a wealthy banker or merchant, and who finds substantial security to an adequate amount.\* It should be an invariable rule, never to leave

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\* Extract, para. 206 of the Sudder Board of Revenue's Circular Order, No. IV.:

206. The following rules are issued for determining the amount and description of security to be taken from native treasurers, and for regulating the pay of the office of treasurer.

The Board have divided the treasuries into three classes, as shown below, and have fixed the amount of security according to the responsibility of each. The amount of salaries thus fixed will be assigned to the several treasurers upon occasion of revising the establishments. For the present no alteration is necessary.

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at the entire disposal of the treasurer a larger sum than may be sufficient for the disbursements of a few days, and considerably within the amount for which he has found security. The surplus should be kept in chests of more than ordinary strength, and furnished with two locks, the key of one of which should be kept by the collector, and of the other by the treasurer. If the collector observe the prescribed rules regarding the seeaha,\* and daily see that it is brought up and balanced, he will be constantly informed of the amount of cash in the treasurer's hands, and will be able to avoid any risk of its exceeding the proper amount.

323. It is usual for a collector to devolve the charge of his treasury upon one of his assistants, or upon his deputy collector, who, if appointed under Regulation IX., 1833, must be especially empowered by the Government to act in this capacity.† This arrangement is on many accounts very advisable, but it does not relieve the collector from his individual responsibility,‡ nor does it absolve him from the duty of providing that every thing connected with the accounts and treasury is conducted with regularity and punctuality. It is essential to his character as a public officer, that he be well acquainted with the principles and mode of conducting this important branch of his duties, and he will find that carelessness or neglect in its performance will cause him great annoyance, and in the end unnecessarily occupy much of his time and attention.

324. It may be useful to enumerate a few of the points which need to be well arranged and constantly supervised.

325. Care must be taken that all items received are immediately brought to credit. The receipt of the treasurer renders the collector responsible for the money, so that if it be not immediately brought to credit in the accounts, an opening is afforded for embezzlement. This is particularly the case with deposits, and

FIRST CLASS TREASURIES :

Bhuttee Territory.	Futtehpoor.	Jubbulpoor.
Bijnore.	Goorgaon.	Kumaon.
Budaon.	Hameerpoor.	Mynpooree.
Boolundshehur.	Hurrianah.	Pilibheet.
Dyra Dhoon.	Hoshungabad.	Seharunpoor.
Etawah.	Jounpoor.	Shagehanpoor.

First Class.—In treasuries where the daily expenditure does not exceed 5,000 rupees, the treasurer shall furnish security to the amount of 25,000 rupees, and receive a salary of 50 rupees per mensem.

SECOND CLASS TREASURIES :

Allyghur.	Bareilly.	Mirzapore.
Aziingurh.	Goruckpore.	Moradabad.
Banda.	Muttra.	Saugor.

Second Class.—In treasuries where the daily expenditure is above 5,000 rupees, and does not exceed 10,000 rupees, the treasurer shall furnish security to the amount of 50,000 rupees, and receive a salary of 80 rupees per mensem.

THIRD CLASS TREASURIES :

Agra.	Cawnpore.	Ghazeepore.
Allahabad.	Delhi.	Meerut.
Benares.	Furruckabad.	Paneeput.

Third Class.—In treasuries where the daily expenditure exceeds 10,000 rupees, the treasurer shall furnish security to the amount of 100,000 rupees, and receive a salary of 150 rupees per mensem.

\* See Accountant's Manual, Part I., para. 93, page 18.

† See Orders of Government, Revenue Department, dated 19th November 1841, quoted in para. 16 of this treatise.

‡ The Resolution of Government, dated 1st November 1831, para. 7, declares that "all acts done by the deputy collector are subject to his sole responsibility." On 15th July 1839, it was also determined by the Supreme Government, that the collector's responsibility for the money in the treasury remains undivided, except when, for reasons of public convenience and in an authorized manner, he makes over entire charge of his treasury, taking a receipt for the cash transferred. When an uncovenanted deputy collector is placed in charge of a treasury by an official announcement in the Gazette, he is declared by the Notification of 19th November 1841, to be "responsible jointly with the treasurer for the custody of the public money, and for the proper observance of all the prescribed checks and accounts, but the collector is not thereby exonerated from his general responsibility as head of the office for the affairs of the public treasury." From these passages it may be gathered, that the collector, whilst in charge of the district, is never relieved from the obligation of maintaining an active supervision over the affairs of the treasury, and of providing that business is regularly and rightly transacted, but that the pecuniary responsibility for special acts may be devolved on the deputy collector, who is placed in charge in an authorized manner.

and can only be effectually checked by having a register kept in the Persian Department of all orders for the receipt of money, with which the credits shown in the accounts should be compared.

326. Sums should never be debited in the accounts till they are actually paid away. A lax system has sometimes prevailed, under which sums debited to the Government have remained in the treasurer's hands till it suited the convenience of the parties to receive them. This should never be allowed.

327. Such arrangements as are consistent with the prevention of fraud should be made for facilitating the transaction of business at the treasury. Care should be taken to protect persons who have to receive money from imposition, and from the vexatious delays occasioned by the cupidity or insolence of the underlings in office. It concerns the character of the Government that sepoys' family remittances should be promptly paid to the proper recipient, and money will be the more readily remitted by merchants through bills on the public treasury if they feel confident that they will be treated with consideration in their transactions with the collector's office.

328. The annual accounts regarding tucavee advances, outstanding balances of land revenue or abkarree deposit, law charges and inefficient balance, will be much reduced and simplified by attention to the earliest possible adjustment of all the items they contain. The speedy realization of tucavee advances and of land revenue balances is evidently desirable; but where immediate realization is impossible, no time should be lost in determining whether the item should be recommended for remission, or retained on the books. The trouble of deciding this point is often evaded by placing the item amongst those of which the recovery is declared "doubtful." When once sound policy or justice requires the remission of an item, its further exhibition as an unliquidated demand is objectionable. The unnecessary retention, under the head of deposits, of items which ought to be repaid to individuals, such as the proceeds of lands attached on account of disputes, or from any other cause not involving forfeiture of the proceeds, is an injustice to them, and needlessly keeps capital useless, which might be expended for the good of the country. Wherever the pergunnahwar arrangement of business, recommended in para. 13, has been introduced, it will be advantageous similarly to classify as many of the above items as may admit of it, in order that they may be examined by the persons conversant with the affairs of the pergunnah to which they relate, and in order that they may be brought forward and disposed of in connexion with other cases affecting the same property. It will often be found that the mehals, whose affairs occupy much attention, are really few in number, and that those which are once thrown into confusion give rise to cases in many different branches of the office. In order effectually to restore the affairs of the mahal to a proper state, it is necessary to take up at once all that may be pending regarding it, and to dispose of the whole equitably and consistently.

329. All separate accounts which do not appear in the public statements and books should be avoided. The public accounts should show all items of receipt and disbursement, and not the net receipts or disbursements in particular cases. Unauthorized funds are sometimes formed for public purposes with honest and even most praiseworthy intentions, but they are highly objectionable in principle; and the large sums devoted by the Government to the improvement of the roads and to public works in the district leave no pretext for these irregular practices. Under this head may also be classed an objectionable practice which sometimes prevails, of leaving the settlement of lapsed mafees, or other such lands, unreported for the sanction of the Government. As the jumma of these lands cannot be shown on the rent-roll of the district, all sums received from them are credited under the head of profit and loss, as collections from "lands not on the towjee." They are thus excluded from the checks which it is important to maintain over all items of land revenue.

#### SECTION VII.—*Miscellaneous.*

330. It remains to notice some of the duties incidentally devolved on the collector, which cannot be brought under any of the preceding heads.

331. The Local Agency.—By Section 9, Regulation XIX., 1810, the collector is constituted *ex officio* one of the local agents, on whom is devolved the care of public

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public endowments for religious or other purposes, and also of nuzzool property or escheats to the Government. With him are generally associated the civil surgeon, the executive officer of the division in the Department of Public Works, and any others who may be specially nominated by the Government.

332. It is not the wish of the Government \* that their servants should be concerned in the care of religious endowments more than may be absolutely necessary. Where interference is necessary, it should be restricted to the care of the temporal concerns of the endowment, and all control over the religious affairs should be avoided. Whenever the necessity of such a measure is apparent, the Government is prepared to appoint as local agents some respectable and trustworthy professors of the religion whose endowments are to be taken charge of, and these as a sub-committee will manage the affairs of the institutions.

333. The local agents are also charged with the duty of vindicating the right of the Government to all nuzzool property, or escheats, and also of managing the property, when the title of the Government to it is clear. In this capacity their powers are large, and as the collector is the person who is best informed on the state of property in the district, the responsibility rests upon him of providing that false or frivolous claims to property as escheats are not put forward. In most large cities or towns there are little patches of land, or public buildings, which are commonly considered Government property, and are perhaps entered as such on the canoongoe's records. Wherever any list of such claims exists, or can be made out, the earliest opportunity should be seized for deciding on the validity of the claim on the part of the Government. If there is no owner, the right of the Government is clear. If individuals not in possession advance frivolous or long dormant claims, they should be investigated, and a decision passed upon them. If the claim be rejected, the claimant can seek his remedy in the civil court. If a person be in apparent proprietary possession of the land, the claim of the Government should not be advanced except on the strongest ground, and it can only be made good by a suit in the civil court.

334. Property which belongs to Government should not be sold without the previous sanction of the Government. The land will be sold rent-free, or subject to the demand for land revenue; according as it may be excluded from the rent-roll, or may have been brought on the rent-roll at the time of the last settlement. Sale by public auction to the highest bidder will not be sanctioned whenever the acquisition of the ground may be made the means of personal annoyance. In such cases the land should be sold at an equitable price to the person apprehending the annoyance. Thus, land near a Mohamedan mosque or a Hindoo temple should not be sold so as to subject the religious feelings of the people to offence; and thus also the lessee of Government land, or the owner of land immediately adjoining it, should be allowed to purchase the proprietary right for a fair sum, without requiring the land to be put up to public competition. The title to land thus sold will not be valid till the sale has been confirmed by the Government, and it is always required that the extent and description of the land be specified as minutely as possible, both by a map and by written statement. When there is much nuzzool land belonging to the Government in the neighbourhood of large cities, it is much sought after for building purposes. The rules laid down by the Government for the adjustment of claims regarding such land in the neighbourhood of Agra, on 25th April 1845, were published by the Sudder Board of Revenue as a Circular Order, and will be found in the Appendix, No. XXIX.

Not printed.

335. The sums realized by the sale of nuzzool land are often devoted by the Government to purposes of local improvement, and the local agents become then entrusted with the care of public works of greater or less extent.

336. The One per Cent. Fund, or Road Fund.—At the time of the settlement, the zameendars agreed to contribute one per cent. on the Government jumma, in commutation of the obligation, which rested upon them to keep in repair the public roads passing through their estates. The sum thus contributed is incorporated with the Government demand, and is leviable at the same time and by the same process as the public revenue. It is realized by the tuhseeldars, and is remitted by them to the public treasury, where it is credited under the head of deposits, and is paid out from thence on bills in English, signed by any three members.

\* See Despatch, No. 17 of 1841, from the Honourable Court of Directors, dated 26th August 1841.



members of the local committee. This committee is constituted under a resolution of the Government, dated 10th February 1841, and is vested with the charge of all the roads in the district, except those which may be maintained by the Government.

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Land Revenue.

337. The collector is hence *ex officio* the treasurer of the fund, and he is bound from his position to take a prominent part in the proceedings of the committee. He is responsible that the faith pledged to the proprietors of land at the time of settlement is fairly kept, that they are exempted from all requisitions to repair the roads themselves, and that the roads are kept by hired labourers in proper repair for them. It is only after this primary object of the fund has been amply provided for, that any surplus money which may remain can be appropriated to the improvement of the main lines of communication by the erection of bridges, or by raising and metalling the road.

338. Supplies for Troops.—All proprietors and farmers of land are bound, under the provisions of Regulations XI., 1806, and VI., 1825, to facilitate the march of troops through the country by providing the means of transport across the rivers, and by furnishing supplies, and on failure to do so, they are subject to fine. On the other hand, the Government engages to reimburse them all expenses on these accounts, and also to compensate them for any damage done to standing crops by the passage of troops. The collector is charged with the duty of making these arrangements, and hence is furnished by commanding officers with timely notice of the approach of all troops, and of the route by which they will march, and the places at which they will encamp. He is responsible that the troops meet with no impediment, and that the owners are fairly paid for all articles which they may furnish to the troops. Repeated orders have been published both in the Civil Department to civil officers, and in the Military Department to the commanding officers of regiments or detachments, to ensure the attainment of these important ends. The most important of these standing orders have been collected together into a small pamphlet, entitled "Selected Orders, Civil and Military, regarding the March of Troops, &c.," which was printed under the orders of the Government at Simla in 1847; and a supplement was printed at Agra in the following year. It will be seen that the arrangements in this respect along the Grand Trunk Road have been made with particular care. Their strict maintenance is essential to the efficiency of military operations, and to the comfort and well-being of the inhabitants along the road.

339. Pensions.—It is unnecessary here to recapitulate the rules which were prescribed for deciding on claims to pensions granted by former Governments. These investigations, held under Regulation XXIV., 1803, section 17; Regulation VIII., 1805; Regulation XXII., 1806; and Regulation XI., 1813, were the occasion of much fraud, and were protracted through many long years. It is believed that all such claims have been now decided, and that the collector has only to concern himself with the payment of those whose right has been recognized.

340. Pensions are of several kinds, the most important of which deserve distinct mention.

341. I. Those pensions which have been granted under section 2, Regulation XXIV. in lieu of perpetual rent-free grants, are not liable to resumption, but constitute a heritable transferable property, liable to become the subject of litigation like any other property. There is some reason to believe that this distinction has not always been kept in sight, and that few pensions have been specially declared to be granted by Government under this law. It may be observed that under the provisions of Regulation VI., 1817, the grant and confirmation of such pensions rests entirely with the Government, and that they cannot be claimed in a court of law; but, when once granted and confirmed by the Government, claims regarding the disposal of them can be heard by the courts. As these pensions are likely to be divided into small portions, and the payment of them entails much trouble and responsibility on the collector, it has been proposed to buy them up at a number of years' purchase corresponding with their market value. Proposals to this effect can at any time be made.

342. II. Treaty Pensions.—These are pensions which were stipulated for in treaties with independent princes on the first acquisition of the country, and to the punctual payment of which the national honour is pledged. They are either in perpetuity or for one or more lives, and great care will be necessary on the death of each pensioner to ascertain whether his heir is entitled or not to succeed.

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343. III. Pensions granted under any other clause of Regulation XXIV. of 1803 than Section II.—These are pensions continued to persons who held them at the time of the acquisition of the country, and the renewal of them to heirs cannot be claimed of right. Where any special grounds exist for the renewal of a whole or part of the grant, either on grounds of policy or charity, a representation of the circumstances must be made to the Government. Unless the grant be renewed, it lapses as of course.

344. IV. Pensions in lieu of resumed rent-free grants.—These are eleemosynary allowances, given by the Government to lessen the hardship attending the resumption of rent-free lands, held on invalid tenures, from those who had been long in possession of them. They are only life pensions, and terminate on the demise of the parties from whom the resumptions were made.

Not printed.

345. V. Superannuation Service Pensions.—These are granted to servants of the Government, under rules which have been already given in Appendix, No. I.

346. Although the grant or renewal of any of the above pensions (except those held under section 2, Regulation XXIV., 1803) cannot be claimed \* in a court of justice, yet it is declared in section 16, Regulation XXIV., 1803, to be “the duty of the collector to see that all just and authorized pensions are duly paid;” and that “where any person may deem himself aggrieved by the act of the collector in respect to a pension, it shall be competent for him to sue for redress in the civil court of the district.”

347. Pensions granted by Government are not liable to attachment in execution of decrees.† This must be held applicable to all pensions which are not given by Government under sections 2 and 3, Regulation XXIV., as in commutation of perpetual or life rent-free grants.

Not printed.

348. Collectors are personally responsible that they pay the pensions to the right persons. Great vigilance is necessary to prevent impositions in this respect, and especially to provide that the lapses of life pensions be punctually reported. The rules on the subject have not hitherto been easily accessible: They will be found abstracted in the Appendix, No. XXX.

[The APPENDICES to these Directions have not been given, as they consist principally of forms and statements, mostly in the vernacular languages, adapted only for official use.]

## II.

II.  
Minute by Lieu-  
tenant-Governor  
of North-Western  
Provinces.

MINUTE by *T. C. Robertson*, Esq., Lieutenant-Governor of the North-Western Provinces; dated 15 April 1842.

THOUGH a few districts still remain to be reported on, yet the survey and settlement of these provinces has so nearly approached to its completion, that the time seems to have arrived when it becomes my duty to record my sentiments on the progress and probable results of that great measure.

2. The objects proposed to be embraced by the survey and settlement are numerous, and of a varied character, some falling naturally under the department of revenue, and others belonging rather to the departments of judicial and general administration.

3. Of the first class were the following:—

1st. The revision of the assessment.

2d. The better division of the kists or instalments.

3d. The demarcation of the exterior boundaries of estates or villages.

4th. The correction of the system of accounts at the tehsildar's offices, and the arrangement of their records.

5th. The formation of a fund for the construction of roads.

The succeeding items appear to belong to the second class, and to have only a constructive connexion with the department of revenue.

6th. The

\* See Constructions by the Sudder Dewanny Adawlut, No. 230, 12th January 1816, and No. 343, 6th July 1821.

† See Construction of the Sudder Dewanny Adawlut, No. 788, 3d May 1833.

- 6th. The provision for the support of the village police.
- 7th. The resumption of all hidden rent-free tenures brought to light by the survey.
- 8th. The re-casting and reduction of the talookas or larger tenures.
- 9th. The demarcation of the component portions of every village, and the recording of the several rights comprised therein.

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4. These were the objects aimed at; and it may be as well here to say, that all of those above included under the first head, and most of those in the second, are in my opinion such as every well-wisher to the country would desire to see steadily pursued. There was much, indeed, in the prospectus of the scheme to command my hearty concurrence, for, as the correspondence that preceded the enactment of Regulation I. of 1821 will show, I was, I believe, about the first person in these provinces to call the attention of Government to the destruction which our system of rule, with its fixed forms and shifting agents, has ever a tendency to bring on the village institutions of the country. The correspondence of the same period will also show, that the difficulty of maintaining those institutions against another danger not originating with us, that proceeding from the recognition of a proprietary title in the person of a talookdar or other superior landholder, had not escaped my observation.

5. Coming, therefore, to the work of revision with such strong prepossessions in favour of much of what the project promised to accomplish, it was with sincere regret that, after having confirmed at the outset the settlements of the districts of Bareilly, Shajehanpoor, Furruckabad, Goruckpoor, Seharanpoor, and the Bhutty country, I felt compelled to proceed more slowly for awhile, and at last to postpone all further ratification until the receipt of the next annual report on the administration of the current year.

6. My hesitation was caused by the symptoms of precipitation and of a craving for despatch which I discerned in several quarters; but it was to the province of Benares that my attention was most forcibly called, by a cloud of petitions from landholders of every grade, protesting against what they accounted an infraction of their rights under the settlement of 1795, and demanding redress for wrongs sustained at the hands of those employed to carry the new measures into effect. My own opinion on the legal merits of the question being favourable to the protest, I suspended the progress of the operations pending a reference to the Supreme Government. My sentiments are given at length in my letters to the Governor-General in Council, of the 15th August and 21st November 1840; and though I cannot say that my arguments were answered, yet, as my objections were overruled, the measure was, of course, suffered to proceed.

7. On the operations recommencing, I added three covenanted officers, Messrs. Wyllie, Barnes, and Wynyard, to the two, Messrs. Chester and Raikes, who alone had been before employed to superintend a large native establishment spread over five wide districts, and so scattered as to defy control. I then directed that each of these officers should have a portion of country not exceeding 400 square miles under his control, and be held answerable for any malpractices of those employed within its limit. On this arrangement taking effect, the complaints of abuse and extortion which before had been frequent, and were but what was to be expected from the disproportion between the operative and controlling agency employed, entirely ceased.

8. But it was not in Benares only that I saw reason to fear that a degree of speed was aimed at not to be attained to, but by an omission of some of the precautions necessary to prevent abuse. In one district, that of Futtehpour, I found a charge of malversation against a native deputy collector rejected without inquiry by his European superior, and I found that this conduct was approved and defended by those under whom he acted. In many quarters I saw indications of young officers acting at variance with their own conviction, under an impression that despatch was the one thing required of them; and I found no reason to doubt what the natives generally asserted, and many of the best-informed Europeans admitted, that the introduction of the survey and settlement into even the best-managed district in the provinces was equivalent to a direct impost of at least a lac of rupees on the agricultural classes of its inhabitants.

9. Having now given my reasons for proceeding more slowly in the discharge

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of my duty, and looking more narrowly into the merits of such settlements as I confirmed, which were those either for the whole or a portion of the districts of Allahabad, Allyghur, Mynpoory, Bolundshahur, Pillibheet and Bijnore, until at last I came to the resolution of postponing all further ratification until the receipt of the next annual report. I shall now proceed to notice *seriatim* the several objects which I have at the commencement detailed, as those which the settlement professes to embrace.

10. *The revision of the settlement.*—This duty has, I am induced to believe, been performed with consideration and judgment; increase of revenue has not been the object aimed at, especially in the later settlements. The subjection of every span of land to assessment in consequence of the scrutinizing survey may account for the complaints that are occasionally heard, and the soreness caused by the survey and settlement operation in every district must at the outset have made the exaction of even a moderate jumma be felt for a season as a grievance. I have not, however, as yet found cause to return any settlement for revision on the ground of excess on the jumma imposed.

11. *The better division of the kists.*—The introduction of the four instalments in the year is, I have been assured by some of the minor zemindars, felt as a blessing by those of their own and the inferior ranks, though for some reason it does not seem to be so acceptable to others of a higher grade. The tendency of the measure to liberate the ryot from the power of the money lender is alone enough to command my sincerest wishes for its complete success.

12. *The demarcation of the exterior boundaries of estates and villages.*—This work, having necessarily been executed under the eye of a European officer, has been admirably performed, and will doubtless be attended with the best effects. The only two cases connected with this branch of the work, wherein it has been thought necessary to call for explanation, will come before the Supreme Government. The one occurred in Jounpoor; the other concerned a dispute between the Rājahs of Benares and Byeeghur. In both instances the law seemed to me to be made to bend to what was deemed to be expedient.

13. *The correction of the system of accounts, and the arrangement of the records in the offices of the tehsildars.*—This, I am assured, has been judiciously done, and promises to be productive of great public benefit.

14. *The formation of a fund for the construction of roads.*—The one per cent. on this score is, I fear, not regarded as a deduction from, but as an addition to, the regular assessment. The measure will be beneficial, but cannot be popular, for the people seem to care little for what we account well-made roads. Still, excepting in Benares, where it cannot be enforced without an apparent breach of engagement, the measure is a good one, and will, doubtless, in the long run, be duly appreciated by the people.

15. *The provision for the support of the village police.*—This is often complained of, and generally, I suspect, felt as a grievance. The remuneration in the shape of certain dues and perquisites is a very different thing from a direct payment in money, levied and realised as Government's revenue, which must either proceed from the zemindar's own funds, or be raised by a cess on the whole village. In neither case can the measure be popular, nor am I quite sure that the presence of a paid chowkydar will ever be welcome, even if it involved no extra charge. Such a functionary as a servant of the Government will lord it over the Brahman or Rajpoot on his own domain. There is in this an inversion of the social order of the country, such as must cause heartburnings and mortification in that class of our subjects whose affections it is most our interest to conciliate. An abatement in the number of burglaries and thefts is but a sorry compensation for such a consequence, or for the no less pernicious result of the zemindar taking advantage of the presence of a paid police officer to exonerate himself from all responsibility for what occurs within the sphere of his influence. I must therefore declare that I am not sanguine in my expectation of good to ensue from the police portion of the settlement work.

16. *The resumption of all hidden rent-free tenures brought to light by the survey.*—The proceedings in this department have in these as in the Lower Provinces been marked at the outset by a hard and harsh dealing with individual rights,

rights, gradually, but I fear reluctantly, yielding to the tampering influence of the orders which from time to time have issued from superior authorities, especially the Honourable Court. The settlement officer swept up without inquiry every patch of unregistered rent-free land, even those under ten beghas, exempted by a subsequent order, which did not come out before five-sixths of the tenures had been resumed. In one district, that of Furruckabad, the obligations of a treaty and the direct orders of Government were but lightly dealt with, and in all a total disregard was evinced for the acts even of such men as Warren Hastings and Lord Lake. In a few instances I have found it necessary to interfere in this department, in order to bring the proceedings into a conformity with the late resolutions of the Supreme Government, and the injunctions contained in the Honourable Court's despatch of the 9th May 1838.

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17. *The recasting and reduction of the talookas or superior tenures.*—This is a question which I shall probably bring more particularly under the notice of the Supreme Government in a separate reference. I have already said that I have had some experience of the difficulty of maintaining the privileges of the talookdar, without damaging the rights of the village proprietors, and it may thence be inferred that I should have willingly entertained any well-digested plan for reconciling these somewhat conflicting titles. I was not, however, quite prepared to acquiesce in the very summary process whereby the settlement officers and their superiors got over this difficulty, and of which I here exhibit a few specimens.

18. The Rajah of Mynpoory, whose predecessor had received the highest acknowledgments from the British Government for his unshaken loyalty, when the district was overrun by Holkar's army, in the year 1804, was, without a reference to Government, under the construction put on the right of a talookdar, deprived entirely, he and his successors in perpetuity, of all power of interference in 116 of the 158 villages included in his talooka, which had descended to him in regular succession before the introduction of the British rule.

19. Etah is another talooka that has been very summarily dealt with. On the 15th May 1828 it was ordered by Government that an engagement should be taken from the Rajah, and I have still to learn the reasons that induced the revenue authorities to think themselves justified in setting that order entirely aside. The two talookas just noticed are in Mynpoory; and I have thought it right to suspend final confirmation of the settlement of that district until the explanations called for regarding these two tenures shall be received.

20. In Allyghur, Teekum Sing, the Rajah of Moorsan, has had his talooka curtailed by the severance of 138 of the 216 villages which it contained. The village proprietors, with whom the settlement was made to the exclusion of the Rajah, proved in many instances unequal to meet the obligation they had incurred. The Rajah, who had instituted suits to obtain a reversal of the decision of the revenue authorities, felt apprehensive lest the tenure should pass by public auction for arrears of revenue to a third party before his case in court could be brought to a final hearing; he therefore sought to be allowed to recover, by payment of the balance due to Government, any village advertised for sale; and this indulgence, being in strict conformity with the spirit of Regulation IX. of 1825, was secured to him by that interference of Government, of which the late senior member of the Sudder Board, in the 83d and 84th paras. of his minute of the 21st January last, seems to complain as a grievance.

21. The whole argument in the passage cited on the effect of that interference on the welfare of the village communities seems to be fallacious. It is very obvious that the revenue was secured by having the Rajah at hand to pay it up, in case of default; and if the village must change hands, it was surely better that it should revert to its previous superior, from whom it had been but recently and somewhat violently taken, than that it should pass to a stranger by the ever-injurious process of a sale. The Rajah was but pursuing a legal course when he sought to recover by suits in the civil court that position in various villages which he had held from the commencement of our rule to the time of settlement; and that he had some cause to look to Government to protect him in so doing will appear from the correspondence in the very curious case referred to in the margin.

22. It will be seen that on the Rajah winning one suit, and having the prospect of gaining more (for the parties sued are stated to be disposed in most

(Appendix (B))  
(Not printed.)

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instances to admit his claim), the collector was ordered by the Sudder Board not to carry the decree passed in his favour into effect. When this rather unusual proceeding was overruled, the collector was next ordered to record the Rajah only as the biswadar of the recovered village, under which subordinate title it seems to be intended to make him pay 18 per cent. extra on account of his own claim as talookdar, of which perquisite he is in the latter capacity to be mulcted for his presumption in carrying such a case into court.

23. I reserve for the sequel my remarks on the policy of thus roughly handling these tenures, whence all that remains of an aristocracy in the land derives its support; but I must here observe that there is a striking inconsistency on the imposition of 18 per cent. on a village severed from a talooka as a compensation to the talookdar. If that personage has not a title, such as it is found impossible entirely to reject, why saddle the land with this cess in his account; and if he has a title, ought it not to rest with some more impartial authority than a zealous settlement officer bent upon the realization of schemes, to which these very talookas are a serious obstacle, to set it aside?

24. It will not, I conclude, be contended that the possession of a talook entails no duties on the talookdar; why then should the equivalent, or what is esteemed such, for the talook be given to him for doing nothing? The sum paid, it is true, is not esteemed as an equivalent for what is lost, for how can any sum so paid make up to men of ancient family for the degradation of their house? But this only serves more clearly to prove the immense value that attaches to the title which the settlement machinery so summarily cuts down or crushes.

25. *The demarcation of the component portions of every village, and the recording of the several rights comprised therein.*—This is what is technically called the Khusreh survey; it is a necessary preliminary to a settlement that had better, perhaps, have been kept separate from the scientific survey. The khusrehs done in connexion with that operation have, many of them, been found inaccurate, and have had to be entirely revised by the settlement officers. It was in the formation of this record by the persons employed under the surveyors that the greatest abuses are alleged to have been committed. The powers entrusted to those subordinates were immense, and must have appeared to the people in the villages even greater than they really are. To have an irrigated field put down as unirrigated, or a cultivable tract as a barren one, were objects of such value in the eyes of a village zemindar that he would pay well to secure them, even with the chance of the errors being corrected by the settlement officer.

26. This, however, was a temporary and a transitory evil; the permanent defect of this part of the settlement will, I suspect, be found to consist in its aiming at too much; seeking to give a detached and separate durability to rights which exist only from their mutual and almost indefinable connexion with each other. To keep up a record of the circumstances of every field there must be a constant interference of the executive in the affairs of every village, or, it may be said, of every villager, which would be irksome to any people, and will, I suspect, prove intolerable to the natives of India. Already has it been found necessary in many quarters to get rid of the old putwarrees, and employ in their stead more efficient accountants; but even with those an almost unattainable vigilance will be required to prevent the progressive illapse of error and confusion.

27. I have done my best to contribute to the success of the measure by promoting a conference between the Sudder Dewanny Adawlut and the Sudder Board, with a view to such a moulding of judicial proceedings throughout the country as may give all possible force to the record compiled at the settlement, and intended to keep pace with the alteration that may ensue. I am not, however, sanguine in my hopes of much being in this way done towards sustaining the village communities, for experience leads me to think that these ever thrive best when protected against encroachment from without; they are left to the undisturbed adjustment of their own internal relations. I fear lest it may be found hereafter that those village institutions which have survived foreign invasion and general revolution in the state are not proof against an over-fond meddling with their details.

28. In making out our rigid record of rights, sufficient allowance, as it appears to me, is not made for the action of the common passions of mankind. By setting

setting up each little shareholder in the distinct independent possession of his several portion, we may place them and their respective wives and families in a state of rivalry, if not of hostility towards each other, and, destroying all the obligations of deference on the part of the inferior, we may abolish the reciprocal obligations of protection and assistance on that of the superior partner. The latter might have been ready to assist, while he regarded him as one attached to and leaning on himself, the very shareholder whose embarrassment in his independent capacity of a separately registered partner he will contemplate with indifference, perhaps with complacency.

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29. I have dwelt so long on the separate items of the great work under consideration that I must be brief in my comments in its general scope and tendency. These, it can hardly be denied, are of a decidedly levelling character, and calculated so to flatten the whole surface of society as eventually to leave little of distinguishable eminence between the ruling power and the cultivators of the soil.

30. It is a fearful experiment that of trying to govern without the aid of any intermediate agency of indigenous growth, yet it is what it appears to me that our measures now in progress have a direct tendency to bring about. In a short time all may stand on a new basis; the village watchman and the village accountant may be persons in the direct service of that Government of which the village proprietor may appear but the nominee; while every trace of superior existing rank will, I apprehend, disappear under the threefold agency of the parcelling of talooks, the resumption laws, and that late act regarding sales by which the Government has placed a restriction on the exercise of its own prerogative of mercy.

31. Far ahead as, in movements like the present, the real objects often are of the avowed, there are yet, I am aware, many who candidly admit the fall of what we may still call the aristocracy and gentry of the country to be no improbable consequence of the system we are pursuing, but who look forward with confidence to the regeneration that is to spring from their decay.

32. Such speculations may be safely indulged in by individuals; but it is not for a Government thus to seek to escape from the practical duty of endeavouring, in giving content to the people at large, to avoid giving disgust to particular classes, or of preventing property from being dealt with in disregard of the remark of a profound politician, that "a man will sooner forgive the death of his father than the loss of his inheritance."

33. It is in this respect that the settlement to me appears most open to exception; assuming the absolute correctness of its own principles, and acting upon these with a speed that ill accorded with its judicial character, it too often refused to pause to weigh the various merits of any claim that presented an obstacle to the high pressure pace of its progress.

34. It was impossible that those employed should not have their minds somewhat tinged by the colour of the work they were engaged in; and I am not, I believe, mistaken in saying that a disposition to look upon men—perhaps I should say natives—as mere units of the mass, about which alone it is becoming to feel any interests, has of late grown very prevalent among the junior portion of the civil service.

35. Conducted upon somewhat arbitrary principles, the settlement has not encouraged much independence of mind among its agents; and the uniformity that pervades all the reports which I have as yet perused is very remarkable in the productions of a service whose most prominent characteristic used to be a free and fearless expression of opinion on the part even of its youngest members.

36. It is, among other objects, with a view to give the local officers of revenue the same opportunity of expressing their sentiments as is enjoyed by those in the judicial branch, that I have directed a modification of the annual report to take effect from the close of the current year. Meagre as the reports hitherto furnished are, they are now two years in arrears; and for those thus due, I have been induced to accept of Mr. Bird's minute as a substitute, in the hope that I may thus facilitate the introduction of the new plan.



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37. Until the present report to be furnished under the orders alluded to comes in, I have determined against passing final orders on any settlement, because I cannot till then judge fairly of the manner in which it works.

Year.	Transfers.	Sales.	Farms.
1839 - - -	96	79	197
1840 - - -	151	91	191
One-third of 1841 -	31	50	58
One-half of 1841-42	23	35	113

In many quarters I discern symptoms of partial failure in the numerous sales and transfers that have taken place; but I defer pronouncing any opinion on the probable success of the whole measure until I shall see the report, embodying the sentiments of all the revenue branch of the service, which may be looked for soon after the close of the current official year.

38. In conclusion, I beg to draw attention to a very able paper on the subject of the settlement drawn up at my request by Mr. C. Grant, the officiating accountant of these provinces.

Agra, 15 April 1842.

(signed) *T. C. Robertson.*

### III.

III.  
Report on the Settlement of the North-Western Provinces.

REPORT on the Settlement of the North-Western Provinces, by  
*R. M. Bird, Esq.*; dated 21 January 1842.

IN recording, before I retire from the Board, some remarks on the general settlement of these provinces, now on the verge of completion; I propose to draw up the paper in my own name.

2. The superintendence of this great measure having fallen to my immediate charge, it appears more proper that what I have to record should come directly from myself.

3. It has been supposed by many, that all the various arrangements, essential or incidental, of the settlement have had for their immediate object such an accurate ascertainment of the resources of the land as would ensure to Government its full share of the rents or produce.

4. I am therefore desirous distinctly to state, that the greater part of the measures which have now been carried through had been many years before planned and elaborated by me, as measures of a purely judicial character, when I was holding a judicial office, and had no prospect of ever being employed in the Revenue Department.

5. I allude particularly to the decision and demarcation of boundaries; the defining and recording the separate possession, rights, privileges and liabilities of the members of those communities which hold their lands in severalty; the framing a record of the several interests of those who hold their lands in common; the providing a system of self-government for the communities, the rules framed with their own consent, according to the principles of the constitution of the different tenures; the preparation of a record of the fields, and of the rights of cultivators possessing rights, and the reform of the village accounts, and completion of a plan of record by their own established accountants; and, according to their own method, by reference to which the above points of possession and right might, under the various changes to which property is subject, continue to be ascertained.

6. To the above, I may add the introduction of such a system of accounts into the offices of the subordinate native collectors (tehseldars) as might serve to perpetuate and secure the records of the above-stated matters kept by the village accountants, and an entire re-arrangement of the records of the collector's office with a view to the same object.

7. These

7. These views and purposes were the result of a long and careful study of the landed tenures of Upper India, and of the effect of our revenue and judicial systems upon them, carried on in the fulfilment of my function as a judicial officer. I was induced to enter in the investigation by the conviction forced on me by painful experience, that not only were our tribunals unequal to the ascertainment of rights, and protection of those who possessed them, but that the combined effect of our revenue and judicial systems was, and could only be, a continual subversion of all rights and of all property in land, unless our systems could be made to bear a more exact relation to the institutions and habits of the people.

8. I found, however, that when my investigations were completed, and my plans formed, I had no means nor opportunities of bringing the views of the soundness and utility of which I was satisfied to any practical effect. A judicial officer has no official facilities for bringing plans of general usefulness into practical operation.

9. I embraced, therefore, with avidity the offer of the appointment of Revenue Commissioner to conduct the settlements of the Goruckpore Division, as affording the ready means of carrying out my purposes, and testing both the soundness and the practicability of my views by actual experiment.

10. I was satisfied of the general soundness of the views put forth by Government in Regulation VII. of 1822. I was convinced that practical operation might be given to those rules. I saw no reason to doubt the assessment of a fair and moderate revenue on the land might be so combined with an ascertainment of private rights and the cultivation of the village communities, that such records might be framed, such principles fixed, and such sanitary processes put in action, as would correct the evils which had eaten like a canker into the very vitals of landed property and agricultural prosperity.

11. On these principles I commenced operations at Goruckpore. The late Lord William Bentinck, having visited that district the following year, communicated fully with me on my plans, and by his command I maintained a constant correspondence with him on the subject: the result was, his calling me, in the year 1832, to the office in which the superintendence of the settlements of the North-Western Provinces has devolved principally upon me.

12. I have thought it right to record thus much at the risk of suffering the imputation of egotism, because those who are uninformed of, or but imperfectly acquainted with, the nature of Indian affairs are prone to an ignorant and prejudiced suspicion of any measure which has originated with a revenue officer.

13. It has appeared to me, therefore, to be conducive to the general benefit that I should state whence the peculiar measures which have marked the conduct of the present settlement have really sprung; to show that they have arisen from the long-continued and painful and disinterested researches of a judicial officer, into the best mode of obviating the difficulties and promoting the welfare of the landed interest of the country; of one who undertook the duty of a revenue officer only with the view of giving practical operation, as an administrative agent of Government, to those plans of good, and remedies for evils of the body politic, which must otherwise have died abortive.

14. I will only add, that when it became my duty to add the ascertainment and fixation of a just amount of revenue to the other objects which had mainly prompted my acceptance of the charge, it very shortly appeared that the same methods of procedure which were best calculated to determine the rights of individuals were also most conducive to the ascertainment of such an equal and moderate revenue demand as is most for the interest of the state.

15. The aids which could be obtained from the people themselves were most valuable in this respect. The coincidence of the results obtained through the inquiries of so many different officers in distant districts, and pursuing their investigations in various modes, though under one common guiding rule and principle, cannot but be viewed as affording evidence of the correctness of all. On the whole, there is, I think, just reason to consider that a moderate, fair and equal demand on the land, such as can and ought to be collected without interfering with the accumulation of property, and the march of agricultural prosperity, has, generally speaking, been fixed; and that where, through the effects of previous errors, the attainment of, or even approach to, equality became impossible, yet all the measures adopted have had a tendency to that end.

16. I proceed to record the specific remarks which I consider it may be useful to Government to possess.

#### DEHLIE TERRITORY.

17. I propose to speak of this territory as one tract.

18. It has been both over-assessed and mismanaged, and a great neglect of sound principles has obtained in the administration.

19. The tract must be viewed as consisting of two very differently circumstanced portions, viz., that portion which has the advantage of canal irrigation, and that which has not.

20. The former possesses every element of agricultural prosperity, is well peopled, pays a fair amount of revenue, as in all respects, in flourishing circumstances, it has been in some instances over-assessed; but the pressure has now been removed, and there is every reason to expect that the condition of the cultivators will steadily improve.

21. It must, however, be stated that the whole amount of water which can be obtained from the Jumna is now used up, and that there is no prospect of any future increase in the extent of irrigated surface.

22. The irrigated portion includes such parts of pergunnahs Paniput and Soneput Bangar, and of north and south Dehlie as the canal can supply; part of pergunnah Gohana, a portion of pergunnah Rhotuck, and part of pergunnah Hansie.

23. The remaining portion of the territory depends altogether on the seasons, artificial irrigation being impossible from the great depth at which alone water is attainable, as also from the brackishness of the well water.

24. The whole of this portion, which comprises all that has not been previously excepted as having canal irrigation, must always afford a precarious return to the husbandman; it requires, therefore, to be assessed with extreme moderation. It is, indeed, and will be for a long period to come, of more importance to give the people a taste for accumulation and the arts of life, by leaving a large proportion of the produce raised in their own hands, and forming them to habits of regularity and punctuality, by the punctual collection of a very low revenue, than to attempt to obtain from this tract any increase of resources for the state.

25. I consider, therefore, that no increase of resources can be expected from the Dehlie territory on a revision of settlement, unless Government should hereafter open a canal, fed from some other stream than the Jumna in some other quarter. In that case, of course the rate of revenue on similar soils may be made equal to that levied on the villages now blessed with canal irrigation.

26. The main part of the tenures in Dehlie are putteedaree.

27. The average price of wheat for a period of 10 years previous to settlement was 73½ lbs. avoirdupois in the rupee.

28. I proceed to the first or Meerut Division, and the first district to be noted is Suharunpore.

29. This district had been partially very much over-assessed, and the measures employed for collecting the revenue had been equally harsh and illegal: some of the communities composed of the most industrious classes had been cruelly depressed.

30. Every effort was made to effect an equalization of the demand, and with considerable success; but a considerable inequality still remains. Those mouzahs which paid highest obtained due relief, but in many instances those which had paid unequally and unfairly low assessment could not be at once brought up to the fair standard of demand.

31. The former mode of proceeding had been, to spare in a great degree the influential and the turbulent, and to lay all the load on the industrious and peaceful. The industrious and peaceful have been so much relieved that their prosperity is secured; but the influential and the turbulent could not be immediately made to pay their due portion.

32. At the revisal, therefore, of the settlement of this district after the lapse of the present term of 20 years, there will be found certain mouzahs not always in the best condition, from which, when practicable, an increase should be demanded; and certain mouzahs which the industry of the cultivators has placed in very prosperous condition, from which no increase can with justice be claimed.

33. A list

33. A list of these latter mouzahs has with great care and pains been prepared, and is lodged in the office of the Secretary to the Lieutenant-Governor of the North-Western Provinces. The Board proposed that an assurance should be given by Government to those mouzahs included in the list, that no increase will be demanded from them till their less industrious neighbours, cultivating similar soils, and with similar natural advantages, but less careful to avail themselves of them, shall pay at the same rate. It is understood that Government have consented to this.

34. In some parts of this district a considerable portion of fertile land remains uncultivated. It is quite just and fair that, on the lapse of the present term, Government should obtain an increase of revenue proportionate to the increased area brought under cultivation.

35. To ascertain this, no general or scientific re-measurement will be required. The boundaries of each mouzah have been fixed at the present settlement, and the extent of the cultivated, culturable and barren, or from other causes unculturable area, have each been noted. It will only, therefore, be necessary to re-measure by the common native process the smaller portion of the lands of those mouzahs in which a surplus of culturable land, sufficiently large to be worthy the attention of Government, is found recorded in the statements of the present settlement.

36. To make the process above referred to sufficiently intelligible for practical use to those who are not familiar with the subject, I will explain somewhat more in detail.

37. Suppose a mouzah found recorded in the statement of the present settlement, as in the margin.

Mouzah.	Cultivated.	Culturable.	Barren.	Total.
Arail	500	600	400	1,500

38. If the village accountant's papers are properly kept up in the form and manner directed, the abstract paper given in Appendix, No. XLVII. to the Board's third Circular, and called Milan Khusreh, will show from year to year how the total area exhibited as 1,500 acres at time of settlement is disposed of.

Suppose we find, on the fifteenth year of the term, the village account as stated in the margin, this will at once show the increase of cultivation from 500 to 1,100 acres. To verify this, it will only require to measure the 400 acres recorded as barren; and we shall find that the mouzah may be fairly charged with a certain portion of the produce obtained from an increased cultivation of 600 acres, and so for any other larger or smaller portion.

Total Area.	Cultivated.	Culturable.	Barren.
1,500	1,100	-	400

39. I would observe that, in my judgment, one-fifth of the culturable land should always be left untaxed, to allow for raising artificial grasses or other fodder for cattle, and to allow for fallows and chances of dereliction; and I would in no instance attempt, on the lapse of the present term, to demand any increase of revenue on account of increased area cultivated from a mouzah which at the time of the present settlement has four-fifths of its culturable area under cultivation.

40. It may be that an enhanced revenue may be fairly demandable from a mouzah, which at the time of the present settlement had four-fifths of its culturable area under cultivation, because it may, by reason of the difficulty of raising the demand on account of a character for turbulence, or on account of influence, pay less than other mouzahs similarly circumstanced in respect of natural advantages.

41. But with this exception, I would not recommend an increase of demand on any mouzah which has now four-fifths of its culturable area under cultivation.

42. The other point which will affect the demand on the mouzahs of this and the other districts of the Dowab is the formation of the new canal for irrigation from Hurdwar to Allahabad. In return for the benefit of irrigation thus conferred, and to remunerate the state for the outlay incurred, it will of course be proper to take an increase either as water rent, or as enhanced revenue.

43. It appears to me that the fair way of taking the water rent is to demand on all land irrigated from the canal the difference between the rates of revenue assumed on irrigated land, and those assumed on unirrigated land. I mean, that if the rate on irrigated land of a certain quality is four rupees an acre, and that

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on unirrigated three rupees, the rates of water rent should be one rupee per acre, and so on.

44. The revenue rates on irrigated and unirrigated land of every kind are all recorded in the settlement proceedings.

45. I think, in addition, that when any mouzah is willing to pay to the superintendent of canals the difference between the actual demand on the mouzah, and the demand of four-fifths be assumed as irrigated, the offer should be accepted, and every such mouzah should be allowed a full supply of water for its whole area.

46. I beg leave further to explain this last proposition, as it will not be intelligible to the uninitiated.

47. Suppose a mouzah\* to pay already the higher rate of assessment, that is, the rate on irrigated land, for three-fifths or 60 of its culturable area; and the lower rate on unirrigated land on two-fifths or 40: then if such a mouzah apply for permission to pay the higher rate on one-fifth or 20 of its culturable area as a fixed increment to its jumma, the offer should be accepted, and it should be allowed the full supply of water for its whole area, without further charge.

48. These terms are obviously greatly in favour of those mouzahs which have a large extent of irrigation, and that is my object.

49. The mouzahs which a large proportion of their area irrigated are those which, by outlay and pains, have already brought their land into a highly productive state, and pay to Government a much higher rate of revenue than their indolent and careless neighbours. It is exactly on such that benefits should be conferred.

50. They have hitherto had to construct their wells and raise their water at considerable cost; yet, with a laudable desire to improve their condition, they have endured that labour and incurred that cost, and Government has profited by the higher rate levied on land irrigated. It would surely be hard measure to make them pay for all the water they might draw from the canal at the same rate as others, in addition to the sums they have already spent in sinking wells.

51. It would be equally hard to confine them to the scanty supply obtainable from wells, and force them to continue to undergo the expense of raising their water from wells, unless they would, in addition, to their past outlay, pay the same

\* Suppose mouzah to have a culturable area of 1,000 acres.

Kind of Soil.	Rate.	No. of Acres.	Revenue on Irrigated.	Revenue on Unirrigated.
			Rs.	Rs.
Muttiar irrigated - - -	at per acre 5/	100	500	—
Domut ditto - - -	at ditto 4/	200	800	—
Bhoor ditto - - -	at ditto 3/	300	900	—
Muttiar unirrigated - - -	at ditto 3/	100	- - -	300
Domut ditto - - -	at ditto 2/8	200	- - -	500
Bhoor ditto - - -	at ditto 1/	100	- - -	100
			2,200	900

Total present jumma, or three-fifths irrigated land, two-fifths unirrigated - 3,100

Add area remaining, two-fifths as irrigated, then we have—

Muttiar - - - 100 at 5/	- - - - -	500
Domut - - - 200 at 4/	- - - - -	800
Bhoor - - - 100 at 3/	- - - - -	300

Revenue of two-fifths irrigated	- - - - -	1,600
Deduct Revenue unirrigated	- - - - -	900

700

Add one-half to the present jumma - - - - - 350

Jumma will be  $3,100 + 350 = 3,450$  on the whole mouzah, allowing water from the canal for the whole, and taxing four-fifths as irrigated.

same rate as others who have hitherto incurred no cost, to whom the state owes no gratitude, and from whom it has derived no profit.

52. The plan proposed would allow the advantage of irrigation to the well-conducted and diligent, at a moderate charge.

53. The same advantages would be offered to all, but those who had hitherto done nothing would not be immediately able to avail themselves of them. They would at first use but little water, and must be content to pay for it at the fixed rate, as more produce would be raised. Their perception of the advantages, and gradually their power of paying for the advantage, would increase, until eventually they also would be able, by the payment of irrigation rates on four-fifths of the culturable area, to free themselves from the necessity of a constant super-  
vision, and to obtain a full supply.

54. The expenses of management would be greatly reduced by this measure whenever it should become general, as there would be no necessity for establishments to measure the extent watered, or to guard against fraudulent appropriation of water.

55. I have only to add, that there is a mixture of tenures in Suharunpore, many being putteedaree, but some zemindaree; that much of the rent is paid in kind, and that the average price of wheat for 10 years is 80 lbs. 13 oz. 6 dr. avoirdupois in the rupee.

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#### *Moozuffurnuggur.*

56. The circumstances of this district greatly resemble in all respects those of Suharunpore, and the same observations may be held to apply to each. The experience which Mr. Edward Thornton had acquired in agricultural statistics enabled him, in forming the settlement of this district, to record some very important facts, which will be adverted to hereafter.

57. Some increase may be expected to be obtained from this district on revision, by requiring an added payment from those who have hitherto paid, and still, from unavoidable circumstances, continue to pay, at a lower standard than others similarly circumstanced in respect of natural advantages. Yield good, with cheerfulness and facility.

58. There are numerous mouzahs in this district the owners of which have brought them, by their industry and skill, into a very high state of prosperity, from which no increase should be demanded on a revision. It may be broadly stated that no mouzah having brought one-half of its culturable area into the state known in the district by the term Meesun, and paying at the standard fixed for that rate, should be subjected to any enhanced demand.

59. The meaning and definition of the term Meesun will be ascertained by reference to the detailed Settlement Report.

60. Many putteedaree mehals prevail in this district.

61. The payments of rent are almost wholly made in kind.

62. The average price of wheat in this district for 10 years previous to settlement was 75 lbs. 15 oz. 9 dr. avoirdupois per rupee.

#### *Boolundshukur.*

63. This is a backward district, and has been, and is still, very moderately assessed. There are few good cultivators, and much of the population shows a preference to pastoral above agricultural pursuits. The population generally bears but an indifferent reputation for industry and honesty, and some of the classes, as the goojurs, are generally reputed as thieves.

64. A considerable portion of fertile land in this district was waste at the time of settlement, and a great stimulus has since been given to increased cultivation; and there is good reason to hope that, under a steady system of management, the habits and morals of the people will improve with their improved condition.

65. The introduction of canal irrigation will of course improve this in common with all other districts of the Doocab, and will afford a just and fair increase of revenue.

66. But in addition to this prospect of increase, an additional revenue should be obtained at the close of the present term from the increased area under cultivation, and something should also be obtained by a moderate enhancement of the rates, which are now very low. The proposed canal, by facilitating communication,

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munication, and affording a vent for produce, will, doubtless, cause a permanent rise of prices in this district, and afford the power to raise a higher revenue.

67. The mode of ascertaining the increased area from which, on account of the spread of cultivation, revenue may be demanded, has been already set forth. The rate fairly demandable may be ascertained by comparing the rates on similar soils of neighbouring districts, which are all on record.

68. The tenures in this district are various. The average price of wheat for 10 years is 66 lbs. 4 oz. 2 dr. avoirdupois per rupee.

*Meerut.*

69. This is a very fine district, and some parts of it very highly cultivated. In others, a good deal of culturable waste existed at the time of settlement. A moderate increase may be obtained on the lapse of the present term from the increased area under cultivation, but none could be looked for from enhancement of rates, except what may be obtained by the introduction of canal irrigation. The district has never suffered from over-assessment or oppressive management, and is now in a very flourishing condition, possessing every element of prosperity.

70. The tenures are various, but the putteedaree tenure preponderates.

71. The average price of grain for 10 years is 65 lbs. 4 oz. avoirdupois per rupee.

*Aligurh.*

72. This district is in a very high state of cultivation, and, generally speaking, of prosperity. There are only six pergunnahs \* in which any increased amount of revenue on account of increment of cultivation can be looked for on a revision. The remaining pergunnahs are all fully cultivated, and only by the introduction of canal irrigation can any increase of revenue be expected.

73. Some difficulty has been found in collecting the revenue in the pergunnahs of Hatras and Moorsaun in this district.

74. The revenue assessed is quite moderate, but the difficulty has arisen from other causes.

75. Shortly before the breaking up of the great Calcutta mercantile houses, an extraordinary competition to obtain the indigo plant prevailed in this quarter.

76. The wasteful and reckless advances made by the house of Morton and M'Clintock, and by others their rivals, tempted the people to accept advances which they had no chance of repaying, for plant which they never could furnish.

77. A false show of prosperity from this large sudden expenditure spread over the pergunnah rents were raised and easily collected, but suddenly the bubble burst. The house of Morton and M'Clintock failed, all advances ceased, and those who were just flushed with prosperity found themselves involved in difficulties.

78. The village communities were obliged to apply to the bankers of Hatras and Moorsaun for means to meet the demands of the Rajah, to whose management they were then subject, and generally involvement and severe distress followed. The indigo advances, however, though recorded and retained on the accounts of the English mercantile houses, yet, by reason of the general bankruptcy of the houses, and the abandonment of cultivation, and desertion of the factories, remained unclaimed and forgotten.

79. In this uncertain state matters remained till the settlement, when Mr. J. Thornton, having, under the orders of Government, acknowledged the rights and property of the village communities, and assigned to them a considerably reduced and moderate jumma, exerted himself to effect on their behalf an arrangement with their native creditors.

80. In this attempt he was in many instances successful, and prosperity again began to smile on the pergunnah, and the people had a prospect of being free from their difficulties, when the purchasers of the old abandoned factories, which had in the meantime been sold with the balances at very low prices, finding the condition of the people improved, commenced to urge their claims for repayment of the outstanding balances of the former advances.

81. There is no reason to believe that these claims were pressed with severity, and it is known that some individuals would have consented to compromise their claims for very moderate terms, but the effect of the new demand was to give rise to a run on the part of the native bankers, to secure their own interests; and many insisted on having the lands assigned over to them in security for payment.

82. There

\* Burrowlee, Tup-  
hal, Talooka  
Somna, Puchlana,  
Gungeree, Talooka  
Bamoureenah.



82. Their object, of course, was to collect as largely as possible for themselves, and they did not take proper measures for paying regularly the public revenue. The Board were consequently, after trying other measures without success, obliged to bring some few to sale, in order to prove to the creditors that their over-haste and rapacity would lead to their own loss, by removing the pledge on which alone the ultimate liquidation was secured, and that it was requisite for them to accept a more tardy recovery of their demand, and to provide for the payment of the demand of Government also.

83. The effect was as it was expected to be, the revenue has since been paid, and no more difficulty was expected to have arisen; but unfortunately, for some reasons unknown to me, the local government prohibited the Board from selling any of these mouzahs without a special authority from Government, and directed that, if any fell into arrear, they should be made over to the Rajah.

84. The villages being the property of the communities, as declared by the Government here and at home, and being liable to sale either for arrears of revenue, or on the application of the courts on behalf of creditors, the ground of this prohibition is not obvious to me; and I fear the result is likely to be unfavourable both to the regular realization of the revenue, and to the interest of the communities and their creditors. The general subject of talookas will be referred to hereafter. The immediate reason for noticing this transaction is, that it may be distinctly placed on record that the difficulty found in collecting the revenue does not arise in any respect from over-assessment, and that the revenue may readily be realized by the ordinary legal methods, if allowed to be put in force. My object is to show that the pressure has arisen from the involvements and embarrassments of the owners of the villages, through past imprudences, and the fluctuations of speculations not based on true and sound commercial principles.

85. All the varieties of tenure exist in this district. There are many puttée-daree tenures.

86. The average price of wheat for 10 years is 78 lbs. avoirdupois per rupee.

### SECOND DIVISION.

#### *Agra.*

87. This district has been carefully settled by Mr. Mansel. There is no peculiarity to record; it is fully cultivated and assessed. It was requisite to allow a reduction of 50,000 rupees on the revision. No increase of revenue can at any time be expected from this district, and the jumma should be declared permanent at its present amount. The only hope of any improvement in the products or methods of cultivation on increase of irrigation must be founded on the agriculturists possessing an assurance that they will reap the whole return of their pains and cost. This district has above nine-tenths of its cultivable area in cultivation.

#### *Muttra.*

88. This district also, with the exception of two very small pergunnahs, Sousa and Goberdhun, has attained its full limit of cultivation and taxation, and the revenue at its present rate should be confirmed in perpetuity. There is no prospect of any further improvement, unless the people be assured of reaping all the advantage of it. These two pergunnahs, being on the right bank of the Jumna, will derive no advantage from the Auckland Canal.

#### *Furruckabad.*

89. Some parts of this district are fully cultivated and assessed, but there are pergunnahs \* which ought to yield an increase on revision, both from increase of area and enhanced rate. The introduction of canal irrigation will also give an increase on these lands.

90. The habits and characters of the inhabitants of some of these pergunnahs have opposed an almost insurmountable obstacle to actual equality of assessment. All that could be done has however been effected, and to the slow but certain innovation of time, and the effect of a sound system of administration steadily pursued, we must look for the correction of those defects which could not now be removed.

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\* Puttsalee, Shum-sabad, Sukutpoor, Ayrwa, Mohomeda-bad, Azimnuggur, Burna, Kumpil, Kaimgunj.

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91. The two pergunnahs of Canonge and Thutteeah attached to this district appear from the statistic returns to be not fully cultivated. The fact is, that those pergunnahs having suffered beyond most by the drought of 1837-8, were, at the time of survey, nearly half waste. They are, however, fully cultivated, and fairly assessed, and no increase ought to be expected from them, save on account of canal irrigation, when that may be introduced.

*Mynpoorie.*

\* Gherour, Kurhul, Shekoobad, Mustafabad, Etah, Bewur. 92. In this district the pergunnahs named in the margin \* are fully cultivated and assessed, and no increase should be expected from them on account of increase of cultivated area, or enhanced rates at a revision.

93. From the remaining pergunnahs an increase may be justly expected.

94. The introduction of canal irrigation will of course admit of an increase on the whole.

*Etayeh.*

95. This district is fully cultivated, there being in fact scarcely any culturable land remaining untilled. It had suffered much both from over-assessment and from drought. It has now obtained liberal relief, but no future increase is to be expected from it, except from the introduction of canal irrigation. With this reservation the present assessment ought to be considered perpetual.

THIRD, OR ROHILCUND DIVISION.

*Bijnour.*

96. This is one of the districts which will require a careful revision on the expiry of the present term. With the exception of the pergunnah of Keeruth-poor, there is no other which can be said to be fully cultivated, and an increase of revenue may therefore be fairly expected from the increased area under cultivation. It is to be hoped that canal irrigation will also in the meanwhile be largely introduced into Rohilcund, which will of course afford a proportionate increase of revenue.

97. But without referencé to these circumstances, the state of the district of Bijnour, at the time the settlement was made, presented insuperable difficulties to the assessment of an equal demand.

98. The district had been heavily assessed with reference to the state of its cultivation, and cruelly treated. The modes of extracting revenue then employed are now happily almost forgotten. Forced transfers of property to unwilling purchasers and mortgagees, forced loans extorted from recusant bankers, forced labour required for the cultivation of mouzahs, which from abandonment had fallen into the management of the public officers, were among the practices resorted to.

99. Of course, in such a state of things, the only course to be adopted was to give such relief as the circumstances of each mouzah required, and fix for the coming term such a demand as could be regularly levied, without employing means of duress unauthorized by law, or inflicting distress.

100. This object was effected in a satisfactory manner; the district has recovered from its sufferings, and the revenue assessed is regularly and easily collected; but the object of equality of assessment has not been obtained.

101. Nor will the object be hereafter attainable by the same simple and summary process as in other districts, because the extraordinary anomalies have prevented the same clear ascertainment of rates.

102. No professional re-survey will be required; but it will, I apprehend, be necessary to have recourse to a native re-measurement of the whole interior area of the mouzahs, and a careful inquiry into rates will be indispensable.

103. It seems to me desirable that the Commissioner should at this time be desired to take quiet measures for ascertaining and recording rates, for which the long and unexpired term of the existing settlement will afford him every advantage.

104. Such rates, if now ascertained and left on record, would be available at the time of revision, when it may be expected that, by reason of men's minds  
not

not having been directed to inquiries of this nature, much of the facility and certainty which now attends them will have been lost.

105. I am not aware of any other district similarly circumstanced with Bijnour.

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*Moradabad.*

106. I regret to say I can give no information respecting this district, as the reports have not been furnished to me.

107. No cause can be assigned for this delay but the spirit of procrastination in which the officer in charge has allowed himself to indulge, as the papers were promised to be forwarded by my last. The result, however, is that I must commit the report on this district to my successors.

*Barrelly.*

108. This district had suffered much from over-assessment, but has received ample relief, and is, with one exception to be hereafter noted, in a prosperous and thriving condition.

109. With the exception, however, of the pergunnahs Cauber, Sirsawah and Nawabgunj, it is fully cultivated, and an increase on account of increased cultivation may be looked for after the expiry of the existing term. Improvement may also be looked for from the introduction of canal irrigation.

110. The exception above noticed has reference to a portion of pergunnah Beesulpoor, a part of pergunnah Furreedpore, and some mouzahs in Nawabgunj.

111. The drought of 1837-38 fell on this part of the Barrelly district with extreme severity; and for some unknown reason it produced a degree of disorganization not elsewhere experienced.

112. Many of the inhabitants formed gangs for plunder, and much loss and distress was inflicted in addition to the unavoidable providentially inflicted calamity.

113. In consequence of this state of things, many of the cultivators of Beesulpoor and its neighbourhood left their seats, and emigrated elsewhere; and having found fertile lands on moderate terms in other parts, particularly in Shahjehanpore, where there is much demand for cultivators, and the tie to their old homes having been broken, they have never returned.

114. This cause, together with the simultaneous loss of capital, has thrown back the cultivation of some parts of Beesulpoor and its vicinity, and some additional relief will be required to enable them to recover. The local officers are now engaged on the inquiry requisite in this case, and it will then be submitted to Government.

115. The settlement at the time it was made was very moderate, but it was made just previous to the year of famine; and it is rather a matter of congratulation, and a proof of the general goodness of the arrangements, that they should have been so little shaken by so great a calamity, than cause of wonder that in some few cases they should have been thereby injured.

*Budaon.*

116. This district was also in a state of great distress and disorganization at the time of settlement. It had been much mismanaged, and unauthorized changes of jumma and illegal modes of duress had prevailed most extensively.

117. The revision of this settlement took place at a very early period after the commencement of settlement operations in these provinces, and when the disposition to over-assess was far from being allayed.

118. The Board were obliged in consequence to subject the tract to repeated revision, and they have reason to believe that some mouzahs of the pergunnahs named in the margin,\* and which were confirmed by Government in the years 1836 and 1837, immediately before the great drought, are still suffering, and they have directed inquiry and report on that subject.

119. The remaining pergunnahs which were submitted for confirmation at the close of last year, after careful inquiry had been instituted as to the sufficiency of the relief granted, are in a safe state.

120. With exception to the four pergunnahs named in the margin,† the remaining pergunnahs are not fully cultivated; and on the lapse of the present

\* Suheswan,  
Ussudpoor, Sulem-  
poor, Islamnuggur,  
Budaon, Oojhynee.

† Islamnuggur,  
Bisowlee, Suttasee,  
Kote Sulbahur.

III.  
Report on the  
Settlement of the  
North-Western  
Provinces.

\* Islamnuggur,  
Bisowlee, Suttasee,  
Kote Sulbahur.

term, some increase of demand on account of increased area brought under tillage may be expected. From the pergunnahs named in the margin,\* no increase should be sought except in case of the introduction of canal irrigation.

121. The whole district has been carefully re-measured last year, with the view of properly adjusting the administration of the various mouzahs, the records of rights and liabilities having been shown to be very defective; every facility will therefore be found for forming a judgment on the propriety of taking an increase when the fit time arrives.

122. It is impossible that in districts so greatly injured in their circumstances, and yet more in what the French call their *morale*, by oppressive assessments and great mismanagement, the mistakes and evils which have arisen can be redressed at one operation. The very effect of such misgovernment is to produce anomalies which set all rules at defiance. The utmost which can be immediately done is to give ample relief to the pressure, and to introduce sound sanitary principles and processes. No slight benefit will have been gained if Government and its servants are convinced, as I trust they now are, of the actual loss of money which is certain to follow over-assessment, and resolve to maintain those principles of moderation which have now been brought into actual practical operation for the first time.

123. The average price of wheat in this district for 10 years was 56 lbs. avoirdupois per rupee.

*Shahjehanpore.*

124. In this district only the two pergunnahs of Julalpoor and Murrowree are in a state not to admit of an increase of resource on account of increased cultivation at the close of the present term.

125. The whole district is very lightly assessed, and a moderate increase may be probably found advisable by way of enhancement. The introduction of canal irrigation will doubtlessly afford an increase. The district is in a very flourishing state, and has escaped the misery of over-assessment in time past.

126. The price of wheat on a 10 years' average is 69 lbs. avoirdupois to the rupee.

*Pillibheet.*

† Pillibheet, Jehanabad, Ritcha.

127. Of this district only three pergunnahs † are settled in the usual way; these were formerly much over-assessed, and have received the ample relief required. On the lapse of the present term some enhancement, on account of increased cultivation, will be available, but the rates should not be raised.

‡ Roodurpoor,  
Gudderpoore,  
Kilpooree.

128. The other three pergunnahs ‡ have been given in a peculiar settlement to the Rajah Goman Singh, and his heirs, and, if properly managed and improved, the Government will be entitled to a portion of the increased income from increased cultivation.

129. Such is, however, the extreme unhealthiness of the climate, that the progress of improvement must be slow, and the demand must always be on the lowest scale.

130. The average price of wheat in this district is 57 lbs. 12 oz. avoirdupois per rupee.

131. I now come to the FOURTH, or ALLAHABAD DIVISION.

*Cawnpore.*

132. This is, upon the whole, a very fine and flourishing district. It had been a good deal over-assessed, but has now obtained full relief, and will continue a thriving district.

133. No enhancement can, however, be expected under any circumstances, except in the pergunnahs of Sheoly, Bilhour and Russoolabad, in which there is a small portion of land capable of cultivation; if taken, it should however be very tenderly taken, and I would not recommend the venture.

134. All the other pergunnahs are fully cultivated and assessed. The introduction of the Auckland Canal will, as in other districts of the Dooab, afford an increase; but with this exception, the demand on Cawnpore should be considered as not liable to increase, and fixed in perpetuity.

135. The remarks are in all respects applicable to Futtehpore, only that  
Futtehpore

Futtehpore has escaped the calamity of over-assessment, and in fertility is more favourably circumstanced as a whole than even Cawnpore.

136. With exception to the increase to be gained by the introduction of canal irrigation, this district must also be considered settled in perpetuity.

137. Allahabad may be included in the same category as Cawnpore and Futtehpore. It has not suffered heretofore from over-assessment. The two pergunnahs of Barraah and Khyragurh, situate on the right bank of the Jumna, have a small portion of culturable land yet untilled. Those pergunnahs are, however, entirely dependent on the seasons, and I should consider any attempt to enhance the present demand as very imprudent.

138. The four pergunnahs situate within the Dooab, viz., Atherbun, Chail, Rewaee and Kurrah, will yield an increase when the canal water reaches them; but, with this exception, this settlement should also be considered fixed in perpetuity.

139. The average price of wheat for 10 years in this district has been 54 lbs. 5½ oz. avoirdupois per rupee.

140. In this division it only remains to notice Bundlecund.

141. The settlements of the two districts of Banda and Humeerpore have not yet been reported, nor are they yet completed, but every thing is fixed, and it only remains to put the finishing hand to the work, and exchange the agreements.

142. The engagements for one-half of the district of Humeerpore, that which forms the subdivision of Calpee, have been already taken.

143. I wish to put on record the principle in which the present settlement of Bundlecund has been formed.

144. It is, I believe, generally known, that through a mistaken impression of the immense resources of the province, arising partly from an unusual succession of prosperous seasons, partly from a temporary high price of the great staple, cotton, partly from the political condition of the neighbouring country, which, waste and unproductive itself, afforded a ready market for all the produce which the British province could raise, the land, was taxed to an inordinate and intolerable degree.

145. This is an error not often speedily perceived, and generally tardily corrected. The pressure continued until all the accumulated capital had been wasted, and the capitalists driven away, when the state of things was forced upon notice. Slight and insufficient reductions were given from time to time, which were of no avail to repair the loss.

146. No rates were then known, nor any of those methods in use which now enable us at once to compare the demand upon a tract with its ability to pay.

147. The distress was aggravated by an evil which had not been allowed for at all, a succession of unfavourable seasons.

148. After this, the people not only lost power, but lost heart; they ceased to exert themselves, and to the efforts of the revenue officers opposed a system of passive resistance sure to succeed when the enduring party has nothing to lose.

149. This state of things had actually arrived in Bundlecund. Between over-assessment and the effect of bad seasons, the land had no value in the market, and all power of legal duress, except on the person, was lost.

150. It was for this state of things that the Sudder Board, North-Western Provinces, was directed to find a remedy when I was first attached to it.

151. The obvious course was to give the people something worth having to make their land possess a value by reducing the demand, and to revive the hopes and energies of the people by restoring to them the stimulus of hope and the expectation of profit.

152. There were, however, at that time few who would believe the extent of relief which was required, and the degree of recklessness, the fruit of utter hopelessness, which had come over the minds of the people.

153. My late valuable colleague, Mr. Fane, who had known the district in better times, could never be satisfied of the degree of ruin and depression into which it had fallen. My present colleague, Mr. Turner, who had visited the district as Commissioner in late times, coincides with me entirely in my views.

154. The fact is, that the sudden and great prosperity of the district was temporary and accidental, and ought to have been considered as such. Though

the soil be fertile, the produce depends altogether upon the seasons, irrigation being absolutely impossible.

155. Now that peace has been restored to most of the surrounding district, and that no large military force is retained in the district, it is unfavourably situate for general markets.

156. The cotton is still a staple of great value, but its price would not warrant a demand at all approaching to that which was heretofore made upon it.

157. The general condition of the district is therefore one to indicate moderate assessment.

158. One cause must be added of considerable stringency. The climate is unhealthy both to natives and Europeans. It obtains no assistance to its population by emigration; and—for the truth must be spoken—it is not often blessed with the best executive officers, as few will accept appointments there whose claims entitle them to be provided for elsewhere.

159. One additional reason rendered the enforcement of the demand, even though a fair and just one, unless the people were well-disposed to pay it, difficult to an unusual degree—I allude to the extent of the mouzahs, and the nature of the tenures.

160. The tenure is almost throughout bhyachara, or pure putteedaree. The land is minutely divided among the whole community, and held in severalty. But heretofore no steps had been taken to record individual or sectional possession, rights and liabilities. The engagements were all taken in common.

161. Some of the mouzahs are of an enormous extent; 17,000 acres are contained in one mouzah; and the number of the community is of course proportionally large.

162. It is obvious that if a large tribe, occupying a tract of this extent, set themselves up doggedly to oppose the Government officers, no means short of actual force could put down such an opposition.

163. But the system of dealing with such a tribe as one whole manifestly tended to give the opposition combination and vigour. If any loss occurred, it fell upon the whole. If any number of individuals neglected their lands, or embezzled the produce, or withheld the demand, the whole were made responsible.

164. This of course obliged all, by the necessity of self-protection, to unite in offering resistance. Every member of the body must combine its energies for the common defence.

165. The only way of meeting this evil is by our present system of dealing with the different sections of these tribes as severally responsible, and inducing the community to determine at the time of settlement the possession, liabilities and rights of each section.

166. If this proceeding be combined with such a moderation of demand as secures due profit to the diligent cultivator, you not only disarm the combination, but you obtain the effectual co-operation of all the well-disposed of the tribe.

167. For those who find their own tenure valuable, and themselves enjoying an ample surplus after the payment of the public dues, are not desirous of any change; least of all are they desirous to lose the advantages which they have attained. If there be, therefore, among the brotherhood any wasteful, idle or profligate persons, whose misconduct endangers the prosperity of the community, the well-disposed, those whose interest consists in maintaining things as they are, will not only point them out, but will, as far as safety permits, assist in removing them.

168. On these principles the present settlement has been made, or rather is completing.

169. A large portion of the district of Banda was a few years back settled by Mr. Begbie on very moderate terms. Some of the communities which have since recovered their condition enjoy large profits. A few are still suffering distress. The Board have resolved to continue the engagements of those who are well off to the full term of 30 years, and to give relief to the few who are suffering. Engagements for the unsettled mouzahs of Banda are to be taken on the same terms, viz., those who are well off to be continued in their advantages, and relief to be given where required; the utmost limit of increase taken not to exceed the amount required for giving relief where necessary, and relief rather to be given to a diminution of the demand than that any approach should be made,

made, or risk incurred, of causing discouragement and dissatisfaction to the people.

170. The revision of Calpee has been made at a reduction of 72,000 rupees.

171. The revision of Humeerpore, when complete, is likely to involve a reduction of about 100,000 rupees.

172. The revision of Banda is not likely to involve a loss of more than 5,000 rupees.

173. The separate possessions of the different sections of the communities, and of the individual holders with those sections, have been carefully mapped and measured, and the amount of revenue liable from each distributed with the concurrence of the whole community.

174. I am not of opinion that Bundlecund can ever hereafter be assessed with safety at a higher amount than the total sum of the assessment now to be reported. But at the close of the 30 years a re-distribution of the demand on the different mehals will probably be desirable, as where a district has been so much disorganized and distressed by the effect of over-assessment, even such a degree of equality as the nature of a land revenue assessment admits of cannot be at once effected.

175. I am of opinion that a covenanted officer, a deputy collector and joint magistrate, should always be maintained at Calpee. But I am strongly of opinion that he should be subordinate to the collector and magistrate of the district of Humeerpore.

176. I have already stated that the unhealthiness and unpopularity of Bundlecund makes the appointments there little sought after.

177. First-rate young men do not, therefore, seek the appointment of joint magistrate and deputy at Calpee; and experience has shown us the immense mischief that may be done by an inferior officer of small ability, short experience, and much self-complacency, when placed in such a position. I have thought this a point of sufficient importance to mention it here.

#### FIFTH DIVISION.

##### *Azimgurh.*

178. This is a most fertile, productive, well-irrigated and well-cultivated district, possessing every element of agricultural prosperity. The pergunnahs named in the margin\* are cultivated up to their full powers, and, being also fairly assessed, should not be considered liable to future enhancement.

179. The pergunnah of Nizamabad is also fully assessed, and should not be considered liable to any enhancement, but, being not quite so equally assessed as others, should be revised, with a view to equalization, at the close of the present term.

180. It should be explained that pergunnah Nizamabad was the theatre of the first attempts at settlement before the present system was formed—the vile corpus of fiscal experiment. It was many years in hand, and under many hands, and, though at last completed by Mr. Thomason, was never considered so satisfactorily done as the rest; for this reason, a revision, with a view to equalization, but not enhancement, is expedient.

181. The other pergunnahs may fairly yield an enhancement proportioned to the increase of cultivation at the close of the present term. The rates ought not to be enhanced.

182. The average price of wheat for 10 years in this district was 59 lbs. avoirdupois per rupee.

##### *Goruckpore.*

183. This is also a most fertile and most favourably circumstanced district, and will, after the lapse of the present term, yield a large increase of revenue, both by bringing under taxation the increased area brought under cultivation, and also by an increased rate upon the lands assessed at the present time.

184. If, at the close of the present term, a rate of Rs. 1. 8. per acre on the total area under cultivation be assumed and properly distributed over the different mehals according to their respective capabilities, a very large increase on the revenue will be obtained, with the certainty of not in any respect cramping the energies of the people, or checking accumulation and improvement.



185. This would nearly double the present revenue, without any risk of injury.

186. The price of wheat in this district, at an average of 10 years, is 62 lbs. 13 oz. avoirdupois per rupee.

187. I have given the price of wheat in each district, as a test by which Government may try in future years the existing pressure of the demand.

188. The price of wheat is not likely to fall permanently, except in consequence of a permanent rise in the price of silver. The price of wheat, also, greatly forms the permanent price of all other grains, being as it is the usual food of all the better classes.

189. If, then, the price of wheat should permanently fall, Government will be aware that the pressure of the revenue on the means of the people exceeds what it was at the settlement, or that a larger portion of the produce is taken to pay the Government demand.

190. I have now completed my task of recording the condition and prospects of each district of the North-Western Provinces. I have indicated those which, by reason of their advanced stage of taxation and cultivation, should be considered exempt from further enhancement of demand. I have pointed out the particular objects to be attended to in the revision of those which I consider open to revisal. I have shown what course should be pursued for ascertaining with least difficulty the extent intermediately brought into cultivation since the present settlement; and I have stated the method by which the just return for the expense of bringing canal irrigation through the Doab may be so taken by Government as to promote and encourage improvement and enterprise.

191. It appears to be desirable that I should also record in this place the principal measures which have been adopted for the reform of the revenue administration of these provinces.

192. The whole of the revenue records have been completely arranged upon one system of territorial arrangement, so that any person, how great soever a stranger to the district, can in less than one minute place his hands upon every record or paper connected with any village in the whole district.

193. The duties of the collector's office have been distinctly defined, and manuals drawn up and printed for the guidance of the European and native officers in the discharge of those duties; and the revenue officers have been limited to the discharge of their own appropriate duties, and prohibited from interference with matters beyond their province.

194. The instalments of the public revenue have been so fixed as to allow the sale of the produce before the demand should take effect.

195. Complete records have been made of the possession, rights and liabilities of all those members of the agricultural communities who hold in severalty, by which a just due may be enforced against any member who may withhold it, without injuring the innocent; and provision has been made for keeping up this record by such an arrangement of the native village and revenue (putwaree and tehseeldaree) accounts as, if properly watched and maintained, will always yield the necessary information.

196. Lastly, the summary revenue suit department has been put on such a footing as to ensure that prompt recovery of an undoubted demand which is requisite to preserve those under direct engagements with Government from ruin: and at the same time all disputes and questionable claims are left, as they should be, to the judicial tribunals.

197. Doubtless in so great and extensive an undertaking many errors and omissions will be found, which those who come after must correct. I have not, however, spared labour or care to effect accuracy, and have travelled about 16,000 miles in the last 10 years in furtherance of those objects.

198. I have the satisfaction of knowing that my esteemed colleagues are of one mind with me as regards the importance of maintaining and perfecting what has been effected; and it is to the hearty co-operation of my late colleague, Mr. Fane, and the gentleman with whom I have since had the pleasure of being associated, that I am indebted for the power of carrying through my measures.

199. So far as the efforts of those gentlemen who will henceforth compose the Sudder Board of Revenue, North-Western Provinces, are concerned, I know no effort will be wanting: I trust the support of Government will not be withheld.

200. It is, I believe, known to all who are acquainted with the discussions of the time, that the Sudder Board was designed to be a great office, entrusted with the

the whole administration of revenue affairs, under the general rules laid down by Government, but intended to exercise a large discretion in matters of detail, and to possess in the fullest degree the confidence of Government.

201. Such was the position the Board in these provinces held under several administrations. I would not myself have been induced to undertake any of the great measures which it has fallen to my lot to guide, had I not been assured of the confidence and support of the Government, or could I have supposed myself to be placed in a position to be suspected and watched.

202. If the Government cannot command from the whole service trustworthy agents, to whom the management of their revenue affairs can be safely committed, it were better that the expense of a head Board should be saved, and the revenue management become a branch of Government administration.

203. I believe it will, however, be felt that it is not likely the Executive Government could give such time and attention to revenue matters as to be equally master of the principles and details of native land revenue as those whose duty it is to devote themselves to the charge; and I think it must be admitted that, unless the Executive Government undertake the entire management, a frequent interference in details is likely rather to harass and embarrass those to whom the duty is committed than to lead to any beneficial result.

204. When great evils press upon the state; when large losses have been incurred, and obvious and extensive injury to the public prosperity has arisen, and the urgent necessity for extensive reforms is felt; if any one be found willing and apparently able to devise and apply the proper remedies, his services are engaged with avidity; confidence is freely reposed in him, and all necessary appliances and means are cheerfully placed at his disposal: those who have seen the urgency are forward to express their sense of the service rendered, and to encourage the completion of the work.

205. But when the remedy has been effectual; when the danger has been obviated, and better times have arisen, those who follow, and who are unaware of the difficulties which have been overcome, and the results which have been produced, are apt to think meanly of the service rendered, and prone to listen to, as they are apt to hear, more of the complaints of the dissatisfied than of the silent enjoyment of those who have benefited; and although the latter may be numbered by millions, and the former by tens or hundreds, the clamour of the discontented prevails over the quietness of the satisfied, and an unfavourable impression is produced.

206. It must be left to those who know what was the state of the revenue administration of Upper India in 1830, and what it is now; what was the condition of the agricultural population at that time, and what, in spite of great providential calamities, it has become since; what was the feeling of the people then, and what it is at this time; to appreciate the toil and effort and anxious care with which these changes have been effected.

207. I am now about to quit the service, and my only desire respecting it, that the good which has been effected may be maintained; my conscientious opinion is, that cannot be, unless the Sudder Board is fully supported by Government, treated with respect and confidence, and not checked and thwarted in details, nor their proceedings interfered with, except upon very strong and urgent grounds.

208. The following Tables accompany this Report:—

I.—A Table of Revenue Statistics, showing the Total Area in Acres, the barren and unassessable Area in Acres, the cultivated and culturable Area, the Area irrigated, the Decimal of Cultivation and Irrigation, the Decimal Proportion of the principal Crops to the cultivated Area, the Rate at which the Revenue falls on the cultivated Area, and the assessable Area respectively.

II.—A Table showing the actual Distribution of the cultivated Area among the various Products on the Year of Settlement.

III.—Showing Area, Population and Assessment.

IV.—Showing the Prices of Wheat in each District of the North-Western Provinces on an Average of Ten Years.

V.—A Map\* showing the Rate of Assessment in each Pergunnah of the North-Western Provinces.

\* Not forwarded.

Allahabad,  
21 January 1842.]

(signed) R. M. Bird.

I.—TABLE of REVENUE STATISTICS of the Reported Districts of the North-Western Provinces.

NAME of DISTRICT.	Total Area in Acres.	Lakshiraj.	Barren.	Cultivated.	Culturable.	Irrigated.	Decimals of Cultivation.	DECIMALS OF CROPS.						Rate per Acre on the Sum of Cultivation and Culturable.	Rate per Acre on the Area in actual Cultivation.	REMARKS.		
								KHUREEF.				RUBBEE.						
								Decimals of Irrigation.	Decimal Khureef.	Sugar Cane.	Cotton.	Rice.	Decimal Rubbee.				Wheat.	Barley.
<i>Delhia Division.</i>																		
Urriannah	16,57,975	7,016	1,35,528	6,96,147	8,19,284	37,023	.72	.05	.89	.00	.01	.01	.11	.02	.01	Rs. a. p. - 11 -	Rs. a. p. - 8 8	
Delhia	8,64,534	68,699	47,473	1,74,605	73,757	75,326	.58	.43	.64	.00	.02	.01	.36	.12	.06	1 7 4	2 1 3	
Rohruc	8,44,666	2,294	30,121	4,74,463	3,47,786	64,522	.58	.13	.66	.00	.11	.00	.34	.04	.00	- 12 4	1 5 2	
Goorgson	11,60,437	1,665	1,55,751	6,47,353	3,55,668	1,29,398	.64	.13	.70	.00	.07	.00	.30	.05	.10	1 - 2	1 9 -	
<i>Meerut Division.</i>																		
Scharunpore	10,18,705	27,035	1,00,982	6,06,847	2,83,841	85,437	.68	.14	.46	.05	.03	.11	.54	.30	.04	1 2 -	1 10 6	
Moozuffernuggur	6,91,706	17,419	1,13,461	3,92,377	1,67,957	1,16,441	.70	.29	.52	.04	.03	.05	.48	.29	.04	1 3 2	1 11 2	
Meerut	17,76,430	1,04,171	2,01,256	10,34,016	4,46,987	2,89,025	.70	.27	.60	.03	.04	.01	.50	.28	.04	1 7 9	2 1 9	
Boolundshuhur	10,25,096	43,181	64,028	5,92,630	3,35,256	1,56,597	.61	.29	.47	.00	.03	.00	.53	.12	.10	1 - 4	1 9 8	
Allyghur	11,19,238	(a)17,399	(a)61,224	9,00,562	(a)1,22,954	(a)4,95,472	.59	.58	.51	.00	.10	.00	.49	.19	.22	- 14 7	1 4 -	-- (a) Exclusive of pergunnah Moor-saun.
<i>Rohilkund Division.</i>																		
Bijnour	10,27,533	51,619	2,75,052	4,59,409	2,41,453	24,650	.65	.05	.62	.06	.04	.28	.38	.24	.04	1 9 7	2 2 10	
Moradabad	14,50,418	72,515	2,12,179	7,52,103	4,13,621	72,921	.64	.09	.58	.04	.05	.20	.42	.28	.04	- 15 8	1 7 6	
Budaon									.54	.02	.06	.03	.46	.24	.14	1 - 6	2 - 1	
Pilibheet									.69	.04	.01	.52	.31	.12	.02	1 - 6	2 - 1	
Bareilly	11,16,174	47,794	1,23,104	6,39,579	2,69,975	2,38,004	.72	.37	.55	.06	.03	.24	.45	.28	.04	1 6 9	1 15 7	
Shahjhanpore	13,09,211	15,722	1,72,831	6,51,549	4,55,926	3,17,815	.58	.48	.48	.07	.03	.11	.52	.37	.04	- 14 10	1 9 -	
<i>Agra Division.</i>																		
Muttra									.63	.00	.17	.00	.37	.04	.06	-	-	
Agra	9,35,815	4,263	2,25,190	6,46,818	59,544	3,34,408	.91	.51	.65	.00	.13	.00	.35	.12	.09	1 15 6	2 2 5	
Furruckabad	12,47,288	24,604	3,21,165	6,14,253	2,87,265	2,55,540	.68	.41	.49	.01	.04	.02	.51	.20	.20	1 4 9	2 6 -	
Mynpoory	12,80,927	7,092	4,77,752	6,13,422	1,82,661	4,19,784	.77	.68	.42	.03	.06	.01	.58	.26	.17	1 11 9	2 4 -	
Etawah	10,71,756	27,465	4,26,729	4,77,901	1,89,661	2,67,709	.77	.56	.56	.02	.11	.00	.44	.08	.06	2 1 11	2 11 10	
<i>Allahabad Division.</i>																		
Cawnpore	14,07,795	43,985	5,03,734	7,82,276	1,67,800	3,97,396	.82	.50	.54	.02	.15	.00	.46	.12	.07	1 11 10	2 1 3	
Futtehpore	9,90,584	87,423	3,52,574	5,06,905	1,22,363	2,33,903	.80	.45	.43	.01	.07	.07	.57	.14	.25	2 4 1	2 12 9	
Allahabad	17,90,244	64,319	4,96,820	9,97,508	2,31,597	3,17,361	.61	.31	.48	.00	.07	.10	.57	.13	.24	1 12 -	2 2 6	
<i>Benares Division.</i>																		
Goruckpore	41,15,214	1,34,156	7,49,646	19,27,234	13,04,178	13,98,955	.59	.72	.56	.01	.00	.34	.44	.13	.12	- 10 5	1 1 3	
Azimgurh	16,52,293	41,378	5,61,829	7,73,616	2,74,110	7,73,606	.73	.09	.41	.08	.00	.25	.58	.05	.41	1 7 -	1 15 4	

II.—CROP STATEMENT of the Reported Districts of the North-Western Provinces.

NAME of DIVISION and DISTRICT.	Total Area Cultivation.	Sugar Cane.	Cotton.	Rice.	Mukha Musseena.	Bajra.	Jooar.	Churree.	Dul, Mash, Mong, Mothee, Mote, Oord, &c.	Til.	Indigo.	Kungnee Sahee.	Sun Hemp.	Singhara.	Garden Produce.	Gowar.	Soobee.	Kondoo.	Murdwa.
<i>Delhie Division.</i>																			
Hureenna	7,11,776	4	7,857	10,061	125	4,20,089	70,583	5,300	1,08,954	8,511	1,824	-	-	-	-	2,516	-	-	-
Delhie	1,80,683	528	3,870	2,275	5,458	45,481	33,190	9,296	14,404	8	-	21	54	141	499	-	-	-	-
Rohtuc	4,47,095	1,446	51,264	1,507	9,108	31,790	1,87,149	6,324	-	1,077	-	185	268	4	42	3,677	-	-	-
Goorgaon	4,66,415	297	34,828	134	636	1,80,168	54,708	6,138	43,206	552	483	93	65	-	132	5,851	136	5	24
<i>Meerut Division.</i>																			
Scharunpore	7,63,995	46,056	29,957	92,689	16,428	42,456	29,287	33,343	70,124	649	36	677	6,429	-	559	-	1,359	4,209	1,994
Moonuffernuggur	3,84,155	25,631	10,903	19,620	13,546	34,413	27,688	15,926	40,282	228	12	-	71	-	1,850	-	-	2,418	1,798
Meerut	8,18,400	24,863	32,561	16,150	40,386	26,886	1,21,372	30,199	1,10,584	262	892	-	-	312	788	-	-	-	2,037
Jajau Sirdhana	1,70,961	6,397	7,054	4,021	3,586	2,345	7,206	-	25,328	13	1	-	-	-	140	2,357	-	-	646
Boolundshuhur	5,93,610	1,445	23,311	681	19,692	57,088	98,973	3,555	69,205	112	1,241	-	115	1,140	363	173	-	-	48
Allyghur	8,80,209	1,310	87,058	2,212	13,639	73,262	1,31,342	137	69,148	94	14,605	48	127	1,834	1,347	-	-	-	-
<i>Rohilkund Division.</i>																			
Bijnour	4,93,563	35,736	21,398	1,56,837	4,311	26,701	344	1,843	49,015	82	-	-	59	291	1,168	-	3,410	10,601	-
Budaon	6,45,379	16,917	40,363	19,317	11,876	1,20,083	77,022	6,090	42,561	1,862	2,861	1,123	273	-	2,205	-	-	2,426	-
Pilibheet	1,92,064	10,361	3,020	99,478	2,352	1,305	154	-	5,561	1,367	-	510	8	-	416	-	-	8,474	-
Bareilly	6,30,734	36,614	19,348	1,56,036	13,014	63,371	16,864	549	31,870	81	117	-	487	47	3,302	-	-	9,876	302
Shahjehanpore	5,74,563	45,602	17,935	64,560	1,288	50,387	33,328	20	38,886	595	2	1	550	184	3,936	-	-	16,617	2,209
<i>Agra Division.</i>																			
Muttra	6,13,745	2,117	1,03,026	640	47,402	40,562	1,65,239	-	-	89	6,251	-	1,451	-	215	-	-	-	-
Agra	6,81,378	6,082	89,345	217	1,030	1,23,830	1,62,569	-	36,142	74	4,649	-	-	-	389	-	-	-	-
Farruckabad	7,27,410	13,517	30,123	20,575	3,700	1,04,772	1,19,391	-	47,828	77	10,713	-	792	-	2,227	-	131	1,425	23
Mynpoory	4,66,296	14,413	31,182	6,984	2,674	50,811	63,551	768	18,498	149	4,562	17	584	-	17	-	-	34	355
Etawah	4,37,873	10,961	50,698	3,163	879	78,277	92,667	-	3,226	57	2,845	501	1,331	40	397	-	-	81	691
<i>Allahabad Division.</i>																			
Cawnpore	6,45,010	14,064	1,01,089	4,595	-	45,316	1,52,064	-	5,486	869	14,598	-	1,569	1,025	2,216	-	-	333	1,818
Futtehpore	5,12,799	6,806	39,988	37,164	6	24,550	85,192	9,878	7,106	77	1,616	-	-	-	1,338	-	-	-	2,545
Allahabad	9,86,720	9,213	76,326	1,08,414	26,072	89,364	64,364	2,560	30,870	7,855	8,354	-	-	-	2,267	-	-	-	-
<i>Benares Division.</i>																			
Goruckpore	23,50,395	25,871	4,153	8,53,253	-	859	42,030	-	1,50,094	3,701	4,983	1,58,302	81	-	2,773	-	-	-	53,626
Azimghur	7,06,648	56,408	320	1,30,694	4,533	205	1,742	-	22,114	34	6,975	315	-	-	1,540	-	-	14,803	4,143

REVENUE SURVEY AND ASSESSMENT (INDIA).

(continued)

II.—CROP STATEMENT of the Reported Districts of the North-Western Provinces—continued.

NAME of DIVISION and DISTRICT.	Tooraa.	Tobacco.	Miscellaneous.	TOTAL KANURUP.	Wheat.	Barley.	Grain mixed and unmixed.	Dal Mussoor Urhur.	Oats.	Tooraa, Sursoo and Ulsee.	Chuna.	Garden Produce.	Dooh.	Mutter Peas.	Bahun.	Gajyo Wheat and Barley.	Bajar Barley and Gram.	Googoo.	Tooraa.	Kharbooja and Melon.	Poppy.	Paddy.	Dye's all, Kosoom, &c.	Miscellaneous.	TOTAL RUBBER.	
<i>Delhie Division.</i>																										
Hareana - - -	-	-	-	6,35,624	15,242	11,478	47,572	-	-	935	-	705	-	-	-	-	-	-	-	-	-	-	-	-	-	75,952
Delhie - - -	-	-	-	1,15,224	22,085	11,802	30,301	173	-	110	74	289	-	-	-	-	-	-	-	-	-	-	-	-	-	65,459
Rohtac - - -	-	-	-	2,93,841	19,078	2,148	1,25,074	-	-	1,122	21	419	-	-	-	-	363	5,027	-	-	616	-	-	-	-	1,53,254
Georgaon - - -	-	-	-	3,28,247	25,766	49,151	44,846	179	-	886	-	8,972	-	-	-	860	22,967	-	-	-	-	-	-	-	-	1,38,168
<i>Meerut Division.</i>																										
Saharunpore - - -	1,324	-	-	3,77,583	2,51,175	40,178	48,671	11,771	-	4,219	-	1,433	-	2,897	-	25,866	502	-	-	-	-	-	-	-	-	3,86,412
Moozuffernuggur - - -	174	138	-	2,04,693	1,09,331	16,094	33,348	925	-	538	-	853	-	-	7,990	9,235	-	-	-	1,146	-	-	-	-	-	1,79,462
Meerut - - -	-	-	-	4,07,293	2,33,005	34,941	1,40,206	-	230	1,221	-	1,413	-	-	-	-	-	-	-	-	-	-	-	-	-	4,11,107
Jaqua Sirdhana - - -	-	-	-	85,203	48,152	3,206	34,148	-	53	-	-	135	-	-	-	-	-	-	-	-	-	-	-	-	-	85,698
Boolundshuhur - - -	-	-	-	2,86,961	70,105	57,889	52,198	906	206	39	80	1,570	1,550	-	-	24,009	98,097	-	-	-	-	-	-	-	-	3,06,649
Allyghur - - -	-	-	-	4,46,163	1,69,292	1,98,907	48,033	1,364	-	-	378	5,752	104	-	-	10,216	-	-	-	-	-	-	-	-	-	4,34,046
<i>Rohilkund Division.</i>																										
Bijnour - - -	-	-	-	3,12,346	1,23,941	10,036	12,331	5,106	-	1,397	-	1,386	-	-	5,235	21,235	550	-	-	-	-	-	-	-	-	1,81,217
Budaon - - -	-	465	-	3,45,444	1,58,013	90,603	43,307	1,919	-	1,307	97	1,630	-	-	-	1,852	1,207	-	-	-	-	-	-	-	-	2,99,935
Pilibheet - - -	-	-	-	1,34,039	33,171	2,450	10,999	3,961	282	2,601	17	105	-	-	-	2,593	1,487	-	-	-	-	-	-	-	-	58,025
Bareilly - - -	-	617	-	3,52,495	1,78,922	26,321	30,006	11,443	-	6,010	-	-	1,152	-	-	14,796	22	-	-	-	264	415	1	151	-	2,78,239
Shahjehanpore - - -	-	-	-	2,76,070	2,13,205	27,476	41,322	3,549	-	542	-	1,473	162	478	2,120	5,938	234	-	-	-	812	-	-	-	-	2,98,493
<i>Agra Division.</i>																										
Muttra - - -	-	-	-	3,67,459	75,874	46,348	95,458	27	-	-	-	1,637	-	-	-	-	18,960	-	-	-	-	-	-	-	7,987	2,46,286
Agra - - -	-	-	-	4,53,307	79,585	64,618	80,218	507	-	-	392	2,693	-	-	-	-	-	-	-	-	-	-	-	-	23	2,28,071
Furruckabad - - -	-	-	-	3,55,276	1,58,372	1,42,072	47,682	329	-	-	-	9,808	-	-	-	10,270	3,911	-	-	-	-	-	-	-	-	3,72,154
Mynpoory - - -	69	-	239	1,88,917	1,20,781	79,207	32,602	4,641	285	168	4,877	6,566	110	79	-	27,089	997	-	-	-	17	-	-	-	-	2,77,379
Etawah - - -	-	496	-	2,46,314	37,752	27,567	64,558	2,428	-	231	417	884	-	121	-	236	36,942	-	-	-	433	-	-	-	-	1,91,559
<i>Allahabad Division.</i>																										
Cawnpore - - -	-	1,043	-	3,46,085	81,948	49,920	72,840	8,630	-	210	-	54	-	1,110	-	1,401	79,650	-	-	-	488	1,127	-	1,547	-	2,98,925
Futtelpore - - -	-	-	2,710	2,18,976	72,588	1,27,760	37,090	26,823	-	-	-	1,498	-	-	-	-	-	-	-	-	-	3,273	-	-	24,791	2,93,823
Allahabad - - -	-	-	-	4,25,659	1,30,628	2,42,136	1,08,164	75,115	-	-	-	-	-	-	-	-	-	-	-	-	-	5,018	-	-	-	5,61,061
<i>Benares Division.</i>																										
Goruckpore - - -	-	-	-	13,05,388	3,21,133	2,95,578	1,25,997	1,35,161	2,639	50,251	1,468	3,717	-	68,964	-	24,596	-	-	-	-	-	14,996	222	279	-	10,45,007
Azingurh - - -	-	-	-	2,93,829	33,913	2,89,138	56,499	26,433	135	1,076	15	1,019	-	-	-	-	-	-	-	-	4,082	487	20	-	-	4,12,819

Sudder Board of Revenue, North-Western Provinces, }  
Allahabad, 18 February 1842.

(signed) H. M. Elliot, Secretary.

III.  
Report on the  
Settlement of the  
North-Western  
Provinces.

III.—TABLE showing AREA, POPULATION and ASSESSMENT.

DIVISION.	DISTRICT.	Total Area.	Population.	Assessment.	
				Rs.	a. p.
Delhie	Delhie	3,64,534	-	3,63,375	-
	Rohtuc	8,44,666	-	6,28,316	-
	Goorgaon	11,60,437	-	10,14,248	-
	Hissar	16,57,975	2,33,231	3,80,200	-
Meerut	Saharunpore	10,18,705	5,41,201	10,05,587	-
	Moozuffurnuggur	6,91,706	3,61,235	6,72,740	-
	Meerut	17,76,430	8,71,071	28,15,614	-
	Boolundshuhur	10,25,096	4,29,177	9,51,682	-
	Allyghur	11,19,238	7,01,178	19,64,486	-
Rohilcund	Bijnour	10,27,533	4,86,132	11,22,375	-
	Moradabad	-	6,67,384	6,68,707	-
	Budaon	14,50,418	2,18,649	11,03,064	-
	Pilibheet	-	1,16,282	3,90,498	-
	Bareilly	11,16,174	3,32,423	12,63,453	-
	Shahjehanpoor	13,09,211	1,78,806	10,27,075	-
Agra	Muttra	10,16,153	5,28,395	15,57,280	-
	Agra	9,35,825	5,23,188	13,92,972	-
	Furruckabad	12,47,288	6,28,993	14,95,750	-
	Mynpoorie	12,80,927	3,62,898	13,82,382	-
	Etawah	10,71,756	2,46,883	13,10,938	-
Allahabad	Cawnpore	14,97,795	4,66,820	21,81,540	-
	Euttehpore	9,90,584	4,13,227	14,18,933	-
	Allahabad	17,90,244	6,91,971	21,56,501	-
Benares	Goruckpore	45,60,049	12,69,693	20,83,546	-
	Azimgurh	16,52,293	7,79,555	15,17,883	-

Sudder Board of Revenue,  
North-Western Provinces, Allahabad,  
18 February 1842.

(signed) *H. M. Elliot,*  
Secretary.

III.  
Report on the  
Settlement of the  
North-Western  
Provinces.

IV.—TABLE showing the Prices of WHEAT in each District of the North-Western Provinces,  
on an Average of Ten Years.

NAME OF DISTRICT.	Ten Years' Average Quantity of Wheat obtainable per Rupee in Maunds.	Ten Years' Average Quantity of Wheat obtainable per Rupee in Pounds.
	<i>Mds. srs. chs.</i>	<i>Lbs.</i>
Delhie - - - - -	- 37 4	76 • 7 12
Goorgaon - - - - -	- 26 1	53 8 4
Hissar - - - - -	- 47 6	97 14 7
Saharunpore - - - - -	- 39 4½	80 13 6
Moozuffurnuggur - - - - -	- 37 6	75 15 9
Meerut - - - - -	- 32 10	65 4 -
Boolundshuhur - - - - -	- 35 9½	66 4 2
Allyghur - - - - -	- 35 12	78 - -
Bijnour - - - - -	1 - -	82 4 -
Moradabad - - - - -	- 33 5	68 8 -
Budaon - - - - -	- 27 4	56 - -
Pillibheet - - - - -	- 28 1	57 12 -
Bareilly - - - - -	- 25 3	51 10 -
Shahjehanpore - - - - -	- 33 12	69 6 -
Muttra - - - - -	- 26 11	54 12 12
Agra - - - - -	- 29 14½	61 8 6
Furruckabad - - - - -	- 31 9½	64 15 4
Meynpoorie - - - - -	- 30 12	63 2 4
Etawah - - - - -	- 24 7	50 2 14
Cawnpore - - - - -	- 38 -	- 37 10
Futtehpore - - - - -	- 28 1½	- 57 12
Allahabad - - - - -	- 17 14	- 36 11½
Goruckpore - - - - -	- 20 1	62 13 -
Azimgurh - - - - -	- 20 12	59 - -

Sudder Board of Revenue,  
North-Western Provinces, Allahabad, }  
18 February 1842.

(signed) H. M. Elliot,  
Secretary.



## IV.

MINUTE by *J. Thomason, Esq.*, Lieutenant-Governor of the North-Western Provinces, dated 25 September 1848, on Joint and Separate Responsibility in CO-PARCENARY MEHALS.

IV.  
Minute on Joint and Separate Responsibility in Co-parcenary Mehals.

1. IN considering the question of the joint responsibility of the co-parceners in putteedaree estates, it may be advantageous to inquire, what is the actual state of the law in this respect, how far it is in harmony with the feelings and institutions of the people, and how far it is consistent with the general rules of expediency and good policy.

2. The state of the law is this: that when a body of men remain voluntarily associated together for the joint management of an estate, and one of them falls in balance, the whole body are liable to be called upon to make good the balance.

3. The course of legislation regarding the division of estates shows, that the Government were quite sensible of the dangers to which private rights might be exposed from the well-known principle that joint proprietors were "considered jointly and severally responsible for the payment of the public revenue assessed upon the estate," and that the Government also recognised, as the safeguard against this danger, the power possessed by proprietors in a joint estate, "at any time to obtain a division and separation of their respective shares of the lands, whenever they may deem it conducive to their interests to have recourse to that measure."

See Sect. 3,  
Reg. VII., 1805.

Vide Preamble of  
Reg. VII., 1805.

4. This was provided for by Section 31, Reg. XXVI., 1803, which declared, that "when the proprietor of a joint undivided estate is desirous to have separate possession of his share, the collector shall immediately proceed to make the division of the joint property."

5. The temporary and partial forgetfulness of this principle, which caused the enactment of Reg. VI., 1807, to prevent the formation of estates paying less than 1,000 or 500 rupees jumma annually, only led to its more distinct and perfect recognition by Reg. V., 1810, which rescinded Reg. VI., 1807, and declared that the restriction "laid on the partition of small estates had been the cause of considerable injury to numbers of individual sharers, thereby inducing a sacrifice of private rights, which the degree of public inconvenience, arising from the minute division of landed property, does not appear of sufficient magnitude to justify or require."

6. Reg. XIX., 1814, re-enacted with some modifications the former laws, and maintained the obligation on the collector to divide the estate, on application from one or more of the joint proprietors, provided there were no disputes regarding the shares. But it left untouched the provisions of Reg. IX., 1811, which afford peculiar facilities for the separation of properties in putteedaree estates, on the ground that "the interest and welfare of the landholders require that the division of portions of estates should be easily effected."

7. If there be any dispute regarding the shares, or if the collector hesitate on any account to act under the obligations imposed upon him by the law, to divide an estate on application from the proprietors, it is in the power of one or more of the proprietors to compel division by suit in the Civil Court; it is, therefore, altogether optional with a proprietor whether he remain liable to the joint responsibility which attaches to all sharers in joint undivided estates.

8. If the estate remain undivided, and one of the sharers fall into balance, the amount may be realised from him individually, or from the whole body collectively. In practice, it is customary to attempt to realise first from the individual, then to offer his property to any co parcéner who will pay up the arrears; and if no one accepts this offer, then to hold the entire body jointly responsible for the balance.

IV.  
Minute on Joint  
and Separate  
Responsibility in  
Co-parcenary  
Mehals.

See Appendix,  
No. 84, to Report  
of Select Com-  
mittee of the House  
of Commons on the  
Affairs of the East  
India Company,  
dated 16 August  
1832.

9. It is well-known that these principles of administration have been introduced to meet the circumstances of what are commonly designated village communities in these provinces. These communities cannot be better described than in the words of the late Lord Metcalfe, in his Minute of 7 November 1830: "The village communities are little republics, having nearly everything that they want within themselves, and almost independent of any foreign relations. They seem to last where nothing else lasts. Dynasty after dynasty tumbles down; revolution succeeds to revolution; Hindoo, Patan, Mogul, Mahratta, Sikh, English, are all masters in turn; but the village communities remain the same. In times of trouble they arm and fortify themselves; an hostile army passes through the country; the village communities collect their cattle within their walls, and let the enemy pass unprovoked. If plunder and devastation be directed against themselves, and the force employed be irresistible, they flee to friendly villages at a distance; but when the storm has passed over, they return and resume their occupations. If a country remain for a series of years the scene of continued pillage and massacre, so that the villages cannot be inhabited, the scattered villagers nevertheless return whenever the power of peaceable possession revives. A generation may pass away, but the succeeding generation will return; the sons will take the places of their fathers, the same site for the village, the same positions for the house; the lands will be re-occupied by the descendants of those who were driven out when the village was depopulated; and it is not a trifling matter that will drive them out; for they will often maintain their post through times of disturbance and convulsion, and acquire strength sufficient to resist pillage and oppression with success."

10. Any person who is conversant with the social state of the agricultural classes in these provinces knows, that these communities are found in the most perfect state in the Delhi territory and in Bundelkund, and that they are commonly met with throughout the Dooab, on the right bank of the Jumna, and in the southern and western parts of Rohilkund; and that even in the province of Benares they are frequently found little altered from the state in which they existed when the province first came under our rule half a century ago.

11. The sentiments of the same high authority regarding the course which should be pursued towards these communities is entitled to respect: "This union of the village communities, each one forming a separate little state in itself, has I conceive contributed more than any other cause to the preservation of the people of India through all the revolutions and changes which they have suffered, and is in a high degree conducive to their happiness, and to the enjoyment of a great portion of freedom and independence. I wish, therefore, that the village constitution may never be disturbed; and I dread everything that has a tendency to break them up. I am fearful that a revenue settlement, separately with each individual cultivator, as is the practice of the ryotwar settlement, instead of one with the village community through their representatives the head men, might have such a tendency. For this reason, and for this only, I do not desire to see the ryotwar settlement generally introduced into the western provinces. The experienced advocates of that mode of settlement would, I believe, maintain, that it need not produce that effect. It appears to me, however, that it must tend to loosen and ultimately dissolve the ties which bind the village communities together. Instead of all acting in union with a common interest as regards the Government, and adjusting their own separate interests among themselves according to established usage, each would have his separate independent arrangement directly with the Government, and could hardly fail to be thereby less linked with his brethren."

12. If the settlement is made with all the members of the community jointly, it follows that the whole are jointly responsible for the whole demand; and unless the joint responsibility be merely nominal, it must as a general rule be maintained. It is a principle maintained by all former Governments; it is one the justice of which the people never dispute; and it is one of which distinct traces have been left in many of the customs which prevail in the communities.

13. The expediency of maintaining the principle of joint responsibility is supported by many arguments, besides that of general adaptation to the feelings and customs of the people.

14. It greatly promotes self-government, and renders unnecessary that constant interference with the affairs of individual cultivators on the part of the Government

Government officers, which must otherwise exist; it saves them from much expense, which would otherwise fall upon them; and it facilitates their union for many purposes of municipal economy, which could not otherwise be effected. The efforts of the prosperous and industrious members of a community will often be directed to stimulate the idle, to assist the unfortunate, and to give additional value to the labours of their thrifty brethren. Property being minutely divided, and each proprietor clinging with the greatest tenacity to his patrimony, it would be difficult to devise a civil institution better calculated to add to the happiness and prosperity of the people.

15. And, as a system, it does work well. Year after year thousands of communities pay up their Government demand without any demur or difficulty, and manage their own affairs without needing the intervention of any revenue officer of the Government. It is most desirable that they should continue to do so; and if difficulties do arise, the law has invested the village representative with full power to realise the balance by summary suit or distraint. But exceptional cases will occur. Dissensions amongst the old members of the community, the intrusion of strangers, or the pressure of calamitous seasons, will throw the whole community into difficulty; and great judgment will be necessary in then dealing with the case. It is not impossible that there may be a general alarm, and that even the solvent co-parceners will withhold payment of what is primarily due from them, lest they be held responsible also for the default of others. This need never proceed to any great extent, for on the first occurrence of a balance, the collector can attach the whole village, and can hold each proprietor responsible in his person and personal property for the sum due from him. This power, when rightly wielded, is quite sufficient to prevent any substantial proprietor from wilfully withholding what it is in his power to pay. But even if individual damage and loss to the Government did occasionally occur, this would be quite insufficient to warrant the rejection of a principle otherwise sound, and generally beneficial in its operation.

16. In order that the people should experience the full benefits which the observance of these principles is calculated to confer on them, it is necessary that the revenue officers of the Government should comprehend the full extent of the obligations which rest upon them. They should understand all the advantages attending each state of property; that which involves the maintenance of the joint responsibility, and that which is consequent on its dissolution. They should recognise the duty of rapidly, cheaply, and readily dividing estates, whenever application to that effect is made, with an understanding of the question on the part of the applicant; they should feel and understand the facilities for divisions occasioned by the late settlement; and above all, they should observe a marked distinction in the mode of dealing with joint undivided estates, and with separate estates, on the occasion of a balance.

17. A reference to statement, No. V., shows that there is much diversity of practice regarding divisions. Such divisions, by consent of the parties, are numerous in Rohtuck (74), and in Agra (62), whilst in Goruckpore there are no less than 1,358, being about two-thirds of the number (1,920) in the whole provinces. In Saharunpore and Boolundshahur there have been none, whilst in many districts there are very few. In Rohilkund the practice is uniformly general. The number of divisions, by order of court, is generally small, but in Shahjehanpore it seems to have suddenly mounted up to 141, which is in itself more than half of the whole number (274) in the provinces. These irregularities, no doubt, arise from local misapprehensions, or from whims and fancy on the part of particular officers. There is good reason to believe that, except under peculiar circumstances, the members of a community, when the merits of the case are fairly stated to them, would rather remain united.

18. Statements will not so easily expose irregularities of practice regarding joint undivided estates in balance, but there is reason to apprehend that when a balance is due, and even before the time on which it is legally due, the collector frequently permits separate dustucks to be served on all members of the community, and treats them as if they were severally responsible, without any attempt to enforce, through the lumberdar, the joint responsibility which is an essential feature of the settlement contract. Act I., 1841, has done much to prevent cases of injustice and hardship which formerly occurred; but its too general and indiscriminate use may undermine the very constitution of the village communities.

IV.  
Minute on Joint  
and Separate  
Responsibility in  
Co-parcenary  
Mehals.

IV.  
Minute on Joint  
and Separate  
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19. When a balance has actually occurred in a putteedaree estate, it is evident that if, as the senior member seems to desire, the joint responsibility of the whole community be immediately repudiated, the efficacy of the principle is destroyed at the very time when it should come most into operation. A few examples even of ruin to a community by the enforcement of the principle might possibly be beneficial in their moral effect upon many other communities. Instances may, however, be adduced in which it may be wise to remit a balance rather than attempt to enforce payment by the whole community; as it may be wise sometimes to remit a balance from an individual rather than bring his estate to sale for its liquidation; but it is unnecessary to contemplate the existence of such cases. The joint responsibility of the whole community is understood by the people; it is in unison with their established customs; and is in itself equitable and politic. Being so, its maintenance should be the rule, and exceptional cases should be treated on their merits, it being understood that strong grounds must be shown to warrant the exception.

20. In para. 11 of the secretary's letter, the senior member justly remarks on the importance of facilitating the investment of capital in land. Of this there can be no question, and it is gratifying to observe how eagerly land is now sought after as an investment by all classes of natives.

21. This will be more and more the case in proportion as titles to land are defined and rendered secure. It may be doubted whether the principle of joint responsibility materially affects this. In many cases it certainly increases the desire to obtain the rights and interests of a co-parcener in a joint undivided estate, because the purchaser hopes to make his first acquisition the means, either by fair or unfair methods, of obtaining the whole estate. This is occasionally forced upon notice by the odious efforts of some intriguing oppressor to usurp the property of a whole community; but it also happens, far more frequently than is generally supposed, that a friendly capitalist is introduced to relieve the proprietors of a burden which they find themselves unable to bear, and to afford them the chance of recovery. Undoubtedly the right of pre-emption, which naturally results from the principle of joint responsibility, tends much to the consolidation of small properties. It may be apprehended that "small and independent holdings" would be found so expensive to manage, and so open to vexatious interference on the part of Government officers, that they would be shunned rather than sought after as an investment.

Agra, 25 September 1848.

(signed) *J. Thomason,*  
Lieut.-Governor, N. W. P.

V.

[The Reports on the Settlement of the Districts of Agra and Mozuffernuggur are given for the purpose of exhibiting the manner in which the views and principles enounced in the foregoing Papers were carried into practical effect.]

V.  
Report on the  
Settlement of the  
District of Agra.

REPORT on the Settlement of the District of AGRA, completed by  
*C. G. Mansel, Esq., C. S.;* dated 30 April 1841.

No. 22.

To *R. N. C. Hamilton, Esq.,* Commissioner of Revenue, Agra.

Sir,

Extent of settle-  
ment work finished  
and reported.

I now do myself the honour to forward settlement proceedings, and a report on the revision of the assessment in eight out of the nine pergunnahs in zillah Agra. My operations have extended from December 1838 to the present time; the two Dooab pergunnahs of Ferozabad and Khundowlee having been disposed of in 1838-9; and the six lying on the right bank of the Jumna—Huzoor Tehseel, Iradutnuggur, Futtehpoore Sickree, Furrab, Futtehabad, and Bah Pinahut—having been completed in 1839-40 and 1840-41. The remainder of the zillah, consisting

consisting of the pergunnah of Surhendee, talookah Jharkee in Khundowlee and the Shuhur Suwad mehal—the area of which is 1,65,656 acres, and the jumma 2,31,050 rupees—has been assigned over to Mr. R. Alexander as my successor in the settlement office; by whom the whole work will be completed in respect to assessment, record, and report in the ensuing cold weather.

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2. The survey of the two pergunnahs on the left bank of the Jumna was conducted in 1837-8 by Captain Wroughton; that of the six on the right bank by Captain Fordyce in 1838-9. In both the filling up of the collector's columns in the khusrah was continued in the hands of the revenue surveyors, as seemed expedient and advantageous to both the survey officers, and as being the system which has been sanctioned by the general approval of the Sudder Board. The record of soil and irrigation in the collector's columns was far from discreditably done in Ferozabad. In Khundowlee it could not be worked by me so well as a basis of assessment or standard of comparison; while in the area surveyed in 1838-9 (the year following the drought and famine), from the ruined state of the villages, the distracted condition of the zumeendars, the impossibility of procuring even decent ameens for the survey work, and other causes, the survey work could not be characterized as possessing adequate accuracy. Pertaal arrangements were not omitted, and the testing duty was conducted with labour and care; still it was only conducted with the intention of revising, generally, the whole of the collector's columns of the survey work, should opportunity offer; and this revision, pergunnah by pergunnah, was subsequently made in 1840, when some leisure to direct and control the work was afforded to me. I have satisfaction in stating that, by this revision, a very complete state of possession in byachara villages has been obtained, and a large approach has been made to obtaining that standard of assessment or comparison which the record of soils and irrigation is intended to supply.

Character of the  
revenue survey.

3. Had the district been situated other than it was, I should have deemed it right to postpone the revision of assessment till further accuracy had been obtained in respect to the khusrah returns of area, soil, and irrigation. The inconvenience and suffering would, however, have been large to the people by a delay, which would suspend all the natural action of the zumeendaree interest for a year. The loss to Government would, too, have been no unimportant sacrifice; while it could not be denied that the local information possessed by an officer so long resident in Agra as myself, and in a district too which from circumstances had been well or fully assessed in the 1216-8 Fuslee settlement or subsequently, was as ample a ground-work for a revision of settlement as superior statistic data would be to a new officer in a district lowly or very unequally assessed. I proceeded, therefore, with the work, and am not dissatisfied with the result. No doubt the further information supplied by completer statistic returns would have been incorporated with much advantage in the data that I did use for carrying on the revision of the settlement; but the whole system of settlement is one of comparative advantages. Reasonable equality of assessment, reasonable accuracy, and reasonable promptitude, are the main objects held up to the view of the settling officer. By his instructions, and short of a resort to a system of settling a district by encampment and personal inspection in detail of the European settlement officer in each village, which in Agra would have occupied more than five years, I am not aware that the main advantages contemplated by the present system of settlement could have been better conferred on this district than has been done by the settlement operations actually carried out by myself. The doul or estimate of the native officers is, no doubt, the real basis of work of this character. Here, however, it was supplied, as far as lay within my power, under such encouragement to accuracy, such check to wilful mis-statement, and such correction to mis-judgment, that the real rent assets were, in the main, as fully secured as if I had been enabled to work out a completer system of pergunnah assets, and deduced revenue rates in the first instance.

Reasons for pro-  
ceeding with the  
settlement opera-  
tions.

4. In assuming the settlement of 1216-8 Fuslee for the six pergunnahs on the right bank of the Jumna as the basis of my aggregate operations, I was led by the circumstance of the productive assets of the zillah having at that time been largely brought out; and of the settlement officer of five of the six pergunnahs, Mr. Alexander Ross, from his experience, natural turn and ability, having succeeded in bringing them under assessment. The Agra pergunnahs had long formed the vicinity of the metropolis, and under the Jats and Mah-

Second settlement  
of 1216-8 may be  
used as a basis of  
general calcula-  
tions for revision  
for the right bank  
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\* Report to the  
Board of Commis-  
sioners, 23 Jan.  
1808.

rattas the country had been subjected to a cultivation forced by rack-renting. Farmers were easily to be had, and capital was more abundant than in less populous and more distant provinces. All information establishes this fact. Mr. Ross in 1808, in his reports to the Board of Commissioners, states that most of the estates in the zillah were already near to complete cultivation; and, with the exception of pergunnahs Furrāh, Futtehpoore Sickree, and Surhendee, he had already\* recommended that the triennial settlement, then being formed, should be declared permanent in the zillah. On this and other points connected with this settlement, I put myself in detailed communication with Bahadur Sing, who was acting dewan † of Mr. Ross at the formation of this settlement. From him too I learn, that in Huzoor Tehseel, Iradutnuggur, Futtehabad, Ferozabad, and Khundowlee, the resources had been completely drawn out at the conquest; the Dooab pergunnahs having been under the management of General Perron, and the others under that of Colonel Hessian, the administration of both which officers was much superior to that of the Native Governments; while Furrāh, Futtehpoore Sickree, Surhendee, and Bah Pinahut, possessing a soil of inferior quality, were lying waste to some extent in 1803, and were therefore susceptible of future increase from the breaking up of culturable land. Next, as to the character of the assessment, I find, from a reference to the settlement reports of Mr. Ross, that the allowance of the assets granted to the zumeendars was, on an average, somewhat more than one-fourth, and in some few cases that it was nearly one-third. Mr. Ross speaks with confidence of his plans for getting at the gross assets of the lands, and of his success in arriving at the truth, or rather that his estimate was within the range of the actual assets. On the whole, therefore, there seems to have been good ground-work for general views in Mr. Ross's measures; and they have been, with few exceptions, used accordingly. First, Furrāh was comparatively rather over-assessed by Mr. Ross: the soil was poor, and the people were turbulent and predatory. The large increase which was exacted on the settlement of 1213-5 Fuslee bore hard on the capabilities of a division where agriculture was most sluggish, and the people most unthrifty in their habits. In Futtehpoore Sickree Mr. Ross was less successful in getting at the real assets than elsewhere. The pergunnah had suffered much during 1804-5 from the Holcar gurdi and the war with Bhurtpoore. On this very account a low assessment had been imposed by Mr. Ross himself at the previous triennial settlement. ‡ Besides this, one Meghraje, canoongo, held several estates, and could not be induced to support Mr. Ross in his searching inquiry into the state of the mehals, for which misconduct Meghraje lost his office. In respect to Bah Pinahut, owing to Mr. Ross's removal at the close of 1808, the settlement fell on a new officer, Mr. Trant; under whom, partly from want of complete information, partly from the zumeendars being largely Buddowreya Rajpoots, a class not easy to rack-rent, and further, from land being really lying, uncultivated, a low range of Government demand was taken.

† See letter,  
26 May 1806, of  
Mr. Collector Ross.

Settlement 1223-7  
Fuslee on the left  
bank of the Jumna.

Character of re-  
maining settle-  
ments.

5. The settlement of the Dooab pergunnahs in 1216 Fuslee was made without any of the detailed inquiry of Mr. Ross. The subsequent one of 1223-7, made by Mr. S. M. Boulderson, may, however, rank with Mr. Ross's, as founded on a system of detailed and careful investigation as respects aggregate demand; though, of the two pergunnahs, the assets in Khundowlee were more lightly brought under assessment from the extent of byachara property in that quarter. There being no tenantry in such estates, or at least no general rent-roll, it was difficult at that season to bring such estates under assessment equal to natural capabilities.

6. The settlement of 1223-7 Fuslee, in the six pergunnahs west of the Jumna, was made by Mr. Wright, the jummas of a few villages, which were recusant, being finally settled by Mr. H. G. Christian. No real information, or correct principle of assessment, seems to have been possessed by Mr. Wright. Exaggerated douts, secret information, and farming offers, were the machinery resorted to for the revision of the demand of the Government. The increase in Furrāh, Huzoor Tehseel, and Bah Pinahut, as also part of the present pergunnah of Futtehabad, was excessive and injurious: much of the benefit of Mr. Ross's labours

† In a Report to the Board, 23 November 1808, recommending that Bahadur Sing be confirmed in the situation of dewan, Mr. Ross speaks of that officer having shown himself, during the formation of the settlement, fully qualified to perform the duties of the office.



labours was thus marred; and those pergunnahs that continued lightly or moderately assessed, owed their fortune to the influence of parties connected with the confidential advisers of the collector. Surhendee, Futtehpore Sickree, and parts of Iradutnuggur and Futtehabad, thus remained without any undue pressure on their resources. Mr. Christian very properly reduced the jumma of the villages; which, by reason of recusancy, remained unsettled on his receiving charge of his office.

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7. The Regulation VII., 1822, operations of Mr. Collector Boddam, remain alone to be noticed. They were made on exaggerated soil rates, and his assessment was excessive. The following table will show the state of these villages, under Regulation VII. settlement, and at the revision now made:—

Mr. Collector Boddam's Regulation VII. settlements.

PERGUNNAH.	Village.	Regulation VII. Jumma.	New Jumma.	Average Acre Rate on Cultivation.	
				Mr. Boddam's Settlement.	Present revised Settlement.
Huzoor Tehseel - -	35	61,541	52,343	3 1 5	2 10 -
Furrah - - -	21	34,337	28,020	2 5 -	1 14 2
Futtehpore - -	7	19,669	17,127	3 4 1	2 13 7
Futtehabad - -	1	681	452	1 14 11	1 4 6
	64	116,228	97,942		

Reduction 18,286, or 15 per cent.; a decrease having been given in every estate except two, to which some land was reannexed from the Government escheats-mehal.

8. Having thus taken a general view of the fiscal features of the zillah at the former settlements, I proceed to remark on what, if any, degree the means of the agricultural community have increased at Agra since the times of Messrs. Ross and S. M. Boulderson. Now, the power to pay a higher rent may arise from three causes: the increased productiveness of the soil; the proportion of gross produce required to remunerate the farmer, being reduced by improvements in land tenures, facilitating the advance of the capital, by canal irrigation, &c. &c.; and the increase in the price of produce. The first is notoriously not the case. The soil, by common consent of Europeans and natives connected with the land, is over-cropped, and its yield is less. Little, if anything, has been done in this quarter by the action of society or legislation to render the net return, or the value of the net return, of farming and cultivation greater; while in respect to prices, though grain in general has decidedly risen during the past 30 years in the Agra market 10 per cent. in price,\* yet as the rise in price in that portion of grain that is of necessity expended in the farmers' and assamees' consumption has no influence on rents; as the yield appears undoubtedly less, and as the deduction in the earlier assessments was, say, as one-fourth compared to the one-third now usually allowed, there seems not, in this degree of rise, the means of bearing any much greater burden. Sugar, from the dry and sandy character of the soil, is scarcely grown in the Agra district. Indigo is produced, but slightly; Mr. Wright being the only planter remaining, and his out-turn being small. Cotton occupies about one-tenth of the area, but its rise in price since 1808 has not materially advanced the condition of the grower. On the whole, therefore, the natural rent assets have little improved since the 1216 Fuslee and 1223 settlements in Agra.

State of the present agricultural resources of the district, as compared with the actual rent assets in 1216 Fuslee for the western pergunnahs, and 1222 F. for the eastern.

\* See Note A. in the Appendix.

9. Viewing, then, that the settlements of Messrs. Ross and Trant in 1216 F., and of Mr. Boulderson in 1223 F., left the Huzoor Tehseel, Iradutnuggur, Futtehabad for the most part, and Ferozabad assessed at a full amount; that on Furrah a jumma somewhat heavy was imposed; while in Khundowlee, Bah Pinahut, Futtehpore Sickree, and the talookdaree estates of Futtehabad, some increase was fairly obtainable; I proceeded to assume, that if something of a medium of present jumma, and that fixed in 1216 and 1223 as above was taken, it would give a fair demand in round numbers for the entire zillah; resumed maajee being included in, or excluded from, both items of the calculation. This medium would give the sum of 13,78,332 rupees as a proper jumma;

Practical result of views in respect to existing zillah jumma.



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tabular form of  
statistical data for  
commencement  
of revision of set-  
tlement.

resumed maafee up till 1839 being included therein. The calculation is entered below.\*

10. Having come to the above conclusion, I proceeded to throw the whole assessable assets and statistical data into a tabular form, as the next point in the progression of my assessment. The Huzoor Tehseel took its place in the table as the pergunnah yielding naturally the highest rent rates. From this, on each side, branched off each pergunnah, in relative proportion of fecundity and other advantages. This table is here introduced as embodying the main features of an agricultural character, on which an assessment should be made, and by which its equality can be tested. To render the table complete, the result of the settlement has also been introduced; though the intermediate stages of descending, from views of pergunnah jummas to forming of chucks or subdivisions of pergunnahs, classification of soils and village assessment, have still to be detailed.

System of rent  
assets and deduced  
revenue.

11. Much pains were taken by me, in the commencement of the settlement operations in Ferozabad, to work the system of pergunnah rent assets and deduced revenue rates. My officers and myself considered, indeed, that we had been very successful in applying the principle. The following was the scale of rent rate adopted, from a careful analysis of several mehals in average and superior cultivation in pergunnah Ferozabad :—

## IRRIGATED SURFACE.

SOILS.	Rent Rates per Acre,			
	Chuck 1.	Chuck 2.	Chuck 3.	Chuck 4.
1. Chicknote or clayey -	6 8 -	6 8 -	5 - -	5 - -
2. Doomat or manured soil -	5 - -	5 - -	5 - -	5 - -
3. Mootyar or stiff earthy -	5 - -	4 - -	4 - -	4 - -
4. Perya or yellow -	4 - -	4 - -	4 - -	4 - -
5. Bhoor or sandy -	4 - -	3 - -	3 - -	3 - -
6. Rettar or mere sand -	3 8 -	3 - -	2 8 -	2 8 -
Average -	4 10 8	4 4 -	3 14 8	3 14 8

Specimens of these soils have been sent to the suddur catchery for deposit and future reference.

And the half of the above for non-irrigated land. The following, though not a critical chemical analysis of specimens of the above soils, will give a fair general character of each sort, as intended to have been used by me in forming the system of standard of assessment and comparison :—

No. 1. Alumina or clay principally; silex, one-third; small quantity of the carbonate of lime and of vegetable matter.

No. 2. Silex large; alumina smaller; some quantity of lime, perhaps one-tenth; silex and lime may be six-tenths altogether.

No. 3. Silex perhaps six-tenths of the whole; the rest alumina and vegetable matter; small proportion of the latter.

No. 4. Silex, six-tenths; alumina, four-tenths.

No. 5. Silex, seven-tenths; alumina, three-tenths; little vegetable matter.

No. 6. Silex, eight-tenths; alumina, two-tenths; all the specimens contain water, and also a very small proportion of iron.

To this series I subsequently added the following subdivision of No. 1, being specimen of a fine clayey soil found in a few villages in the Dhoulpoor country, on

	Rs.
* 1. Jumma previous to new settlement - - - - -	14,35,170
2. Jumma of 1216 F. for the pergunnahs west of the Jumna, and of 1223 F. for those east of the Jumna - - - - -	13,21,494
3. Difference of the above two columns - - - - -	1,13,676
4. Half of the last column - - - - -	56,838
5. Columns 2 and 4 together - - - - -	13,78,332

on the bank of the Chumbul, and extending into the north-west part of Bah Pinahut; it is called maar :—

No. 1. B. Reha Bareinda, chiknote, alumina, silex in larger proportion than in No. 1; no lime; less vegetable matter than in No. 1.

The deduced revenue rates were formed by simply taking two-thirds of the rent rates in the first three chucks; and in the fourth, it was intended to allow a large per-centage, about half. A large correspondence will be found to exist between the value at deduced revenue rates and the jumma actually assessed in pergunnah Ferozabad. Except in the villages in and bordering upon the ravines, the deduced revenue rates proved a most valuable instrument in forming the assessment. In those villages, from the varying character of the country—sometimes broken into, deep dells—now yielding a fine sheet of table land—there supplying, in the dry bed of a torrent, a good tract for not irrigated barley sowings—and on the bank of the Jumna, not unseldom, fortunate in possessing a belt of aluminous deposit or khadur land; it was certainly, even in Ferozabad, scarcely practicable to apply any general standard of assessment like rent and deduced revenue rates. The doul of the tehseeldar, the nickassee of the village, and information from independent sources supplied data for personal inspection to approve or correct. In the pergunnah of Khundowlee, our success in applying the rent and deduced revenue rates was less, partly from the country being more broken up by the Jhirna stream and Jumna ravines. On the right bank of the Jumna, I commenced with great care the application of the system to Furrah; but, after the loss of much time, and every kind of attempt to throw the whole pergunnah into chucks, to be assessed in proportion to relative natural advantages, in order to secure some kind of standard of comparison, I was compelled to allow a general deduction of 7½ per cent.\* on the deduced jumma produced by the Ferozabad rent rates, and to close my labours in order to save the season. The want of accurate data to form and assess the chucks by their respective merits certainly led to somewhat of inequality of assessment in superior estates; though the standard of the demand being pitched low, the chance of leaving any over-assessed was reduced to little or nothing. The villages about Achnera are certainly under-assessed, as compared with the adjoining pergunnahs of Huzoor Tehseel and Futtehporé Sickree. The error was, however, but partial, and the sacrifice not large. Many months after, when the revision of the khusrahs had taken place in detail, it would have occasioned much delay and trouble to have reviewed my proceedings in respect to these few villages; and what was of more importance, it would have given an unstable character to the settlement operations—always injurious and most unpopular when the review is to increase the Government demand.

12. In the Huzoor Tehseel I began to devise a new plan for extracting much of the advantage of the Board's system out of the existing materials. I only, however, partially saw my way through it in this pergunnah; but in each of the four remaining pergunnahs, it was the basis of my operations. Taking the pergunnah map of Iradutnuggur, I directed the canoongos to distribute the villages into chucks or divisions, of different degrees of productiveness. The first chuck was marked by colour red, the second yellow, the third green, and the fourth brown. Under the name of each village, the average acre rate of the old jumma on cultivation was then added. Thus, on a superficies, I could at once see the comparative range of assessment on all estates equally circumstanced. Taking then the acre rate of an estate in chuck No. 1, which I deemed, or rather knew, to be fairly assessed, as well as to possess average advantages in respect to soil and irrigation, with ordinary depth and quality of water, I compared that with the acre rate of the conterminous estates, village by village, throughout the chuck. I then took into view the nickassees and douls of each estate; and after throwing out of one chuck into another such villages as I deemed improperly placed, if I found the old acre rate correspond with the test rate, and that the nickassees and douls supported that range of demand as neither high nor low, I upheld the old jumma, or altered it only for round numbers' sake. On the

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Forming of per-  
gunnahs into  
chucks, and appli-  
cation of the aver-  
age acre rate of the  
old jumma, to show  
the high or low  
character of exist-  
ing assessment.

\* This reduction in deduced revenue rates has not been shown in Form II. and III. It was a nominal calculation, to have been noticed only if more accurate statistics could not be secured; and reference to it was abandoned on the revision of the collector's columns supplying a proper deduced revenue standard.

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the other hand, if the acre rate was lower, while the nickassees and douls showed superior or average productiveness, an increase, after any further private inquiry, was taken; while, if the acre rate was higher, and the nickassee doul returns only showed average or inferior productiveness, the cause of the variation was traced out, and a decrease allowed, or not, as was required. At the same time, by reviewing the pergunnah area and village acre rates in this chart form, the collector could commonly see most of the causes of natural variation from the test acre rate adopted by him; such as the intervention of a nuddee, the existence of dehur or low lands flooded in the rains, the approach to ravines, a part of the area lying on the boundary of bhoor or sandy villages, and the country being intersected by broken ranges of sandstone hills. He also possessed the great advantage of being at once able to cross-examine his tehseeldar and canoongos, as to the causes of natural and casual variation in existing jummas, their estimates, or actual nickassees, by arguments delineated on the map before them. This course was adopted throughout the whole of the pergunnahs of Iradutnuggur, Futtehabad, Bah Pinahut, and Futtehpore Sickree.

View of the settle-  
ment given in set of  
maps on a reduced  
scale, and coloured  
to represent the  
several chucks of  
the pergunnah.

13. These four maps, as thrown into chuck divisions, and having been subjected to a few improvements that further progress in the work enabled me to adopt, have been reduced to a small scale, and are submitted herewith for reference. To render the map book complete, the other pergunnahs were, after the settlement, thrown into the new chuck form, and coloured accordingly. This enabled the intelligent artist, Mr. C. Johnson, employed by me in reducing and colouring, to give a map of the whole, divided into colours, and representing the proportion of area in each pergunnah, which had been assigned to each chuck. If the pergunnah chucks were correctly prepared, it was natural to expect that sheets of superior soil and inferior land would run continuously from pergunnah to pergunnah, till some new topographical feature intervened to show the cause of change. Thus, the course of the Ootungun and Orin nuddees, and the line of the Jhirna torrent, alter at once the superficies of the country, and disturb the continuity of higher soil. Again, the Jumna below Agra, and the Chumbul, from their first appearance, mark their progress by at most an uninterrupted chain of lofty ravines. The sandstone hills of Futtehpore Sickree and Surhendee are another geographical feature that interferes with the agricultural productiveness of the western part of the district. Could any scale have been discovered to represent the varying depth of water, and also its quality, it would have been an interesting and useful addition to this map. After much inquiry, and many attempts, it was abandoned; but the point has been slightly noticed in the tabular statement. A curious mistake made by myself, and not discovered till the map of Furrâh was coloured off, will show that no inconsiderable care was applied to adopt the real productive features of each part of a pergunnah as the basis of assessment; or at least that they have come under adoption, with the exception of the villages about Achnera, referred to above. In the rough forming of the chucks in Furrâh, but three were at first used, so that the ravine one appeared as No. 3; subsequently a sheet of pooth, or sandy hill-land, was discovered on the Bhurtpoor boundary, which rendered a cluster of Agra villages very inferior to the character attached to the first classification. They were thrown into a new chuck, and it was called No. 4, to prevent the necessity of altering much the tables of calculations already drawn out. This chuck ought to have been coloured green; it was coloured brown; and it will be observed by a reference to the table of statistics, that as the soil in chuck 4 is much superior, so also is the range of new jumma per acre over that of chuck 3, it being on cultivation *Rs.* 1. 12. as compared to 1. 5. 8.

After the forma-  
tion of the jumma  
of the eight pergun-  
nahs, correspond-  
ence of the whole  
with the assess-  
ments of adjoining  
zillahs.

14. The new jumma of the eight pergunnahs gives an average acre rate on cultivation of *Rs.* 2. 2. 5, with 51 per cent. of irrigation; and out of the culturable area but 8 per cent. being uncultivated. Population, according to a careful census taken in 1831 by myself, and adjusted to the new limits and divisions of the zillah, being 424 per square mile.\* To show the propriety of my assessment, a sketch map has been added to the map book of Mr. Johnson, in which the acre rates of the pergunnahs in the different zillahs adjoining Agra, and

\* Including Surhendee, Jharkee, &c.

and in which settlements were made by different officers of revenue experience and approved talent—viz., Muttra, by Messrs. Deedes, Allen and Tyler; Allygurh, by Mr. J. Thornton; Mynporee, by Mr. G. Edmonstone; and Etawa, by Mr. M. R. Gubbins—have been mapped comparatively with Agra. The pergunnahs have been reduced in this map from either the reduced maps of the Board, or the original maps of the revenue survey; and the rates have been obtained from the zillah records.\* All pains have been taken to secure the accuracy of these rates; but if any error can have crept into them, I would plead that it was not in my power to procure other returns; and for the main object they must be substantially complete. A comparison of Ferozabad with Julleypur or Skekoabad, 1st division, in one direction, and Husain or Hatras in the other; of Khundowlee with Julleypur and Saidabad; of Furrāh with Sonsa and Sonk; of Futtehabad with Shekoabad, 2d division; and of Bah Pinahut with Bharepura, will satisfy Government, I trust, that the relative productive powers of the zillah have been subjected to revision of assessment with care, comparatively as well as directly. In the detailed table † are also entered the comparative results of the assessments of the villages of Ferozabad and of Mynporee zillah, which actually adjoin; and in the same way those of Khundowlee and Muttra zillah, and Furrāh and Muttra zillah. It will be the more satisfactory when I add, that the means of this detailed comparison was not available when I made my own settlements; and that the value of such a correspondence is much enhanced, because it *bonâ fide* springs from the application of similar aims at accuracy in different parts of the country.

15. Previous to the commencement of my settlement labours, my attention had been directed to the features which enabled Agra and its neighbourhood to bear a higher rate of assessment than the soil returned generally elsewhere. I had returns prepared for me of the prices of agricultural produce in the zillahs named in the margin, ‡ for a series of five years, from 1833 to 1837, by mutsuddies, who visited each station in 1838. I did all in my power to secure accuracy, by instructing them in the mode of preparing the forms, and in calculating variations of weight; by making liberal allowances to the men, and by testing the returns afterwards. To render the comparative character of the returns more correct, the year of drought, 1837, was omitted, and a quadrennial average struck for 1833-6. The result is given in the note C. Though the returns were prepared from the kotwalee records, except in Mynpooree, yet the register itself has obviously been in some prices-current kept incorrectly. The main cause of unnatural variation of price in the returns, between this or that zillah for the same article, is that prices for many articles have seldom been kept for every month of the year. If, therefore, prices were low in the early part of the year, when entries were made for only four or five months, or till the close of the spring harvest, the average price of that zillah would not correspond with the average of a zillah, though an adjoining one, where the *niriknameh* had been regularly kept up throughout the year, especially if prices rose much in the middle or close of it. After thus reconciling some unnatural differences, the table may still stand, as proving that the Agra market affords a price much higher to the farmer for his grain than that of Delhie, Rohilcund, and the Upper Dooab. The difference is, of course, the difference of carriage. This difference, if productiveness were equal, would be assessable by Government, and justify, *pro tanto*, a higher range of land tax. Again, capital is more abundant at Agra than in Rohilcund, the Upper Dooab, and most parts of Delhie. As a whole, the village communities have in Agra settled down into habits of peaceful employment; and there is now little dread of other outrage than passive resistance from their hands, by taking an estate in farm, or by auction purchase, or even by the execution of a civil court's decree. The character of the agricultural population is a most important point in calculations of fiscal measures or private speculation. It is not unknown for an indigo planter, at an auction sale of a village, to send word to the old village community, that he would only bid with their concurrence, as he could only make his speculation answer by securing their good-will. For instance, the most flourishing pergunnahs in zillah Agra are Iradutnuggur and the upper part of Ferozabad. The Gola Poorub, a class of Brahmins, in the one, and the Jadouns in the other, are as spirited farmers as are to be found in the country. Money-dealing flourishes among them; while with the lazy, extravagant, and faithless class of Goojurs and Gorae Rajpoots—the residence of the latter of which classes is the cause of the unproductive

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\* See Note B. in  
the Appendix.

† Annexed to para.  
10.

Notice of compara-  
tive features of the  
Agra district and  
of the Upper Dooab  
&c.

‡ Delhie city, Se-  
harunpoor, Meerut,  
Boolundshuhur,  
Mooradabad,  
Bareilly, Shajehan-  
poor, Mynpooree,  
and Furruckabad.

Note C.

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character of much of pergunnah Furrāh, zillah Agra—no periodical adjustment of accounts can be obtained, except by half-yearly actions in the civil courts. Thus the spread of the Jat communities—for the Dooab Jats are superior cultivators—over Saidabad, on to Mahabun, Sissao, Hatras, and Moorsan, readily enables the country to bear a high assessment by increasing capital and extending population. The common existence of buttai in the Upper Dooab and Rohilcund is at once the cause and the effect of a want of farming capital and enterprise. The population per square mile is one index of the comparatively active and sluggish state of farming. Such returns as I have been readily able to secure are noted below.\* In this light Agra has largely the advantage. Again, the small proportion of land susceptible of cultivation in Agra, and which is lying uncultivated, marks how fully the productive powers of the district have been worked out. On the other hand, it would seem that the natural advantages of much of the interior of the Dooab, of the Upper Dooab and Rohilcund are superior; water is nearer to the surface, irrigation is much less required to raise a spring crop of wheat and barley, and the productiveness of irrigated surface is greater. The seasons at Agra, since the drought in 1837, have been so variable, that any attempt to obtain correct returns of the lbs. avoirdupois per acre of the autumn and spring crops has not succeeded; but there can be no doubt that the produce per acre of the spring crop, in respect to wheat and barley, is from 15 to 20 per cent. below the upper zillahs of the Dooab; and as regards chunna much more.† In the autumn crop little difference may exist. There seems, then, somewhat of a balance, as respects Agra, between the advantages of nature and of invested improvement, if the word may be used, to represent the advantage of capital, prices, and tenantry; and it was desirable to glance at the vibration of both in other directions, as an interesting point of economic inquiry, and as affording one test to judge of the relative moderation of the public land tax in different parts of our provinces.

† See Note D.

Internal moderation and equality of Agra new assessment.

16. The next natural head is the internal distribution of the pergunnah jummas, and the data by which the accuracy of that distribution into chucks can be shown. A detailed examination of the tabular statement embodied in this report will, I trust, establish that there is a general correspondence between the rate of assessment and of the productive powers of the different chucks.

Distribution of mouzehwar jumma.

17. The distribution of the mouzehwar jumma will be seen by an inspection of the small pergunnah maps. Though the variation of natural advantages, above or below the average of each chuck, will generally account largely, if not wholly, for a variation of the new acre rate from that of the average, yet it is not to be forgotten that the chuck proportions of soil and irrigation were formed by the revision of the survey khusrah, while the assessment was carried out before that revision commenced. Differences, therefore, now appear which would have been corrected, or the causes of which could have been traced in each pergunnah at the time of the tour, had a perfect khusrah record existed as the basis of assessment. For these differences the collector must claim allowance, as before stated, on the ground of the paramount advantage of pushing on the settlement, even with existing materials. It is a satisfactory proof of the general moderation of the assessment, that not a single village was subjected to farm by reason of the zumeendars refusing to engage for the new jumma. Much detail of remarks has not been made in Form II. Where the standard assumed is one of soil-rent rates distributed into chucks, it seems difficult to find reasons for variations from that standard, except in respect to waste being small or large. There may be some bansuree weed, some kans grass, or a mixture of impure soda may injure the productiveness of some fields; but water being deep, or near to the surface, being noxiously or slightly brackish, is the most important point.

* Seharunpore - - - - -	323	Muttra - - - - -	323
Moozuffurnuggur - - - - -	326	Bareilly - - - - -	326
Meerut - - - - -	293	Agra (census 1831), with one-fourth of	
Alligurb - - - - -	350	the area ravines or otherwise barren -	424

In the interesting and able preface to Captain Cautley's report on the Dooab Canal, the population of the Dooab portion of the Agra zillah is given, from the survey returns, at 223 per square mile. But the survey returns were taken in 1837-38, when the miseries of the drought were terminating in famine. The return is no index to the populousness of the district in its natural state. By a reference to the statistics table, it will be seen that in 1831 the population of the Dooab portion of the Agra district was actually 369 per square mile.

point of comparative advantage not embodied in a soil-rate standard; and the quality and depth of water varies so often in every bar or part of an estate, that much more detailed inquiry is required than the present system affords leisure to pursue for the collector to embody this point in exact calculations for each estate.

18. The khewut, or record of village shares, and the deed of constitution have been prepared with much care. They embrace every point that seemed practicable and desirable for realizing the jumma on fixed principles; distributing the surplus rent in defined shares; bringing the shares of defaulters under sequestration for default; defining the rights in the waste and in the trees growing thereon, and also the power of the brotherhood to divide the same; fixing the right of sale, or conveyance of shares, in co-parcenary estates to parceners and others; settling the mode of collection, or a fixed per-centage, for village expenses; ruling how the office of lumberdar should be vacated or filled up; naming the putwaree, his dues, and mode of election of his successor; appointing a chowkeedar and bullahur, with their remuneration; and creating a road fund of one per cent. on the jumma for the zillah. Specimens of the deeds of agreement in two mehals taken at random, one a pure zumeendaree, and another a pure byachara estate, are given in the note E.

19. The putoti or engagement between the zumeendars and assamees has been formed, by the concurrence of those parties, on the general principle of allowing the zumeendars to collect from old and resident assamees a jumabundee, averaging about one-half more than the Government jumma. The zumeendar prepared his putoti in detail on this aggregate principle. The ryots objected to it, or admitted it, in their particular cases; and the deputy collector superintended the *bond fide* action of the whole proceeding. The object was to leave the mode and character of rent payment to be adjusted among the village community, but to fix a limit to the power of exaction by the malgoozar for the future. The less objection could be raised by the malgoozars to this line of proceeding, when they saw the collector making his own assessments of jumma by general considerations, and declining to tax for the state the extra return of extra enterprise of the zumeendar, or of extra labour of the assamee. The question of the policy of interfering between the malgoozar and the ryot is, no doubt, involved in great difficulty. The object, however, of the present settlement was to fix the rights of all parties cultivating or enjoying the rent of land. The right of the old assamees, resident in the estate, to some protection from arbitrary exaction, is certainly the constitution of this part of the country. To protect them in the enjoyment of it for the future is the real difficulty. Under the putoti, the power of ouster, or advance of rent, even by a civil action, is precluded to the zumeendar so long as the assamee pays his proper rent, and claims to keep his present holding.

20. The important object of placing the office of putwaree on the best footing has been carried out in connexion with the settlement. The office has been weeded of old and inefficient hands, and the allowance of the officer has been fixed generally at the rate of Rs. 3. 2. per cent. or half an anna. in the rupee of the collections. The orders of the Board in respect to allowing but one responsible accountant to each estate have been partially introduced; and their execution has only been suspended in such estates where the incumbents were willing to keep joint accounts; but even then, only on the express understanding that on the death of one of the parties, the survivor should hold the entire office. This mode of disposing of the matter, for the present and the future, has been communicated in detail to the sudder office of this collectorship, that the arrangements sketched out may be completed as vacancies occur. The occupation of the putwarees of the zillah, for the last two and a half years, in the survey and settlement work, has afforded to them a good school for improving themselves in arithmetic and writing; but unless the importance of the office is sustained and directed by the earnest interest, instruction and inspection of the European authorities for the future, the key-stone of the superstructure that has been raised will at once be lost, and the new system of village record and accounts give way.

21. Every care has been taken to prevent mistakes arising hereafter in the khetbut villages, of which there are 194 in the district. In disposing of them, under the Board's instructions, in Form III., the words *analysis* and *synthesis* have been used to express the separation of a mouzah into different mehalwar elements,

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Record of zumeen-  
daree liabilities,  
rights and adminis-  
tration.

Note E.  
Putoti.

Office of putwaree.

Khetbut villages.



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elements, and the re-union of different mouzehwar elements into one mehal. The original khusrah and field-map correspond with the mouzah; while each mehal's superficies is designated by different colours in the different mouzehwar field maps in which it was measured; muntakhib khusrahs from the mouzehwar khusrahs are transferred to the proper mehals, and render their area khutteoni and teereej complete.

22. The only large talookah in this district which came under disposal, according to the rules laid down in the Moorsan talookah proceedings, was that of Sookee Misser in pergunnah Futtehabad. The character of this property, though designated by the general title of talookah in the early settlements and official correspondence, is a very subordinate species to that of the Jat and Jadoun chiefs in the Dooab.\* Sookee Misser was one of those men created by the circumstances of the last quarter of the last century, when the aumil's success in the revenue administration depended on his power to extract the public dues from the village communities by duress of some kind; or by engaging the services of shrewd and ready tools in managing recusant or deserted estates in farm. Sookee Misser was an inferior sort of farmer-general. He was expected to take all villages into his own hands, and manage them as productively as he could, when the aumil of the season was unable to make better arrangements for realizing the public resources. For this duty, the Misser received a nankar allowance of 701 rupees personal pay, and 425 rupees for servants, from the time of Nujjuf Khan; and it was continued throughout the Mahratta rule. The man appears, originally, to have come from Buddeysura in Shekoabad, zillah Mynpooree; and to have found employment in the service of Kirparam, dewan, of the Jat rule at Futtehabad, in the humble employment of bread-maker. He was promoted to the office of shainah in the buttai collections; and, being successful, was allowed to hold five biswahs of Mahrajpoor in farm—a part which soon increased into a farm of the whole estate. Two or three whole villages more were given afterwards in farm, in the Jat times, to him; and so on till, under the Mahrattas, the property in the end aggregated 20 villages, and assessable with a jumma of from 20,000 to 25,000 rupees. In the proceedings of the 1216-8 Fuslee settlement by Mr. Ross, the terms talookah and farm are constantly used as implying the same right in this estate. Sookee, indeed, in preferring his own claims, seems scarcely to distinguish between a title of possession derived from the one character or the other. A glance at the mode of revenue administration of the times will explain, that in this instance the words were but convertible terms. A new settlement was made every year with the zumeendars, and they were required to furnish mal-zamini. If they could not provide security for the revenue, they were still allowed to hold on, but shainahs were placed on the crops; and then, if balances accrued, the defaulters were thrown into confinement till adjustments were made, or at any rate hazir-zamini was supplied. Hostages were even allowed to be furnished, where security for appearance was wanting; so that by some means, after screwing everything out of the defaulters, they might return to their villages ere the rains fell. When the old zumeendars refused to engage, or the estate fell out of cultivation, the aumils preferred to farm it, instead of holding it in buttai collection; thus sometimes Sookee Misser appears as mal-zamin of a village. It is then held kham in buttai. In the following year, it figures in the talookah of Sookee Misser. Two years after advances of tuccavee appear to have been made by the aumil to the original zumeendars. Again the village appears in the talookah of the Misser for two or three years, and in contradistinction to his right as holder of the talookah. The present zumeendars in the canoongo papers of the years just before the conquest are designated mukuddums, that being the term by which what has now grown into the zumeendaree interest in this zillah was then called. In short, little estimation was attached to the possession of villages by the Misser in talookah; and this absence of continuous possession is a special argument against the claims of his heirs to other than a talookdaree allowance. The detailed Persian proceedings in each village of this talookah will show the individual grounds under which the right of engaging for the jumma, in the character of biswehdars, according to

\* See letter of the Sudder Board to Government, No. 347, dated 14 July 1835; and Orders of Government, 4 September 1835, No. 3149; and also letter of the Sudder Board to the Commissioner of Agra, on the settlement of the Jharkee talookah, zillah Agra, 3 April 1840, No. 116.



to the principles of the Moorsan precedent, has been decided to rest in the original village communities, who were all holding on in 1808 at Mr. Ross's settlement, and who still continue in the enjoyment of privileges, clearly marking the limited character of the superiority held by Sookee Misser. The Misser was himself a quiet man, and considerate landlord; he never advanced a claim to more than he conceived to be his legitimate rights. Near 40 years of undisturbed possession has emboldened his heirs to claim the entire proprietary right; though the Moorsan case is completely decisive, as to the nature of the talookdaree tenure, in the view of the Government. With some reason might the degree of consideration shown, by making an allowance of 18 per cent. from the rent assets, be reduced in this case. The claim to compensation is by no means equal; still the wresting of the talookah at this late hour is felt more than if the family had been deprived of it at, or soon after, the conquest: besides this, the services of Sookee Misser deserve acknowledgment. Mr. Ross, in 1808, in his report on this talookah, states to the Board of Commissioners, "that Sookee Misser is a respectable old man. He was treated with favour under the former Government, and is entitled to the indulgent consideration of the Board." I would, therefore, propose that the same allowance of 18 per cent. from the rent assets be made to the talookdar's family; and that it be paid from the collector's treasury as a fixed money payment, whatever might be the realization of the double demand of talookdaree huq and net jumma by the collector from the biswehdars. The management being taken out of the hands of the family, it is but proper that the state should make itself responsible for the means of the family being placed out of jeopardy, from circumstances it cannot now control. The state of the demand is given below.\* The annual payment will be 6,310 rupees to the family, and this to commence from 1248 Fuslee; and the allowance should be discharged half-yearly. To prevent injury, by a premature disturbance of the existing relations of the talookdar and biswehdars, a summary settlement for 1247 Fuslee at the old jumma was made with the former, so that no compensation for that year is called for.

23. In respect to this talookdaree allowance, it further remains for Government to determine whether it is to be subject to division among the parties, who, by mudhakhil mukharij, have obtained possession of part of the property, or the whole is to be assigned over to the family as a pension, dependent on the pleasure of Government. Under a settlement of a dispute by arbitration between mussamat Jussoda, the widow of Buldeobuksh, only son of Sookee Misser, and Hurree Narain, nephew of the Misser, eight villages were assigned to him as his share, and 12 to Jussoda as hers. The latter still continue in the hands of Jussoda; but of the former two have been transferred to one Kyrathee, and three to one Dharajeet. The talookdaree huq, if distributed among these four parties, according to the existing state of their possession, is as follows:

Continuation of  
subject of talookahs.

Number of Villages.	NAMES.	JUMMA.
2	Kyrathee	Rs. a. p. 666 - -
3	Dharajeet	788 - -
3	Hurree Narain	615 - -
		2,069 - -
12	Jussoda	4,241 - -
	TOTAL - - - Rs.	6,310 - -

This

* New net jumma	Rs. 18,783
Talookdaree huq	6,310
	<u>Rs. 25,093</u>

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This matter is further complicated by the circumstance, that in 1216 Fuslee, Sookee Misser set up a large demand against the holders of most of the villages on account of tuccavee advances in money or grain; which was to some extent acknowledged by the communities, but the real amount of which was in no way sifted and settled by Mr. A. Ross. Taking all the circumstances of the case into consideration, the settlement of this demand at the talookah inquiry and the ejection of the family seems but just. But the grant of the handsome allowance of 18 per cent. on the rental can only be recommended by me to Government, on Jussoda and Huree Narain and the other two sharers abandoning this claim, the amount of which is entered below.\* Such an assessment is obviously intended as a compensation for the loss of dues possessed before the conquest. In these dues, debts of old tuccavee must be included. On the whole, then, it is recommended that the talookdaree dues be declared subject to division among the four parties hitherto in possession of the talookah; that such shares of dues be declared an ordinary asset, assignable or subject to sequestration and sale by the courts; and that to prevent the family or others involving the emancipated estates in ruin by actions for the tuccavee demands above stated, 8 per cent. of the dues on the whole talookah be set aside to repay that amount, with interest at 12 per cent., by annual adjustment, according to the shares of the parties in possession. This reservation of 8 per cent. will give an annual sinking fund of 2,804 rupees, which will liquidate the amount due, with interest, by making annual payments in eight years; after this, the 8 per cent. may be restored to the holders of the different shares in the talookdaree dues. It would simplify the affairs of the talookah much if the co-sharers, in consideration of receiving this 8 per cent. at once, were to agree to abandon this tuccavee claim. But, hitherto, they have viewed such an arrangement as prejudicial to their interests; and, therefore, a compulsory mode of getting rid of their power of molestation has been devised for enforcement by Government, if, after the final orders on the talookah, the sharers still refuse to come to reason on this point. It only remains for the Government to decide if the grant is to terminate with the lives of the present sharers, or to be a perpetual one. The claim of the co-sharers to a perpetual grant seems to me, I confess, very strong.

Allowances to  
biswehdars in re-  
sumed talookah  
tenure.

24. After the allowance of 8 per cent. had been made from the rent assets of the talookah, the jumma of each of the 20 villages was again subjected to revision. Though called biswehdars, the new holders of the villages are to all intents zumeendars. The same duties, in respect to police supplies and other public matters, will be required from them. The trouble and attendance at the tehseeldaree and collector's offices will be the same to the lumberdars; and the village expenses, in respect to charity and festivals, cannot be reduced. On the whole, therefore, more especially in the smaller villages, it has seemed to me a necessary policy to grant an allowance, something beyond the 20 per cent. fixed for biswehdaree settlements. If, after all, the biswehdars are unable to retain the estates in their own hands, it will be consolatory to know that favour as well as justice was considered in giving them a fair start in independent malgoozaree management.

Investigation re-  
quired in only one  
other village of the  
talookah character.

25. The only other estate in the zillah to which the talookdaree resumption rules were applied was the village of Ghagpoorah in Futtehabad. The right of the talookdar is even less than that of Sookee Misser; but still, after so long a possession as near 40 years under the Company's rule, the ouster is felt, and viewed as a hardship; and where that act can be in no small degree reconciled to the parties and the public by the assignment of huq talookdaree, it seems to me sound policy to recommend such a measure to my superiors. Eighteen per cent. on the rent assets was 141 rupees; and the payment of this allowance is recommended to be made to the party in possession (one Dyaram), under a mortgage from Keshoram, a member of the Buddeysura family. This Keshoram

is,

* Cash	Rs.
Grain, 1,077 mds. 13 seers, at 1 md. 13 seers per rupee, the price of wheat in 1803, A. D.	12,109
	813
	Rs. 13,222

is, indeed, son of Rampaal, the head of this large and powerful tribe at the conquest, and in Mr. Ross's time, Rampaal's brother, Munsaram, was afterwards headstrong enough to oppose the authorities; and the family, though Mr. Macsween did all in his power to save them from ruin, have, by the emancipation of estates from their hold under decrees of the civil court, accumulation of debt and internal dissensions, sunk into distress, and will soon pass away into the ordinary insignificance of village people. I would hope that this talookdaree allowance may be granted, and in perpetuity too, but in the assignable character recommended in Sookee Misser's case, as a mark of sympathy with the fallen fortunes of this once powerful clan.

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26. His Honor the Lieutenant-governor having been pleased to withdraw the jagheer of the Buddawar Rajah from the resumption inquiry, and to confer the grant on the adopted son of the deceased, Surnait Singh, I am relieved from any call to enter on a narrative of this maafi tenure, the rank and claims of the family, and the unpopularity, or rather impolicy, of depriving it of its ancestral rent free property. If it be of importance to conciliate the affections of the people, as well as to govern by the action of naked penal law; if it be important that the natural tendency of every part of native society in these provinces to sink into one wretched level of poverty and ignorance should, as a principle, be checked as far as possible by the acts of Government; if it be important that the pride of ancestry and nobility, the valour of past times and the national character of a country should be cherished in recollection, as ennobling feelings to the human mind; I know of no act to which I could point with more satisfaction, as a zealous servant of Government, than the generous manner in which the restoration of the family of the Buddawar Rajah to rank and fortune was made by the Lieutenant-governor of Agra; and I cannot refrain from allowing myself to echo, for the inhabitants of this part of the country, that feeling in a report, of necessity largely connected with the welfare and happiness of the district of Agra for the future.

Jagheer of the Ra-  
jah of Buddawar.

27. In the settlement of the Bah Pinahut pergunnah, owing to no entry appearing of such holdings in the maafi registers, eight pieces of land, of different sizes, and aggregating 131 acres, which belonged to the Rajah of Buddawar of old, were included in the khalsa area of the khalsa villages, within which they are situated; they thus formed part of the basis of assessment. Four of them were formerly gardens of the family, but had fallen out of repair, and are now subjected to cultivation; three were in old times assigned over for an income to keep up the garden of Ranee Sisodhenee, in the village of Khera Rhatore; and the eighth seems to have been an ordinary maafi holding. The jumma at low revenue rates, which the zumeendars would have been entitled to collect from the ex-maafidar, amounts, in the eight villages in which the eight plots of ground are situated, to 133 rupees. As it seems but carrying out the object of the Government, in restoring the Rajah to his ancestral property, to withdraw all claim to tax these small holdings, the zumeendars will demand a corresponding remission in their jummas, to the amount that they would otherwise have collected from the holder of the property. The English forms of the pergunnahs were too far advanced in preparation, when the subject came under notice, to admit of their alteration; and it seemed, therefore, best to introduce simply the subject here, and leave it for future report, with proper tabular statements of reduction of village and pergunnah jumma from the sudder office, to which a communication has accordingly been made.

Further release of  
some small lak-  
heraj holdings held  
by the family pro-  
posed.

28. Occasion has been naturally taken of the season of settlement to dispose of the different estates that, from any cause, were still held in zumeendaree by Government. Out of eight estates, four, in accordance with promises or plans of former collectors, have, under authority of Government, been restored to the ex-zumeendars, on their completing the amount for which they were sold by the collector for balances of revenue, or for which they had been acquired in purchase from the auction purchaser. In two villages, where the old zumeendars were deemed to possess no claim to consideration, the property was put up to auction at the upset price of the balance which the village had been bought in at and sold—the one by auction, and the other by private sale accordingly. The other two mehals had never been held by any one in zumeendaree tenure, and were sold as Crown lands assessed with the ordinary land tax. The cash

Sales of estates  
where the proprie-  
tary right still rests  
with Government.

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result is given below;\* where also the correspondence on the subject between this office and Government is referred to for facility's sake.

29. There is one other mehal of importance in the district, which is held by the Government in zumeendaree—the Shuhur Suwad Mehal, as it is now called; and which is composed of the old mehals of the Shuhur Suwad, byotat and nuzzool. The first embraces the land in the vicinity of the city, that was reserved from the revenue settlement of the country for the use of the court, and in fact as the local limits of the city. No zumeendaree interests were allowed to grow up within it, then or subsequently. This estate is, as it were, Crown lands. The byotat was a mehal of gardens and estates, that were the property of members of the royal family, and had fallen into decay, or had otherwise come under cultivation. The nuzzool was the ordinary escheats of the state, from the garden houses and country seats of the nobles in the vicinity of the city. Under a former report from the collector of Agra, these three estates, under the title of Shuhur Suwad Mehal, were let in farm for a term of 12 years, from 1243 to 1255 Fuslee; with the right reserved to Government of taking from the farm such land as might be wanted for public use or for private building purposes, without making any other allowance than a russuddee reduction of the jumma. This clause was introduced with reference to the probable wants of Government, in consequence of Agra being selected as the seat of a new presidency. It seems now, however, desirable to simplify as much as possible the malgoozaree tenure of the mehals; and to bring at any rate the zumeendaree interest of that part of the Shuhur Suwad Mehal, which lies on the left bank of the Jumna, to sale. Its total area is 737 acres, its malgoozaree area 630, and its cultivation 596; in which last is included a resumed maafi holding of 8 acres, held by the ex-maafidar at a low revenue rate of jumma. The jumma of the whole is 1,800 rupees, and its real rent-roll about 2,700 rupees. It is proposed to bring the zumeendaree of it to sale in one piece; the rights of the ex-maafidar and assamees continuing as recorded in the putoti, just as they would in any other estate; and the jumma remains still 1,800 rupees. Six years of the farmer's lease remain to run. A reasonable compensation will induce him to forego this claim, as though such a wholesale disposal of the property was not originally intended in the reservation noticed before, yet the scope of it is large, and would fully embrace the right of Government to carry out the rule, were the party unaccommodating, which there is no reason to suppose that he would be. The rest of the Shuhur Suwad Mehal, which is excluded from my settlements, will form the subject of part of the report of my successor, Mr. R. Alexander. In respect to it, however, I may add, that 661 acres of land, which formed part of its past area, have been excluded therefrom, and re-annexed by me to the different mehals, within the mouzehwar area of which the different holdings were included. It was important to get rid of so many outlying plots of ground, that in fact gave a khetbut character to each mouzah within which any of them lay. As a matter of sudder record, this change is desirable; and as a matter of simplification of village collections and accounts, it was even more so. The assets in the settlements of the different mehals have, of course, been included in the basis of their respective jummals, and the putotis fixed afterwards. During the currency of the farm, the farmer will collect, in the character of a sharer, in each village where a holding of this sort lies; and pay in to the tehseeldar the quota of jumma fixed thereon, on account of the proper village. After the expiration of the lease, the village community will take the place of the farmer, and enjoy the zumeendaree interest accruing to them proportionably to their rights in the khewut record. This arrangement is one requiring formal sanction; and it is, therefore, solicited for the satisfaction of the zumeendars, that they will not be called upon hereafter to restore these small holdings, on the plea of the property having been only placed in deposit with them as a temporary arrangement of the collector. The reduction

	Rs.	a.	p.
* Realised from four estates restored to ex-zumeendars	2,612	1	8
Sale price of two estates put up to auction at the original purchase-money	5,858	2	-
Sale price of two escheat estates	5,575	-	-
<b>TOTAL</b>	<b>14,045</b>	<b>3</b>	<b>8</b>

reduction of the jumma of the farm required by these re-annexations will be settled, in connexion with the rest of the duty of revision of jumma and record of rights in the main mehal, by Mr. Alexander. In closing this, subject I may, however, add, that the occasion of the part revision of this mehal has been taken, to further exclude the retee or sands of the Jumna, opposite the city of Agra, from the area of the farm: these sands were usually cultivated to the extent of 150 acres annually, and yielded superior market garden crops. But the vegetation caused impurity to the water and air on the river's banks, while the gardens blocked up the passage to and from the city and the water-side. Inconvenience was thus frequently caused to loading and unloading the river craft; and when the place was wanted for the encampment of a native chief, it could not be used; or if used, the crops were injured. The intention of not cultivating a crop has been carried out in the present year; and the abandonment of the practice will, I trust, be also approved for the future. The reduction, on this account, will be made from the jumma of the Shuhur Suwad farm hereafter.

30. In carrying out the revision of the settlement of pergunnahs Bah Pinahut and Futtehpore Sickree, it became necessary to refer to the nature of the invalid institutions existing in both those divisions. The subject was brought to the notice of Government, in a detailed shape, in 1835; when the correspondence noted below\* took place. These establishments were created under the Mahratta Government, for the provision of the invalids of General De Boigne and Colonel Hessing's brigades: an assignment of waste land, and a pension according to rank, was made to each man. Lord Lake confirmed the existing tenure of these pensioners; and, subsequently, the continuance of the establishment on the original footing was sanctioned by the Governor-general in council in 1807; such points as remained open to doubt were disposed of in 1835 by Government, in the correspondence referred to above. Advantage has been taken of the leave therein granted to make a settlement of the land of the invalids with the zumeendars, which it is optional for the invalids to adopt or decline. If adopted, the amount assessed thereon is to be paid from the public treasury to the invalid, and the assessment added to the village jumma. There are 137 invalid holdings in Bah Pinahut, and 17 in Futtehpore. The money compensation to be paid to each grade for the resumption of the land was fixed with the consent of the zumeendars in each estate as follows:—

Invalid lands.

Situation.	Pergunnah.	Amount per Annum.			Pergunnah.	Amount per Mensem.		
		Rs.	a.	p.		Rs.	a.	p.
Subadar - - -	Bah Pinahut -	40	-	-	Futtehpore - -	20	-	-
Jemadar - - -	ditto - - -	24	-	-	ditto - - -	15	-	-
Havildar - - -	ditto - - -	18	-	-	ditto - - -	15	-	-
Naick - - -	ditto - - -	15	-	-	ditto - - -	15	-	-
Sepahee - - -	ditto - - -	10	-	-	ditto - - -	10	-	-

This privilege has been already availed of by two sepahees in Bah Pinahut, and one havildar in Futtehpore; by which 20 rupees is added to the jumma of Bah Pinahut, and 15 to Futtehpore Sickree, and will be entered in the ensuing year's touzeh accordingly. Some such arrangement as this is very necessary, when the invalids are disabled from making a long journey for a small sum; and which sum has to be collected from renters delaying or evading payment, in proportion to the weakness of the owner. One point, however, remains to be settled in respect to these establishments: for what number of lives the pension of money or land is to be continued to the family of the invalids? It seems probable that, in the original constitution, the right of the invalid was only to be enjoyed by his next heir, and then lapse to Government. The invalids can show no proof against this view of the matter; nor do any records extant give any colour to the perpetuity of the right. Much confusion and trouble to the collector's office is caused by such small tenures of land and payments of money being kept up in these invalid establishments, and the ad-

\* Letter of the Acting Collector of Agra to the Commissioner of the 2d Division, 13 April 1835; letter of the Sudder Board to Government, 14 July 1835, No. 348; and letter of Government in reply, dated 18 August 1835, No. 2962.

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mission of succession to them easily gives rise to fraud. It is proposed, therefore, that the right of succession be limited to one life; but that the possession of all heirs now in enjoyment of land or money be respected. From this time, however, all payments of money and rent-free holdings should lapse to Government, where the party dying had himself succeeded as heir; while, where the present incumbents are themselves the original invalids, a succession for one life may be allowed, when the pensionary support in money and land will cease altogether. This limitation is consistent with the natural justice of the case. The record of the constitution of the establishments is not opposed thereto; and it is important to have such doubtful points settled in a way conducive to the reduction of business and opportunities of fraud in the public offices.

Police dues.

31. A jagheer of land was at first assigned to the village police in the pergunnahs of Ferozabad and Khundowlee; but in the remaining divisions a money provision was made, in accordance with the permission granted in the minute of the Governor-general, North-Western Provinces, dated 10th January 1840, to the chowkeedar and bullahurs, as one or both of those servants were required in each estate. This mode of provision was approved of by the magistrate; and lists of the number of chowkeedars and bullahurs required furnished for each pergunnah to the settlement office. The assignment of a money allowance does not agree so well with the filling up of the revenue forms as the grant of a jagheer; for the variation in the extent of the police dues in different estates is not always proportioned to the difference of area or jumma; so that the comparative range of assessment is disturbed by this new element of deduction from gross rent assets. This difficulty could, however, only be avoided by assessing police dues in a pergunnah aggregate, and distributing them by an equal percentage upon the rent assets of the different estates. Such a change, even if politic, was, however, too important for me to press forward during the currency of settlement duty; and, moreover, by noticing the police dues commonly in the detailed remarks of Form III. appended to each village, the variation in the range of assessment and average acre rate, if created by this difference of demand for police dues, is at once shown; and the ordinary tests of comparison of the equality of assessment can be, to all substantial purposes, *mutatis mutandis*, applied. The charge is certainly a very considerable one; but the cost is not of necessity increased by the assignment being a fixed money payment to chowkeedars and bullahurs. The village police have in Agra always been accustomed to receive a money allowance, varying from three rupees to two rupees per month, under arrangements made by the earlier magistrates, with the consent of the zumeendars. When the size of the district and its vicinity to foreign states, the subdivision of property and the liability of the population to extreme distress from drought and famine, by reason of the soil being so dry and water so low from the surface, are studiously taken into consideration, the necessity of a village police of considerable strength will be at once seen. The area of the whole district is indeed 1,861 square miles. The amount of the police dues, in money and land, is given below.

Number of Jagheers in Land.

Ferozabad chowkeedars -	131	-	-	721	acres.
Khundowlee chowkeedars -	133	-	-	778	„

	* Chowkeedars.		Bullahurs.		TOTAL Pay.
	No.	Pay.	No.	Pay.	
		Rs. a.		Rs. a.	
Furrah -	220	7,700 -	110	1,650 -	9,350
Huzzoor Tehseel -	235	8,460 -	123	1,476 -	9,936
Iradutnuggur -	169	6,084 -	113	1,356 -	7,440
Futtehabad -	185	6,660 -	123	1,476 -	8,136
Bah Pinahut -	265	9,540 -	172	2,064 -	11,604
Futtehpore Sickree -	150	5,378 4	100	1,192 12	6,571
TOTAL -	1,224	43,822 4	741	9,214 12	53,037

\* The pay of the chowkeedar in Furrah was fixed at 35 rupees per annum, and of the bullahur at 15 rupees, previous to the issue of the Governor-general's resolution; and much inconvenience would have been caused by the remodelling of the arrangement.

By

By a reference to former remarks it will be seen that, on the whole, a large reduction of jumma has been allowed to this zillah. The necessity of providing jagheers of land to the village police was the main circumstance that induced me to frame my general calculations so as to assess a jumma that with the police dues should be more or less equal to that hitherto paid by the zillah. Thus the net gain of the district from the new settlement was, that the village communities received an improved village police for the protection of their lives and properties, while the expense was shifted from themselves upon the state. In short, the zillah appeared to me with its old jumma over-assessed, to the extent that police dues had been paid before the settlement, to be paid after the settlement by the zumeendars without deduction on that account.

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32. At a season of making permanent provision for the village police of the country, it became of course incumbent on the settlement officer in communication with the magistrate to dispose finally of such land as had in this district been assigned in support to parties, who, under the name of piyadah, had received appointments, the duty of which was the charge of the municipal police of the times. Three large grants of this kind have continued since the Jat rule, unmolested in this part of the country to the present day. Two of them were in the country towns of Pinahut and Butteysur, in the Bah Pinahut pergunnah, and one in the village of Oogurpurah, adjoining the town of Bah. Two other small service holdings of the same kind existed also in the same division. The extent of land thus held in jagheer amounted to 909 acres, and the number of the police force was 111 privates and one jemadar. The average holding of each member of the service was about eight acres; and the income which they derived by cultivating their holdings with their own hands ranged from two to two and a half rupees per mensem. Since the conquest, this force has ranked as part of the police force of the country; and service more or less substantial has been extracted from it by the different thanadars of Pinahut and Bah, in controlling the turbulent population of our provinces, and in checking the inroads of the predatory tribes lining the right bank of the Chumbul. Its use, however, was by no means equal to its cost. The situation was claimed as a right of inheritance, and the right then formed a subject of contention. The organization of the burkundaze force rendered it manifold more valuable than that of the zimya chowkeedars; so that their estimation has gradually sunk very small in the eyes of successive magistrates, and their abolition become a matter scarcely to be avoided. The chowkeedars themselves seemed all very ready to accede to any plan that might be devised, for reconciling their future subsistence and the interests of Government. The case was, therefore, with their consent, disposed of under clause 8, section 5, Regulation IX. of 1825; and the sanction of Government to the resumption is solicited. Each zimya chowkeedar has been allowed to retain his service land at low revenue rates, about half the natural rent assets; and a reduced police force of the same character as the rest of the new village police has been created for the protection of the towns, where the duty of the piyadah force lay. In the lieu of 25 men at Butteysur, 10 have been appointed; of 64 at Pinahut, 15; and of 21 at Bah, besides a jemadar, 8. The allowances of the chowkeedars newly appointed are included in the police dues of Bah Pinahut given in the previous paragraph. The number of new chowkeedars has been reduced to less than one-third of the old zimya piyadahs; and a further saving could not have been made with safety to the public peace, at any rate not until any general revision and remodelling of the entire police force—burkundaze and village—is made in a spirit of improvement, as well as on a mere consideration of relative charges.

Service lands to  
police of native  
rule.

33. All outstanding balances of land revenue and tuccavee, up to the close of 1247 Fuslee, have come under my adjustment as settlement officer. The abstract present state and disposal of the aggregate amount is given in note F. in the Appendix; from which it will be seen that the balances reserved for immediate realization are but three, and those included in the suspended balance-book but nine; the total of the former being Rs. 10,413.10. 8., and Rs. 5,490. 11. being the amount of the latter. The sum of Rs. 1,08,340. 1. 7½. was admitted to report for remission on account of districts and land lying uncultivated; and the sum of Rs. 1,04,281. 4. 9. requires to be written off the accounts on account of

Adjustment of  
balances of land  
revenue and  
tuccavee.  
Note F.



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reduction of jumma at the former and present settlement, and by reason of land being included in the cantonments of Agra. The whole of these balances, as arranged for remission in the new forms of the Sudder Board, were sent up by myself from the collector's office on 31 December 1840, in letter, No. 381; and when orders are passed upon those forms, the whole outstandings of the office will be disposed of, with the reservation of the 12 items noticed in the note F. in the Appendix.

Character of the  
boundary line.

34. Among the other matters of local interest coming forward at the settlement, it would also have been proper to notice the inconvenience that is caused by the want of a well-drawn boundary line between this district and the native states of Bhurtpore and Dhoulpore. The subject, however, has been taken up by Government itself, and the remarks here made may, therefore, be simply confined to a record of the interchanges of area that are required to secure the object in view. By a view of the maps of pergunnahs Furrah and Futtehpore Sickree, which adjoin the Bhurtpore country, it will be seen that three villages of the Bhurtpore country are included within the boundary of the Agra zillah; mouzah Dhurmparah, area 1,240 acres within the pergunnah Furrah, and mouzahs Khera 950 acres, and Kerahi 890 acres, within the pergunnah of Futtehpore. On the other hand, one village of Phulwara, area 762 acres, and jumma 550 rupees, which belongs to Agra zillah, pergunnah Furrah, is situated within the boundary of Bhurtpore; and Mai Gujur, of this zillah, is separated from pergunnah Futtehpore Sickree in the same way; its area is 371 acres, and jumma 402 rupees. If, therefore, an interchange were proposed, the area to be given up by Bhurtpore would be 3,080 acres, and that to be ceded in lieu thereof would be 1,133 acres only. Both the Agra villages yield a low revenue and average acre rate; that of Phulwara being but 13 annas on the acre of cultivation, with but 22 in every 100 acres of cultivation irrigated; while that of Mai Gujur is *Rs.* 1. 11. on cultivation, with 43 of irrigated surface; some further compensation would therefore be required, most probably, by the Bhurtpore state before it consented to the interchange of the villages noticed above. In respect to the Dhoulpore side of our boundary, it will be seen, by a glance at the map of Surhendee, that the Agra village of Indaoli, area 695 acres, jumma 1,038 rupees, and acre rate on cultivation *Rs.* 2. 2. 4. is cut off from the Surhendee pergunnah by the Dhoulpore area intervening. The transfer of such a village to Dhoulpore, in accordance with the views of Government, seems desirable. On the other hand, about 50 acres, more or less, of which three-fourths may be under cultivation, exist as a holding belonging to the village of Salawutt, in pergunnah Rajakheyra, in the Dhoulpore country, but are included within what may be called the natural boundary of mouzah Nehborah, in pergunnah Futtehabad, zillah Agra. The holding is termed Ghaglee, and is excluded from the revenue survey of mouzah Nehborah; as, however, it lies on the left bank of the Ootungun stream, which may be termed the natural boundary between the Dhoulpore country and Futtehabad pergunnah, its transfer to Agra from all considerations, political and revenue, seems desirable. By carrying on a glance at the Bah Pinahut boundary, it will be seen that the line at the north-west angle of the pergunnah is much broken. The villages of Jerga and Samauna, which belong to Bah Pinahut, are isolated from the rest of the pergunnah. The neck of land that thus separates these two villages from the main part of the pergunnah belongs to Dhoulpore. The area of this neck of land was not measured by the survey; but, by a calculation made by myself, it will not be found, probably, to be less than 2,154 acres. The land belongs mainly, if not entirely, to the village of Tindaolee, in Dhoulpore. The soil is very superior and productive; it is of the Reha Bareinda chicknote class, noticed in the table of soils. This soil, too, forms the area of Jerga and Samauna, so that a cultivation acre rate of *Rs.* 2. 4. 4. with 33 in every 100 of irrigation is obtained in Jerga, and of *Rs.* 2. 6. 10. with but 12 of irrigated surface in Samauna. The area of the former is 120 acres, and of the latter 1,354: total, 1,474. The acquisition of this neck of land, as the connecting link between Jerga, Samauna and Reha Bareinda, seems on every account preferable to the cession of the two former estates to the Rana of Dhoulpore. The Chumbul river forms the boundary between Agra and the Gwalior state; and here no change could improve the arrangements of nature. The interchanges noticed above are so few, and the area

area so small, that I have not attempted to make any calculations of value. I must not, however, permit myself to keep back my opinion, that any interchange of such villages and of their inhabitants, in at least this quarter of Upper India, will be felt by our subjects as a most grievous evil. The difference between constitutional liberty and rights of property on the one hand, and a despotism unchecked by the action of any public opinion in adjoining states, or the power of a certain control by popular revolt, speaks for itself. Nothing short of perfect helplessness, in respect to remonstrance, would ever induce any Agra zumeendars to consent to pass again under the yoke of any native state whatever. I would myself fervently pray that no such locally cruel a measure may ever be rendered necessary by general boundary considerations.

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35. Though the general report on the suddur and mofussil establishments, which will have to be furnished on the completion of the settlements, will be the more suitable occasion for the introduction of remarks about the rebuilding and repair of the tehseeldaree cutcherries, and also in respect to changes in the station of thannas or tehseeldarees, yet the advantage of one change is so obvious, that I cannot forbear to record my opinion upon it in this report for your notice and the future reference of the collector's office. I would earnestly suggest the removal of the tehseeldaree station of Khundowlee from the town of that name to the kusbeh of Itmadpore. The new station is far more central for superintendence and resort than the old one. Indeed, the mean distance of all the villages in the division is ten miles and six furlongs from Khundowlee town, and but six miles and four furlongs from Itmadpore. Itmadpore, too, being on the high military road to the west, the change would assist the magistrate and collector in respect to furnishing of supplies and other aid to the march of troops, more than the removal of the sudder establishment from Khundowlee, where a thannadar is already stationed, would inconvenience them. The removal of the head quarters of the Surhendee tehseeldaree has been approved by myself, on former views of the subject. But, at this time, no accurate topographical maps were in existence, and distances could only be got at by loose conjecture, and almost as loose native calculations. From the survey maps, I now find that the mean distance of Surhendee town, from all the villages in the division, is nine miles; while that from Kheragurh is but nine miles and four furlongs. The inconvenience of the Ootungun torrent cutting off the communication for transmission of dawk, or office attendance, between kusbeh Surhendee and the main part of the zillah for days, during the rains, would not be compensated by the saving of half a mile in the mean distance. Pinahut town, as compared with Bah, is as ten miles \* seven furlongs to eight miles from the different khalsa estates in the tehseeldaree. But police considerations render Pinahut the more suitable in this wild and broken country, with Dhoulpore and Gwalior forming two sides of a triangle at the north-western quarter of the division. No other part of the district seems to require any anticipation, on my part, of the future arrangements of the zillah officers and yourself.

Station of teh-  
seeldarees.

36. Before concluding this report, I would wish to introduce the subject of the reform of the canoongo establishment. This arm of the revenue administration has always been a most important one in this part of the North-Western Provinces; and though the gradual introduction of fixed principles and defined rights into our system of collection and malgoozaree occupancy had deprived the canoongo's office of much of its influence, even before the commencement of the new settlement, with its scientific boundary and area surveys, its record of malgoozaree interests and village rights, yet a new class of duty, analogous to that intended for or discharged by the canoongos of the old school, has been created, which can best, or rather alone, be performed completely by this class of officers. The orders of the Sudder Board in respect to carrying forward the record of proprietary possession and tenancy in the entire zillah, by the put-  
warees

Canoongo esta-  
blishment.

\* Pinahut is 12 miles one furlong, and of Bah but eight miles one furlong, from all the villages in this division (khalsa and maafi), the jagheer of the Buddawar Rajah comprising 30; but the distance of the tehseeldar's office from this jagheer is of no consequence.

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warees filing annual jumabundeas according to the original field map and registers of proprietary mutations, require machinery for methodical execution in due season. This machinery exists in the canoongo's establishment; and without its aid and use in these respects, the chance of disappointment in maintaining the complete accuracy of the village accounts and registers for the future will be greatly increased. I have carefully re-perused the correspondence that has passed on the subject of the abolition and remodelling this office in 1808, 1828 and 1831; and I am by no means prepared to allow that the office was a sacrifice of public money, even under the relaxed control of collectors 10 and 20 years back. The canoongos were indispensable to the tehseeldars, subject as those latter officers were to changes that prevented their remaining long enough in any tehseeldaree for acquiring a masterly knowledge of its agricultural and revenue capabilities. In adjusting disputes, effecting butwaras and such like matters, requiring local information and influence in this zillah, and indeed in this part of the country, the services of these men have been most valuable and successful. But though the capacity for employment was elsewhere little availed of, even that objection to retaining this establishment now falls to the ground; for on the canoongo, more than on the tehseeldar, must the burden of arrangement and direction of the supply of the annual village papers fall. The present monthly charge of the canoongo's establishment in this zillah is 575 rupees, or 6,900 rupees per annum. The revised scale of establishment, and the removals and appointments, which I would propose to carry out on this important object are given in the Appendix to this report, note G. The expenditure remains without increase. Two canoongos, first and second, have been assigned to each tehseeldaree, the salary of the one being 30, and of the other 25 rupees per month; while the creation of a new office of sudder canoongo and naib, the one on a salary of 50 rupees, and the other on 30 rupees, has been embodied in the scale, to complete the chain of connexion between the collector's records and the village communities, by a centralised power of detailed direction and control. Without some such office as this, it is much to be feared that the village accounts and registers may miss that searching attention and collation at head quarters which alone can keep up the preparation of detailed and figured papers, in system and accuracy by a race of poorly paid servants like putwarees. The parties selected by me for filling the offices of sudder canoongo and deputy, Matabroy and Narain Doss, have been in attendance upon me throughout the settlement; and the duty of superintendence of the working of the new system of village accounts could not be intrusted to better hands. It is not proposed to vest these officers with any independent charge. They will act in entire subordination to the seristehdar, and in co-operation with the mohafiz dufter. They will, in fact, be but reporters and registrars of the new system of village registry and account. Still, if their services be properly availed of by the European head of the zillah, there seems no reason why they may not act as the main-spring to work the new system, without the introduction of abuses, or disorganisation of the existing balance of authority among the sudder officers. No objection, on the score of hereditary rights, can be raised to thus remodelling the office, and to the removal of such parties as cannot discharge the duty for which they are retained and paid. In 1808, the constitution of the office was subjected to entire revision, and qualification made the sole claim to incumbency by the Board of Commissioners; and again, in 1822, the Board of Revenue in the North-Western Provinces distinctly declared that no claim on the simple ground of inheritance could be advanced to the office. Any parties, however, who may now be removed, and whose disqualification arises from old age, will, after the required medical examination, be reported for pension.

Note G.

Canoongo establishment continued.

37. To prove that in my remarks on the office of putwaree in para. 20, and on that of canoongo in the preceding one, I have not over-rated the necessity of the creation of new and the strengthening of old machinery, I would simply state the facts, that the number of fields in one pergunnah, Bah Pinahut, amounted, by the survey returns, to 82,325; and this pergunnah, in culturable area, exceeds in no great degree the average of the zillah; and that the average holding of each member of the proprietary body is, even after the desolation of the famine, 26 acres. The average in 91 estates is indeed below this

this range, and in 47 is actually less than 15 acres.\* Without the greatest industry, method and vigilance, the posting of the changes of such a mass of subdivided holdings as this state of things exhibits cannot possibly be hoped for; and this position of things must plead my excuse for the urgency of my arguments on the subject of the offices of pergunnah and village record and account. I would, further, only observe on this subject, that if orders could be passed without delay on this proposition, so as to enable the collector to set the revised establishment of canoongos at work, from the commencement of the ensuing Asar or June next, a great step would be made to secure the end in view; while, if one season be allowed to pass by, it will afterwards be difficult to retrace the lost ground.

V.  
Report on the  
Settlement of the  
District of Agra.

38. In concluding my report, I would wish to shortly observe on the merits of such of the officers as have been most conspicuous in bringing the settlement to a conclusion, as well, as on the wants of the district in respect to deputy collectors. Mahummud Daood is the only permanent deputy collector now attached to the zillah. His long residence at Agra, and his intimate acquaintance with all the heads of society, have been found by me somewhat to interfere with his complete devotion to his duty, at seasons of much and troublesome pressure of business. The external stimulus of a change to another zillah will render him a very valuable officer. I have nothing to prefer against this officer warranting removal from office. His fault is, merely being tempted by the charms of society and home, and led by the influence of old habits to respond, less than he should, to my demand in settlement work for his exclusive energies. Should this officer's removal to another zillah appear proper, I would beg to recommend that there be appointed two deputy collectors, permanently, to this district. The two officers that I would wish to nominate for the situations are Lallah Huckoomut Roy, and Hurree Shunkur, both tehseeldars in this zillah, of long revenue experience, of much information and natural talent. With the appointment of two officers of the qualifications of these parties, I would trust that this arm of the revenue administration in this zillah would continue very effective, and quite equal to all the duties growing out of the new system, in which the aid of this class of officers is needed and inculcated. I cannot, too, refrain from adding here, for your own notice, that the services of the officer, permitted by the Board to quit his tehseeldaree temporarily to act as serishtehdar of settlement, Lallah Busheyshur, Deyall, have been beyond all praise, in respect to industry and zeal. He has formed himself, by three years of earnest devotion to settlement duty, into a most valuable officer of the new school. I would trust, that if Hurreeshunkur is promoted from a tehseeldaree to the office of deputy collector, Busheyshur Deyall may be selected to fill the grade of tehseeldar thus vacated, which is the highest in the district, the allowance being 250 rupees.

Native deputy  
collectors.

39. A glossary has been given in the Appendix\* of agricultural words which have been used in the report and forms, and the local meaning of which may not be known far from the zillah.

Glossary.  
Note H.

Zillah Agra, Settlement Office,  
30 April 1841.

I have, &c.  
(signed) C. G. Mansel,  
Sudder Settlement Officer.

\* Average extent of holding of each sharer in the villages in Bah Pinabut.

Number of Villages.	Average holding of each Share.	Number of Villages.	Average holding of each Share.	Number of Villages.	Average holding of each Share.
2	Less than 2 acres	15	30	1	More than 1,000.
3	" 5 "	20	40		
5	" 6 "	7	50		
3	" 7 "	18	75		
3	" 8 "	6	100		
2	" 9 "	10	200		
3	" 10 "	1	300		
26	" 15 "	1	500		
28	" 20 "	1	600		
16	" 25 "	1	800		

This table only includes 172 estates, and was prepared from rough data before the khewut papers were completed. As an approximation to the truth, it will serve to show the character of the minute subdivision of property among the Rajpoot and Brahmin fraternities. The remaining estates were resumed maafi villages, the proprietary interests of which had not been settled.

# APPENDIX.

Note A., referred to in para. 8.

TABLE of PRICES of AGRICULTURAL PRODUCE, and other Articles, together with the Exchange of Local Currencies in the City of Agra, Weight being given in the Standard Seer of 80 Tolahs, from the Year 1812; prepared from the Kotwalee Records.

A. D.	Wheat.	Barley.	Gram.	Jooar.	Bajra.	Mash.	Moong.	Moth.	Nihan Rice.	Anjna Rice.	Arhur Dal.	Tillee.	Mustard.	Oil.	Goor.	Ghee.	Sambhur Salt.	Desse Salt.	Wheat, Bhusee.
	M. s. c.	M. s. c.	M. s. c.	M. s. c.	M. s. c.	M. s. c.	M. s. c.	M. s. c.	M. s. c.	M. s. c.	M. s. c.	M. s. c.	M. s. c.	M. s. c.	M. s. c.	M. s. c.	M. s. c.	M. s. c.	M. s. c.
1812	- 33 14	1 10 15	1 8 5	1 3 5	1 - 15	1 1 12	1 8 2	1 9 2	- 19 7	- 19 14	- 36 8	- 17 8	- 24 4	- 7 12	- 15 1	- 3 8	- 11 -	- - -	1 21 8
1813	- 20 9	- 25 3	- 21 7	- 25 6	- 23 11	- 21 11	- 19 11	- 23 9	- 15 10	- 17 10	- 16 5	- 13 8	- 16 6	- 5 13	- 12 14	- 3 6	- 11 3	- - -	- 35 1
1814	- 30 7	1 4 11	- 33 1	1 - 3	1 3 5	- 28 1	- 32 9	1 2 12	- 18 4	- 23 3	- 21 -	- 19 6	- 22 8	- 8 1	- 12 1	- 3 -	- 12 1	- - -	1 12 1
1815	1 1 9	1 22 7	1 7 15	1 18 8	1 13 7	- 33 10	1 11 6	1 15 12	- 20 3	- 23 14	- 36 11	- 25 12	- 32 12	- 9 15	- 16 12	- 3 9	- 11 12	- - -	1 26 5
1816	- 34 10	1 15 8	- 39 3	1 8 15	1 5 3	- 31 8	1 1 9	1 5 8	- 18 6	- 21 10	- 24 12	- 19 7	- 25 1	- 8 4	- 13 10	- 3 6	- 11 6	- - -	1 17 -
1817	- 28 -	- 39 10	- 32 1	- 31 11	- 32 9	- 31 4	- 39 6	1 - 5	- 14 3	- 18 10	- 24 8	- 12 9	- 18 3	- 6 -	- 9 3	- 3 7	- 12 9	- - -	1 1 6
1818	- 18 3	- 22 15	- 18 15	- 21 12	- 19 4	- 19 6	- 18 13	- 22 -	- 12 8	- 13 13	- 15 1	- 10 8	- 15 1	- 4 13	- 11 8	- 3 3	- 9 13	- - -	- 30 2
1819	- 17 -	- 22 12	- 20 9	- 21 10	- 21 12	- 22 1	- 23 -	- 23 3	- 12 8	- 14 9	- 10 11	- 8 12	- 9 5	- 3 14	- 10 4	- 2 9	- 9 6	- - -	- 31 14
1820	- 17 1	- 21 10	- 20 1	- 19 14	- 19 14	- 20 5	- 20 4	- 21 9	- 13 2	- 14 13	- 12 6	- 10 10	- 11 12	- 4 1	- 7 13	- 2 15	- 10 5	- - -	- 27 1
1821	- 26 14	- 37 15	- 26 1	- 32 12	- 35 11	- 27 3	- 27 9	- 29 10	- 16 10	- 19 12	- 22 12	- 13 8	- 18 12	- 5 14	- 10 1	- 2 8	- 11 11	- - -	1 - 15
1822	- 30 4	1 6 9	- 34 1	- 37 3	- 37 14	- 38 4	- 39 7	- 39 8	- 17 2	- 21 10	- 33 10	- 13 6	- 22 13	- 6 1	- 11 6	- 2 7	- 12 8	- - -	1 11 11
1823	- 24 5	- 35 1	- 39 9	- 29 4	- 29 11	- 33 -	- 31 12	- 36 4	- 14 8	- 16 6	- 34 13	- 12 4	- 17 5	- 5 6	- 11 -	- 2 3	- 11 9	- - -	1 3 9
1824	- 31 6	1 4 3	1 6 14	- 38 1	- 36 12	1 3 -	- 38 -	1 4 4	- 16 1	- 19 2	- 38 8	- 14 7	- 19 14	- 5 12	- 14 8	- 2 11	- 12 -	- - -	1 16 9
1825	- 27 14	- 36 2	- 36 12	- 30 11	- 28 14	- 22 14	- 23 15	- 28 6	- 15 6	- 18 1	- 36 9	- 12 3	- 18 12	- 5 12	- 12 2	- 2 10	- 13 8	- - -	1 17 8
1826	- 19 12	- 25 14	- 24 -	- 24 4	- 23 11	- 19 11	- 22 5	- 25 11	- 12 3	- 13 9	- 22 12	- 12 14	- 18 4	- 6 -	- 10 15	- 2 11	- 13 2	- - -	- 39 7
1827	- 21 14	- 32 10	- 33 9	- 35 4	- 30 6	- 27 2	- 32 10	- 35 10	- 13 2	- 16 1	- 30 12	- 14 11	- 19 15	- 6 3	- 9 1	- 2 8	- 13 5	- - -	1 6 4
1828	- 30 12	1 2 3	- 36 2	- 39 11	- 36 10	- 26 5	- 30 13	- 39 5	- 14 3	- 17 12	- 38 1	- 16 15	- 25 -	- 7 14	- 12 6	- 2 11	- 13 2	- - -	1 15 -
1829	- 36 4	1 11 11	1 10 -	1 6 8	1 4 12	- 39 5	1 4 7	1 6 15	- 18 -	- 22 13	1 3 9	- 21 4	- 29 7	- 9 8	- 14 13	- 2 10	- 11 1	1 7 7	1 14 4
1830	- 34 13	1 6 -	1 5 4	- 39 11	- 39 3	- 34 8	- 34 9	1 1 6	- 17 1	- 21 5	- 36 15	- 17 9	- 24 9	- 8 2	- 11 7	- 3 2	- 12 5	1 - 4	1 13 12
1831	- 31 7	- 39 7	- 39 5	- 31 12	- 31 9	- 29 15	- 29 2	- 33 5	- 18 2	- 22 -	- 23 3	- 18 9	- 24 7	- 7 15	- 12 6	- 3 4	- 13 7	1 14 1	1 12 5
1832	- 34 7	1 6 13	1 7 6	- 37 6	- 35 2	1 - -	- 37 10	1 2 8	- 18 2	- 21 6	- 37 4	- 17 14	- 22 10	- 7 6	- 12 14	- 2 11	- 13 1	1 10 10	1 15 3
1833	- 31 2	- 39 11	- 37 13	- 32 9	- 30 14	- 30 12	- 27 5	- 34 6	- 17 8	- 20 3	- 32 3	- 12 -	- 16 10	- 5 5	- 14 2	- 2 11	- 12 9	1 9 -	1 12 9
1834	- 25 -	- 33 9	- 28 1	- 27 6	- 28 6	- 20 7	- 19 13	- 24 10	- 16 12	- 19 2	- 20 4	- 14 14	- 17 8	- 6 3	- 11 13	- 2 12	- 11 12	1 12 12	1 - 4
1835	- 29 9	1 2 14	- 35 11	1 2 2	- 38 8	- 34 12	1 - 9	1 - 5	- 16 5	- 19 9	- 17 -	- 16 6	- 19 11	- 6 3	- 11 3	- 2 2	- 8 9	- 31 4	1 11 11
1836	- 32 -	1 4 11	1 3 3	1 - 10	- 34 3	1 - 10	1 1 4	1 1 8	- 15 11	- 18 5	- 24 9	- 17 12	- 23 15	- 7 10	- 10 10	- 3 3	- 11 12	- 24 11	1 16 13
1837	- 23 3	- 29 9	- 29 9	- 25 12	- 25 15	- 25 12	- 26 3	- 30 2	- 12 9	- 14 9	- 20 -	- 16 5	- 16 5	- 6 9	- 11 10	- 3 1	- 13 2	- 26 7	- 38 -
1838	- 13 9	- 16 6	- 13 13	- 20 -	- 18 12	- 14 8	- 14 6	- 16 4	- 9 8	- 11 6	- 11 -	- 9 14	- 11 15	- 4 2	- 9 11	- 2 3	- 10 3	- 25 6	- 21 11
1839	- 20 4	- 28 10	- 24 9	- 34 -	- 31 2	- 25 15	- 29 13	- 30 -	- 14 11	- 16 11	- 23 1	- 13 4	- 19 -	- 6 6	- 12 6	- 2 2	- 11 13	- 24 5	1 2 13
1840	- 23 1	- 29 10	- 27 3	- 28 1	- 28 9	- 25 14	- 30 5	- 30 6	- 13 8	- 15 8	- 26 5	- 16 10	- 23 -	- 7 8	- 13 9	- 3 7	- 13 8	- 25 10	1 1 5

SELECTION OF PAPERS RELATING TO THE

TABLE of PRICES of AGRICULTURAL PRODUCE, and other Articles, together with the Exchange of Local Currencies in the City of Agra, &c.—continued.

A. D.	Milk.	White Bhusa.	Missa Bhusa.	Jocar Kurbee, per 100 Bles.	Babul and Dhak Wood.	Kurreel Wood.	Peeloo Wood.	Jhow Wood.	Dri.d Cow Dung.	Cotton, per Maund.	Binaula.	Goats' Flesh.	Discount on Gwalior Rupees, per 100.	Discount on Bhurthpoor Rupees, per 100.	Gwalior Pice, per Rupee.
	M. s. c.	M. s. c.	M. s. c.	Rs. a. p.	M. s. c.	M. s. c.	M. s. c.	M. s. c.	M. s. c.	Rs. a. p.	M. s. c.	M. s. c.	Rs. a. p.	Rs. a. p.	
1812	- 31 15	3 8 2	3 5 8	2 15 -	3 24 -	4 7 8	4 14 2	4 36 10	10 30 -	13 5 4	- - -	- 19 -	4 13 9	1 7 2	65 - -
1813	- 24 4	2 12 3	2 12 12	3 1 6	3 25 -	4 10 -	4 10 -	4 30 -	8 27 4	9 5 5	- - -	- 18 -	7 10 8	3 1 9	73 - -
1814	- 23 9	4 34 3	3 17 6	1 7 1	3 15 -	4 - -	4 10 -	4 26 10	9 36 11	9 2 3	- - -	- 18 4	5 10 2	- 14 10	67 - -
1815	- 26 15	4 33 3	3 22 6	1 14 9	3 15 -	4 - -	4 10 -	4 35 -	11 6 10	7 12 9	- - -	- 20 13	4 6 8	- 10 -	62 - -
1816	- 30 1	5 27 5	3 7 2	1 8 10	3 15 13	4 - -	4 14 2	4 34 2	11 26 10	7 14 6	- - -	- 19 2	4 1 3	- 4 -	67 - -
1817	- 28 11	3 36 5	3 7 12	2 3 2	3 20 -	4 - -	4 7 8	4 30 -	10 21 10	11 2 -	- - -	- 17 4	4 4 -	- 8 2	64 - -
1818	- 23 2	2 15 7	1 29 8	1 14 6	3 3 5	3 11 10	4 4 3	4 10 -	9 18 5	11 13 9	- - -	- 18 4	4 14 8	- 13 5	68 - -
1819	- 24 6	3 7 9	2 16 2	2 2 9	2 20 -	2 30 -	3 6 7	3 10 -	8 26 7	13 5 4	- - -	- 16 -	3 8 5	- 2 7	63 - -
1820	- 24 4	2 37 -	2 27 1	2 14 4	2 20 -	3 - -	2 30 -	3 15 8	8 31 10	16 13 6	- - -	- 16 -	5 9 5	- 10 5	67 - -
1821	- 23 14	2 39 7	2 20 12	3 1 6	2 35 6	3 11 9	- - -	4 11 10	8 18 5	11 7 2	- - -	- 16 -	4 13 5	- 11 -	68 - -
1822	- 23 3	3 25 15	3 10 9	2 4 5	2 18 5	3 - -	3 - -	4 - -	8 25 -	10 10 8	- - -	- 16 -	2 - -	- 8 10	68 - -
1823	- 23 6	3 - 7	2 37 10	2 9 1	2 10 13	3 - -	3 10 -	4 - -	9 26 10	11 7 2	- - -	- 14 15	2 2 7	- 6 6	77 - -
1824	- 24 4	3 12 1	3 2 2	2 6 4	2 13 5	2 35 -	3 8 5	3 36 10	9 30 -	13 3 -	- - -	- 14 8	2 11 2	1 3 2	81 - -
1825	- 24 4	2 34 5	2 19 11	3 1 9	2 - -	2 30 -	2 - -	3 20 -	8 38 5	13 1 -	- - -	- 15 8	2 9 7	1 2 5	81 - -
1826	- 21 1	2 16 15	2 9 6	2 14 2	2 - -	4 - -	2 30 -	3 10 -	8 16 10	9 9 7	- - -	- 14 12	4 9 5	1 11 4	72 - -
1827	- 19 12	3 18 6	3 18 6	1 15 6	2 - -	- - -	2 9 -	3 30 -	8 20 -	8 11 10	- - -	- 14 -	5 - 10	1 3 11	64 - -
1828	- 24 11	4 4 6	3 20 2	2 2 3	2 - -	2 20 -	2 10 -	3 21 4	9 23 5	9 10 2	- - -	- 14 2	6 3 -	1 12 -	61 - -
1829	- 22 7	3 31 2	3 26 6	2 11 4	2 - 13	2 26 10	2 36 10	- - -	9 25 -	8 11 10	1 30 1	- 12 14	3 11 7	2 5 9	61 - -
1830	- 25 9	4 14 11	3 20 8	2 4 6	2 7 8	2 25 13	3 20 -	4 23 5	9 26 2	7 10 1	1 24 12	- 13 13	4 6 8	2 13 -	63 - -
1831	- 27 3	3 35 3	3 17 -	3 - -	2 - -	- - -	2 20 -	3 23 5	9 23 5	6 13 1	1 11 9	- 14 6	4 15 6	2 14 -	73 - -
1832	- 25 15	4 1 4	3 23 4	2 7 2	2 11 10	3 - -	2 25 13	4 - -	10 30 -	11 13 5	1 19 3	- 11 13	5 5 -	2 6 2	79 - -
1833	- 24 15	3 9 9	2 31 12	2 11 9	2 10 -	3 13 8	2 22 8	3 36 3	10 11 11	10 15 -	1 7 7	- 15 12	6 12 7	2 14 -	89 - -
1834	- 23 4	3 16 9	3 1 12	2 7 10	2 10 -	- - -	2 20 -	3 15 -	7 27 6	9 10 10	1 14 -	- 17 8	9 2 3	4 4 11	91 - -
1835	- 23 7	4 - -	3 31 10	1 11 7	2 2 8	4 - -	2 18 7	3 32 -	9 5 -	9 13 6	1 19 12	- 14 8	4 9 3	1 5 1	85 - -
1836	- 23 13	4 16 14	3 26 4	2 - -	2 7 8	- - -	2 20 -	- - -	9 5 -	9 10 6	1 22 3	- 12 14	2 14 6	- 15 10	87 - -
1837	- 20 10	2 38 5	2 21 7	2 14 6	2 9 2	2 20 13	- - -	3 10 -	9 1 10	8 9 6	1 6 11	- 13 6	3 3 1	- 10 11	101 - -
1838	- 14 -	1 38 4	1 27 14	- - -	2 10 13	1 35 13	2 20 5	3 3 12	6 31 10	9 6 7	- 39 2	- 13 2	8 - 4	5 1 6	96 - -
1839	- 18 13	3 33 9	3 18 6	1 2 5	2 9 8	- - -	- - -	2 39 11	8 30 -	9 1 2	1 15 15	- 12 -	5 4 5	1 8 8	94 - -
1840	- 23 14	3 36 10	3 - -	1 5 11	2 10 6	- - -	- - -	3 10 -	8 3 4	9 13 6	1 4 8	- 12 10	4 1 8	- 14 6	90 - -

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3

SELECTION OF PAPERS RELATING TO THE

A QUINQUENNIAL TABLE of the Average Price of Grain in the *Agra* Market, prepared from the preceding Table.

YEARS.	Wheat.	Barley.	Gram.	Jooar.	Bajra.	Mash.	Moong.	Moth.	General Average of Grain.
	M. s. c.	M. s. c.	M. s. c.	M. s. c.	M. s. c.	M. s. c.	M. s. c.	M. s. c.	
From 1812 to 1816	- 32 3	1 7 12	- 37 15	1 3 4	1 1 5	- 31 5	- 38 10	1 3 5	- 39 7
" 1817 to 1821	- 21 6	- 28 15	- 23 8	- 25 6	- 25 15	- 24 -	- 25 12	- 27 5	- 25 4
" 1822 to 1826	- 26 11	- 37 9	- 36 4	- 31 14	- 31 6	- 31 5	- 31 1	- 34 13	- 32 9
" 1827 to 1831	- 31 -	1 2 6	1 - 13	- 38 9	- 36 8	- 31 7	- 34 5	- 39 5	- 36 12
" 1832 to 1836	- 30 6	1 1 8	- 38 6	- 36 -	- 33 6	- 33 5	- 33 5	- 36 10	- 35 5

The difference between the first and last average is about 11 per cent. rise in price in money value.

NOTE B., referred to in para. 14.

STATEMENT showing the Statistical Data of Revenue Settlement, from which the average cultivated Acre Rates, with the proportion of Irrigation in every 100 Acres of Cultivation, and of Waste in every 100 Acres of culturable Area, were supplied, to form the Map showing the comparative range of Assessment of Land Tax in the *Agra* District, and part of the Central *Doab*.

ZILLAHS.	PERGUNNAHS.	New Jumma.	Old Banjar.	Culturable Area.					Acre Rate on Culturable Land.	Acre Rate on Cultivation, including New Banjar.
				Cultivation and Fallow.				TOTAL Cultivation.		
				New Banjar.	Irrigated.	Not Irrigated.	TOTAL Cultivation and Fallow.			
Mathura	Ariag	48,375	7,088	2,050	2,963	23,895	28,908	35,996	1 5 6	1 10 9
	Goverdhan	22,469	1,850	1,286	2,132	8,531	11,949	13,799	1 9 7	1 14 1
	Jalesar	2,42,445	4,267	2,824	59,517	28,782	91,123	95,390	2 8 8	2 10 6
	Kosi	1,63,003	4,885	1,730	13,968	63,281	78,979	83,864	1 15 1	2 1 -
	Mahaban	1,67,896	11,311	-	28,033	28,472	56,505	67,816	2 7 7	3 - 4
	Maat	1,19,890	6,763	2,469	22,735	23,462	48,666	55,429	2 2 7	2 7 5
	Nojhil	1,31,742	7,664	1,967	18,594	34,252	54,813	62,477	2 1 8	2 6 5
	Royah	26,752	722	-	5,530	3,895	9,425	10,147	2 10 2	2 13 4
	Sahpow	57,214	1,250	205	14,823	2,678	17,706	18,956	3 - 3	3 3 8
	Saidabad	2,29,935	5,715	1,696	53,093	20,285	75,074	80,789	2 13 6	3 1 -
	Shergarh	43,175	5,352	1,923	3,977	18,444	24,344	29,696	1 7 3	1 12 4
	Sonai	52,198	640	-	9,700	6,228	15,928	16,568	3 3 4	3 4 5
	Sonk	68,790	2,783	2,245	10,290	16,951	29,486	32,269	2 2 1	2 5 3
	Sonsa	29,547	2,405	4,075	3,048	8,325	15,448	17,853	1 10 6	1 14 6
Suhar	1,27,350	10,801	1,314	8,137	62,300	71,751	82,552	1 8 8	1 12 4	
Itawa	Itawa	1,60,541	2,198	17,453	41,036	17,449	75,938	78,136	2 - 10	2 1 9
	Laknan	2,93,373	4,306	27,433	67,295	32,746	1,27,474	1,31,780	2 3 7	2 4 9
	Bharepura	72,825	3,619	11,709	1,973	35,287	48,969	52,588	1 6 1	1 7 9
	Dehli Jakhun	1,68,568	1,979	15,122	53,058	17,458	85,638	87,617	2 2 5	2 3 2
Mainpuri	Alipur Pati	19,798	1,442	3,700	4,866	4,568	13,134	14,576	1 5 8	1 8 1
	Bewar	19,634	-	-	-	-	15,343	-	1 2 9	1 4 6
	Bhongam	96,073	4,346	13,393	25,817	18,651	57,861	62,207	1 8 7	1 - 7
	Etah	68,486	1,911	3,604	25,640	9,036	38,280	40,191	1 11 3	1 12 7
	Gihror	96,177	2,431	5,939	32,302	4,536	42,777	45,208	2 2 -	2 3 11
	Karhal	64,285	912	4,567	18,354	3,135	26,056	26,968	2 6 2	2 7 5
	Kishni Nabiganj	71,466	2,618	7,984	17,682	8,557	34,223	36,841	1 15 -	2 1 4
	Kuraoli	48,467	4,002	9,144	11,474	6,326	26,944	30,946	1 9 1	1 12 9
	Kursana	17,561	1,576	4,047	3,348	7,916	15,311	16,887	1 - 8	1 2 4
	Sahawar	50,272	7,908	7,671	8,738	21,424	37,833	45,741	1 1 6	1 5 3
	Sakit	75,842	3,761	7,429	27,294	10,274	44,997	48,758	1 8 10	1 10 11
	Shikohabad, First Division	2,40,595	3,684	6,709	77,735	24,991	1,09,435	1,13,119	2 2 -	2 3 2
	Shikohabad, Second Division	2,84,148	4,379	6,383	96,966	14,812	1,18,161	1,22,540	2 5 1	2 6 5
	Sirpura	39,436	14,912	11,457	9,617	13,643	34,717	49,629	- 12 9	1 2 2
Sohar	-	-	-	-	-	-	-	- 15 2	1 8 7	
Sej	68,241	2,191	5,161	20,336	4,649	30,146	32,337	2 1 8	2 4 2	
Talugah Manchana	1,14,861	7,637	11,050	32,095	21,580	64,725	72,362	1 9 5	1 12 4	
Aligurh	Atrouli	-	-	-	-	-	-	-	1 12 9	2 1 3
	Chandos	-	-	-	-	-	-	-	1 12 9	1 14 10
	Hasangurh	-	-	-	-	-	-	-	2 6 5	2 7 2
	Hatras	2,62,186	3,573	3,693	71,036	22,068	96,797	1,00,370	2 9 9	2 11 5
	Husen	41,558	1,432	90	10,635	6,583	17,218	18,650	2 3 6	2 6 7
	Khair	-	-	-	-	-	-	-	2 - 4	2 2 2
	Koel	-	-	-	-	-	-	-	2 3 1	2 4 1
	Mursan	1,52,053	3,123	1,738	47,935	10,686	58,621	61,744	2 6 4	2 9 6
Farakhabad	Murthul	-	-	-	-	-	-	-	1 9 1	1 13 7
	Somna	-	-	-	-	-	-	-	2 1 10	2 2 5
	Azimnagar	1,09,752	-	-	-	-	70,498	-	- 14 4	1 8 10
	Barna	18,331	-	-	-	-	14,484	-	- 14 -	1 4 2
	Bhojpur	81,171	-	-	-	-	41,000	-	1 10 4	1 15 8
Farakhabad	Chabramou	93,828	-	-	-	-	42,628	-	1 14 -	2 3 3
	Saurik	78,418	-	-	-	-	33,080	-	2 - 8	2 5 8
	Taligram	1,19,956	-	-	-	-	41,928	-	2 8 8	2 13 10



NOTE C., referred to in para. 15.

A QUADRENNIAL TABLE of Average Prices Current of Agricultural and Farm Produce in different Zillahs of the North-Western Provinces (Weight being given in the Standard Seer of 80 Tolahs), from the Year 1833 to 1836 inclusively.

ZILLAHS.	Wheat.	Gram.	Barley.	Jooar.	Bajra.	Mash.	Moong.	Mfoth.	Nihan Rice.	Anjna Rice.
	<i>M. s. c.</i>	<i>M. s. c.</i>	<i>M. s. c.</i>	<i>M. s. c.</i>	<i>M. s. c.</i>	<i>M. s. c.</i>	<i>M. s. c.</i>	<i>M. s. c.</i>	<i>M. s. c.</i>	<i>M. s. c.</i>
Agra	- 29 7	- 36 3	1 - 3	- 35 11	- 33 -	- 31 10	- 32 4	- 35 3	- 16 9	- 19 4
Dehlee	- 34 1	1 5 10	1 8 11	1 3 7	- 39 5	- 39 8	- 36 6	1 1 1	- 13 -	- - -
Boohundshahr	- 38 6	1 2 3	1 12 4	1 8 9	1 2 7	- 37 11	- 38 11	1 7 6	- - -	- - -
Meerut	- 36 10	1 2 1	1 9 -	1 1 12	- 38 13	- 35 15	- 34 15	1 2 -	- - -	- - -
Saharanpur	- 39 9	- 37 8	1 16 12	- 39 13	1 - 13	- 37 1	- 32 6	- 31 2	- - -	- 23 2
Muradabad	- 36 7	1 1 7	1 10 3	(a)- 31 12	1 3 3	- 33 11	- 29 15	- 37 13	- - -	- 22 9
Bareilly	- 34 1	- 36 7	1 9 15	(a)- 29 15	1 2 9	- 31 14	- 30 5	- 30 12	- 26 7	- 28 7
Shajehanpur	- 33 6	- 39 10	1 3 5	(a)- 30 13	- - -	- 28 5	- 27 2	- 33 3	- - -	- - -
Farakhabad	- 31 7	- 35 14	1 1 10	- 37 7	- 37 3	- 30 6	- 29 4	- 34 8	- - -	- 20 3
Mynpoorie	- 31 6	- 33 13	1 - -	- 33 2	- 35 15	- 27 8	- 29 9	- 30 11	- 14 12	- 18 9

Arhar.	Willee.	Mustard.	Oil.	Goor.	Ghee.	Milk.	Bhusa.	Cotton, per Maund.	Binowla.	ZILLAHS.
<i>M. s. c.</i>	<i>M. s. c.</i>	<i>M. s. c.</i>	<i>M. s. c.</i>	<i>M. s. c.</i>	<i>M. s. c.</i>	<i>M. s. c.</i>	<i>M. s. c.</i>	<i>Rs. a. p.</i>	<i>M. s. c.</i>	
(b)- 23 8	- 15 4	- 19 7	- 6 5	- 11 15	- 2 13	- 23 9	3 33 4	9 12 -	1 15 13	Agra.
- 18 11	- - -	- - -	- - -	- 14 4	- 2 11	- - -	3 17 2	- - -	- - -	Dehlee.
- - -	- 19 3	- 23 3	- 6 6	- 16 15	- 2 15	- 31 13	4 10 12	9 12 -	1 7 6	Boohundshahr.
(b)- 19 13	- 17 11	- 20 8	- 6 7	- 17 6	- 2 9	- - -	- - -	9 7 -	- - -	Meerut.
- 24 4	- 20 -	- 23 2	- 7 1	- 16 13	- 3 1	- 37 7	3 25 12	9 1 10	1 11 9	Saharanpur.
- 24 4	- 21 13	- 25 7	- 7 5	- 19 15	- 2 10	- 33 1	4 14 8	10 4 -	1 19 4	Muradabad.
(b)- 21 10	- 13 2	- 20 4	- 7 5	- 20 2	- 2 10	- 33 1	- - -	12 1 2	- - -	Bareilly.
- 30 5	- 19 1	- 13 9	- 6 11	- 19 8	- 2 13	- 25 1	3 31 8	12 6 6	1 17 15	Shajehanpur.
- 30 14	- 14 5	- 16 9	- 5 6	- 15 3	- 2 12	- 30 3	4 36 10	8 12 5	1 7 4	Farakhabad.
- 27 1	- 20 5	- 18 13	- 5 15	- 13 6	- 2 15	- 24 9	4 10 5	- - -	- - -	Mynpoorie.

(a) It seems probable that the averages of jooar in Rohilcund were disturbed by a failure of the jooar crop in A. D. 1835 and 1836. The inundation there in 1836 was large, and jooar being sown in the low lands would suffer much.

(b) The lines marked thus in the Arhar column are intended for Arhar Dal.

*Mem.*—Local differences in price affect the power to pay rent only when the different parts of the country, brought under comparison, produce the same articles. Otherwise the difference of price is merely the difference of carriage to be paid by the consumer, where the price is higher, as a condition of export, from the producing to the consuming country. Agra produces no rice; the higher price, therefore, of that article in the Agra market than in Rohilcund is of no advantage to the landholder in Agra. When, however, wheat, gram, and barley, which form the main part of the rubbee crop at Agra, as elsewhere, sell from 10 to 20 per cent. higher in the Agra market, from the line of export of up-country grain lying through its limits, or parallel to them, for the eastern and western market; as the Agra grain of the same quality sells, of course, at the ordinary price of grain, the difference is a clear gain to the Agra producer. With reference to this remark it may be added, that the chief khurreef produce of Rohilcund is rice and sugar cane; the cotton, pulse, and jooar bajra crops are small. The country possesses, indeed, but little soil suited to the growth of the pulses or bajra. Arhar is usually sown with cotton, and where the one crop is small, the produce of the other will also be slight; this, too, will affect the price of binowla or cotton seed.

NOTE D., referred to in para. 15.

V.  
Report on the  
Settlement of the  
District of Agra.

AGRICULTURAL PRODUCE per Acre in Lbs. Avoirdupois in *Agra, Bareilly, and the Upper Doab.*

ZILLA H.	Wheat.		Barley.		Gram.	Jooar.	Bajra.	Oordh.
	Irrigated.	Dry.	Irrigated.	Dry.				
Saharunpore - -	1,634	1,080	1,832	1,098	1,434	522	-	372
Muzufurnuggur -	1,634	1,080	1,832	1,098	1,434	522	-	-
Meerut - - -		1,464		1,410	1,434	522	-	-
Bulundshahar -	1,508	-	1,832	1,098	1,160	500	-	372
Bareilly - - -		1,046		1,315	997	629	574	-
Agra, No. 1 - -	1,234	-	1,186	-	-	697	530	236
Agra, No. 2 - -	1,224	-	1,224	-	477	754	407	216

*Mem.*—No. 1 for Agra was prepared from a number of trials in 1247 F. The season, however, was not an average one, and the result is not given with other character than a loose approximation to the truth. The khurreef crop was indeed full one-fifth inferior in yield to an average autumn crop, owing to the scanty rains throughout the rainy season. Again, the rubbee was full one-eighth inferior to an average spring crop, from the scantiness of the rains in the khurreef. From the same cause, and the failure of the mahawat, or Christmas showers, the chunnah crop was a general failure in the Agra zillah. In a natural season, the trials of barley would certainly show an average one-fifth more than that of wheat in the Agra zillah. As it was, 10 trials were made of each article of the khurreef in the whole of the pergunnahs, and of the rubbee in five pergunnahs.

No. 2 for Agra was prepared by Dewan Bahadur Singh, of Bareilly. It is a mere estimate of average acre produce for Agra, and prepared at my instance, in consequence of the 1247 F. season failing to supply me with a complete average. This person has a very masterly acquaintance with agricultural statistics in upper India. He has, however, underrated the produce of barley, in my estimation.

NOTE E., referred to in para. 18.

TRANSLATION of the Deed of VILLAGE CONSTITUTION in a Bhyachara Mehal.

WE, Ram Bukhsh, Parasram, Hurdeo, Ramsukh, Jusram, Bulram, Ramphal, Soomair, Tulfee, Jawahir, Lalljeet, Soorjun, Dansa, Subharam, Bijeyram, Sukhram, Keysuree, Nynsukh, Parm Singh, Nuthoo, Bulraam, Ajeet, Gumbheer, Ranjeet, Chuhjeet, Rutteram, Bijeyram, lumberdars and putteedars of mouzah Ooncha, in pergunnah Khundowlee:—now, whereas a settlement of this village has been made by the collector at a jumma of 1,000, rupees for 1247 F., of 1,060 rupees for 1248 F., of 1,120 rupees for 1249 F., of 1,180 rupees for 1250 F., of 1,240 rupees for 1251 F., and of 1,300 rupees from 1252 to 1276 F., for an entire term of 30 years, from 1247 to 1276 F., with us, the parties before named, we agree to abide by the following rules:—

1. The jumma of Government shall be paid according to the entry in the khewut.
2. The mode of internal collection shall be this: at the settlement the village was divided, in respect to jumma and land, with our consent, into four thokes; and, in the same way, a subdivision of jumma and land in respect to each sharer's puttee was made within each thoke. The lumberdars of each thoke will collect from the shikumee putteedars. Every sharer enjoys the profit and bears the loss of his own puttee; and where there are co-sharers in any puttee thereafter collecting by an assameewar khatah from the whole land, a division of the profits shall be made according to the relative shares of the parties. And this system shall continue till a butwara take place, and on the demand of a butwara, it shall be made in Magh, or previous thereto. The expenses thereof shall be paid by the applicant.
3. If a balance arises against any sharer, some one of the other sharers, who may not be in default, shall pay the amount, and take the puttee in transfer for a term to be fixed by the collector, but not to exceed 15 years. Three months previous to expiration of that term, if the defaulter does not repay the balance, the right and interest of the defaulter shall be foreclosed, and a sultanee bynameh shall be granted by the collector. If more than one sharer applies to take the transfer, the collector will give a preference as seems to him fit. If no sharer is ready to take the defaulting puttee, the whole 20 biswahs of the village shall be subject to farm or sale by auction.
4. In the waste held in common, the whole body of the sharers possess the privilege of cutting wood for implements of agriculture, roofing cottages, and grazing their cattle. But the sale of the timber, and the distribution of the price thereof, is to be made with the consent.

sent of all the sharers. The butwara of the waste shall be made at the demand of the majority of the sharers, and the expense shall be borne by the village at large.

5. The right to mortgage or sell shares among the members of the brotherhood is vested in each sharer; but no sharer shall have the right to mortgage or sell his share to a stranger out of the village, except with the consent of all the sharers, or after first getting a butwara mehalwar.

6. The fixed sum of 10 per cent. on the jumma shall be paid to the lumberdars for all expenses, except the police and putwaree dues. With the excess, or saving, on this sum, the sharers have no concern. The fines from the magistrate's court shall be paid proportionably, according to the extent of each sharer's possession; but if the fine is a personal one, the party on whom the penalty is inflicted shall discharge it.

7. When a lumberdar may be removed from death, resignation, or exclusion by the collector, the majority shall elect his successor from his heirs, or the other sharers. No lumberdar shall be removed after appointment, except with the approval of the collector.

8. Deojeet is the village putwaree. He shall receive two rupees per cent. on the jumma. On a vacancy, the majority of the sharers shall elect a successor from the heirs of the late incumbent, if any one be deemed fit; and, otherwise, from other qualified applicants. The removal of the putwaree shall only take place with approval of the collector.

9. For the support of two chowkeedars, 12 acres of land left lakheraj by the collector have been assigned from 1247 F.

10. There is no bullahar in the village.

11. From 1247 F. one per cent. above the Government jumma, for a road fund, shall be paid by us to Government, on the condition that the amount shall be expended within the Agra zillah.

#### TRANSLATION of the Deed of VILLAGE CONSTITUTION in a Zumeendaree Mehal.

WE, Dansa, Sehja, Mahasukh, Dheree, Kishan Singh, Deyaram, Sukpaal, Rampal, Gunjey, Hurbuksh, Hummee, Badam, Sevaram, Pirthee, Faqueera, Aramee, Radhe, Rupa, Munsey, Ramsukh, Bijeyram, Buxshee, Dhowkulla, Atbutta, Sunai and Mewa, who are co-sharers in the mouzah of Muddunpoor, pergunnah Khundowlee:—now, whereas a settlement of this village has been made by the collector at the jumma of 430 rupees for 1247 F., of 460 rupees for 1248 F., of 490 rupees for 1249 F., of 520 rupees for 1250 F., and of 550 rupees from 1251 to 1276 F., but exclusive of the charge of road dues, for a term of 30 years, from 1247 F. to 1276 F., with us, the parties before named, we agree to abide by the following rules:—

1. The jumma of the village shall be due from and paid by us jointly and severally.

2. The mode of internal collection shall be this: on the personal cultivation of the lumberdars and putteedars an assameewar khatubundee shall be made, as well as on that of the assamees, according to the putoti now fixed and filed. The lumberdars shall collect the rent, and after discharging the Government jumma, with the village expenses, they shall divide the surplus, according to the biswahdaree rights entered in the khewut. And this system shall continue till a butwara shall take place, and the demand for a butwara shall be made in the month of Magh, or previous thereto. The expenses of the butwara shall fall on the party claiming it. The butwara shall be made according to the biswahdaree sharers inserted in the khewut.

3. If any balance of jumma accrues, the whole 20 biswahs of the village is to be subject to farm, or sale, by the collector.

4. In the ravines and other waste held in common, the whole body of the sharers possess the privilege of cutting wood for implements of agriculture, and of grazing their cattle. But the sale of the timber, and the distribution of the price thereof, or of other jungle produce, shall be made with the consent of all the brotherhood, according to their respective biswah shares. The butwara of the waste shall be made at the demand of the majority of sharers, and the expense shall be borne by the village at large.

5. The right to mortgage or sell shares among the members of the brotherhood is possessed by each sharer. But no sharer shall have the right to mortgage or sell his share to a stranger out of the village, except with the consent of all the co-sharers, or after first getting a butwara.

6. The ordinary village expenses, and the police fines imposed by the magistrate on the whole mehal, shall be paid from the rent collections; but if the fine is a personal one, it shall be paid by the party on whom the fine is imposed.

7. When a lumberdar may be removed from death, resignation or exclusion, by the collector, the majority shall elect his successor from his heirs or other sharers in the village. No lumberdar shall be removed after appointment, except with the approval of the collector.

8. Chutta is the village putwaree. He shall receive 11 rupees annually, as dues. On his dismissal, resignation or death, the majority shall elect his successor from his heirs, if any one be deemed fit; and, otherwise, from other qualified applicants. The removal of the putwaree shall only take place with the approval of the collector.

9. For the support of a chowkeedar, six acres of land left lakheraj by the collector have been assigned from 1247 F.

10. Rambux, bullahar, shall get five seers of grain in each fussul or crop, per plough, as his due from of old.

11. From 1247 F. one per cent. above the Government jumma, for a road fund, shall be paid by us to Government, on the condition that the amount shall be expended within the Agra zillah.

NOTE F., referred to in para. 33.

TABLE showing the MAAL and TUCCAVEE Outstandings in Zillah Agra in April 1841.

	Amount of Demand.	Remission granted by Government on account of the Famine, Suffering, or other Distress.	Remission on account of Distress and Land lying uncultivated, proposed by the Collector or Settlement Officer.	Remissions on account of Reduction of Jumma proposed by the Settlement Officer.	Amount realised by Ordinary Demand.	Amount recovered by Sale, Farm, and Transfer.	Amount in train of Liquidation.	Amount entered in the Book of Suspended Balances for realization after the Expiry of the Terms for which Defaulters' Estates have been farmed, as per Order of Sudder Board, Cl. 184-5, Circular Order, 8 January 1840, No. 2.
	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	(a) Rs. a. p.	(b) Rs. a. p.
Jumma of 1245 Fuslee - - -	16,87,314 18 6	10,02,767 11 6	8,282 11 -	5,227 15 9	6,73,955 14 9	1,954 14 -	- - -	175 10 6
Jumma of 1246 Fuslee - - -	16,90,957 18 6	- - -	68,125 14 -½	5,690 9 3	15,70,488 15 7½	14,909 14 1	10,338 12 -	1,343 12 6
Jumma of 1247 Fuslee - - -	17,07,237 9 6	- - -	700 - 3	93,362 11 9	15,87,622 1 -	21,814 13 -	- - -	3,071 13 6
Sunwatee Balances of Land Revenue outstanding at the close of 1244 Fuslee - - - - -	86,018 2 11	27,292 1 3	5,392 1 8	- - -	2,672 7 -	357 4 6	- - -	299 4 6
Ditto - ditto - ditto of Tuccavee -	20,190 - 5	- - -	10,823 6 8	- - -	9,241 11 1	50 - -	74 14 8	-
<b>TOTAL - -</b>	<b>51,41,713 7 10</b>	<b>10,30,059 12 9</b>	<b>1,08,840 1 7½</b>	<b>1,04,281 4 9</b>	<b>38,43,981 1 5½</b>	<b>49,146 13 7</b>	<b>10,413 10 8</b>	<b>5,490 11 -</b>

(a) This column includes three items of balance, one in which the property of the securities of the receivers of Tuccavee is about to be brought to sale for 74l. 14s. 8d.; the second is a sum of 250 rupees, one under an instalment agreement from the holder of a farm in May next; and the third is a balance, the realisation of which lies over, by the Board's orders, till the talookdaree settlement of Jharkee has been completed, and this will be by the end of the year; it will then be at once realised by the sequestration of talookdaree Huq.

(b) There being collateral interests in these estates, it was not deemed proper to recommend a recourse to auction sale; but as the default of the zumeendars was wilful, the application of the suspended balance rule against them became necessary. The column includes nine items.

NOTE G., referred to in para. 36.

TABLE of the Past and Proposed CANOONGO ESTABLISHMENT in Zillah Agra.

NAME of Tehsildaree and Pergunnah.	Number of Canoongoes at present attached to each Pergunnah.	NAMES of Canoongoes at present attached to each Pergunnah.	Salary to each Canoongo.	Total Canoongo Allowances in each Pergunnah.	Remarks on the Character of the Incumbents, and of the Extent of Duty in each Pergunnah.	Proposed Disposition of Incumbents.	Number of Canoongoes proposed to be attached to each Pergunnah.	Nominees to the new Office.	Salary of each Grade of the new Office.	Total Canoongo Allowance in each Pergunnah.	REMARKS on the Character of the Nominees to the new Offices.
Farah - - -	2	Mujlis Roy - -	15	30	The tehsildarees and pergunnahs now all correspond with one another. The size and jummas of the tehsildarees differ in no degree sufficient to require a difference of establishment. Two canoongoes, a first and second, should be appointed on a salary of 80 and 25 rupees to each tehsildaree. A very careful survey of the merits of all the incumbents has been taken, and the experience from the settlement duty of the last two years should enable the collector to discriminate on the character of those merits; and all those parties who are effective officers in ability and energy have been provided for, as circumstances rendered desirable, in their original tehsildarees, or elsewhere. These transfers, and the infusion of some new active hands, will, it is trusted, communicate a healthy action to the new order of things.	continued in office -	2	Mujlis Roy - -	30	55	Mujlis Roy is one of the old canoongoes, and Juggul Kishore is a man who lost his situation of canoongo in this division in 1832, on the creation of the Muttra zillah. He is a good officer, well informed, and deserving of restoration.
		Sewaram - - -	15			-- transferred to Futteehpur Sikree -		Juggul Kishore - -	25		
Khundowlee - -	2	Koondun Laal, son of Phoon-dun Laal - -	20	40		continued in office -	2	Koondun Laal, son of Phoon-dun Laal - -	30	55	Koondun Laal is the old canoongo, and Hur Pershad is a mutteesaddie, of active, intelligent habits, who has been engaged in the settlement work of the zillah since 1838, and deserves employment.
		Koondun Laal, of Ferozabad - -	20			-- removed by reason of want of energy and information - - -		Hurpershad - - -	25		
Ferozabad - - -	3	Jewahir Singh - -	30	70		-- removed by reason of want of energy and information - - -	2	Hurdeo Bux - - -	30	55	Hurdeo Bux is the old canoongo, and Buldeo Suhai is a mutsuddie, of active, intelligent habits, who has been engaged in the settlement work of the zillah since 1838, and is very deserving of employment.
		Motee Laal - - -	20			continued in office -		Buldeo Suhai - - -	25		
		Hurdeo Bux - - -	30								
Futtuhpur Sikree - -	1	Saligh Ram - - -	30	30		continued in office -	2	Saligh Ram - - -	30	55	Saligram is the old canoongo, and Sewaram is transferred from the adjoining pergunnah of Farah.
						Sewa Ram - - -		25			
Huzur Tehsil - - -	7	Mehtab Roy - - -	25	185		-- promoted to the office of sudder canoongo - - -	2	Hursukh Roy - - -	30	55	Hursukh is one of the old canoongoes, and Mahasukh is a very zealous and intelligent officer, who has been engaged in the settlement work of the zillah since 1838, and is very deserving of employment.
		Luchmun Sing - -	20		-- transferred to Futteyabad - - -						
		Hursukh Roy - - -	30		continued in office -						
		Muddun Laal - - -	25		-- removed from want of energy and information - - -						
		Purem Sukh - - -	25		-- transferred to Iradatnugur - - -						
		Jajeyram - - -	30		-- removed from want of energy and information - - -						
		Chinga Mull - - -	30		-- removed from want of energy and information - - -						
Iradatnuggur - -	2	Bhugwunt Roy - -	20	35	continued in office -	2	Bhugwunt Roy - -	30	55	Bhugwunt Roy is the old canoongo, and Purem Sukh is transferred from Huzur Tehsil.	
		Nithia Nund - - -	15		-- removed from want of energy and information - - -		Purem Sukh - - -	25			
Futteyabad - - -	2	Muggun Surroop - -	25	50	continued in office -	2	Muggun Surroop - -	30	55	Muggun Surroop is the old canoongo, and Luchmun Sing is transferred from Huzur Tehsil.	
		Madho Sing - - -	25		-- promoted to Sarhendi - - -		Luchmun Singh - -	25			
Bah Pinahut - - -	2	Gorey Pershad - -	30	45	continued in office -	2	Gorey Purshad - -	30	55	Both these parties are the old canoongoes.	
		Bhowani Pershad - -	15				Bhami Pershad - - -	25			
Sarhendee - - -	3	Ram Sukh - - -	30	90	-- removed from entire want of energy and information - - -	2	Madho Singh - - -	30	55	Madho Sing is a very valuable and deserving officer. He is promoted from Futteyabad; and Hurgobind is one of the old canoongoes.	
		Hurgobind - - -	30		continued in office -		Hurgobind - - -	25			
		Muggun Bihuree - -	30		-- removed from want of energy and information - - -						
				575			18			495	
							2	Add the sudder canoongo, Mah-tab Roy, at - - -	50	80	Mehtab Roy is one of the old Huzur Tehsil canoongoes, and of much information. His character gives him superior claims for selection to this office. The proposed naib is a promising young officer, who has been engaged in settlement work since 1838; is a good scholar, and then held the situation of palshkar of Furrab.
								And Naib Narain Doss, at - - -	30		
TOTAL Number of Sudder and Mofussil Canoongo Establishment - - -							20			575	

V.  
Report on the  
Settlement of the  
District of Agra.

NOTE H., referred to in para 38.

GLOSSARY of AGRICULTURAL TERMS.

*Bansuree*.—A weed found in parts of Khundowlee and Ferozabad, which is very injurious, and which it is most difficult to eradicate from arable land.

*Chuck*.—A subdivision of a pergunnah formed under c. 88, sec. 4, of the settlement circular of the 9th of April 1839.

*Dehar*.—Low lands flooded during the rains, where, on the water drying up, a dry barley or chunna crop of superior yield is raised. If the inundation is small, the soil is ploughed without difficulty; but if it is considerable, the necessity for having strong and high-priced bullocks for the plough is a tax on the easy disposal of such land in seer or assameewar cultivation.

*Gandull*.—Thatching grass, that used to be largely produced in Futtehpoore Sickree, zillah Agra. It grows in lands subject to inundation. Its root yields the khuskhus for tatties. The extension of cultivation has reduced to little or nothing the produce of this grass in Agra.

*Har*.—The part of a village area most distant from the site or abadi. The phrase is also often used to express all the different parts of a village where such divisions have been created in the course of village economy.

*Jinsuar*.—A rent or revenue rate assessed on crops.

*Khatiree*.—A crop raised in the sand on the banks of a nuddee or river, by force of manure or hand watering; only a nominal rent is paid for such sowings; and none but koomars and dhobies find it worth their while to raise them.

*Khadur*.—A sheet of land enriched by aluminous deposit on the banks of the Jumna, where, without irrigation, rich crops are produced of wheat and barley.

*Kacchiyar*.—A term applied to land enriched by aluminous deposit on the banks of the Chumbul. It is commonly subjected to a market garden crop, and, from kachies often cultivating it, it has derived the name of kacchiyar. The soil is very productive.

*Kanta*.—Poorish land, when lying towards the bank of the Jumna river.

*Kans*.—A grass growing in Ferozabad and other parts. It is quite useless, and injures the crop of the fields where it is found. It belongs to the bhoor-retar villages.

*Pureh*.—When the rains are scanty, the fields reserved for the rubbee sowings are destitute of adequate moisture; and it is usual, on this account, to flood them before the last ploughing, and the rolling of the pattela, or the beam of wood, takes place.

*Pooth*.—Small sand hillocks, commonly found at the extremities of a village, where the country ceases to be level. Sometimes the whole area of a village is to be found of the pooth character.

*Reh*.—Impure soda, which renders the soil perfectly sterile. Even grass will not grow where it impregnates the soil.

*Surputta*.—This is a grass growing in the ravines on the banks of the Jumna, or along the Chumbul and Ootungun. It yields sirkee and moonjh for twine. It serves for thatching purposes to the upper orders.

*Singhara*.—The pig-nut.

*Teer*.—Teer is the belt of sand on the banks of a river or stream between the khatiree line and the land which ranks as khadur; some sprinkling of deposit over the teer renders it superior to khatiree, but much inferior to khadur.

Zillah Agra,  
Settlement Office, 30 April 1841. }

(signed) C. G. Mansel,  
Sudder Settlement Officer.

LIST of STATEMENTS forwarded with GENERAL REPORT.

COLLECTOR'S RECORDS.

10 Volumes of Forms Nos. II, and III, being two for each pergunnah Bah Pinahut and Ferozabad.

1 Volume for the remaining six pergunnahs.

8 Volumes of general statement, No. IV.

8 Volumes of annual jumma statement.

8 Volumes of police statement.

8 Statements of rent-free land under 10 beegahs.

Memorandum.—The statement showing the tenure on which the mehals of the above eight pergunnahs are held, and the form of which is given in the Appendix, No. 23, of the Settlement Circular, 9th April 1839, cannot be submitted, under the Board's orders, in section 197 of the above Circular, till the report of pergunnah Surhendee goes up.

1 Volume of supplementary statements, Nos. II, IV, V, and police of villages transferred from zillah Agra to zillah Muttra.

REVENUE SURVEY RECORDS.

6 Pergunnah maps prepared by Captain Fordyce's survey for the right bank of the Jumna.

Memorandum.—The pergunnah maps of Khundowlee and Ferozabad are bound up with the mouzehwar bihees.

8 Volumes of maps of the mouzehs in eight pergunnahs.

(signed) C. G. Mansel,  
Sudder Settlement Officer.



## SELECTION OF PAPERS RELATING TO THE

TABLE of PERGUNNAHWAR STATISTICS of SETTLEMENT.

1.	2.	3.	4.	5.	6.
Number representing a descending Relative Proportion of Advantages possessed by each Pergunnah from No. 1.	Name of each Pergunnah.	Jumma of 1210 Fuslee, the Year before the Conquest.	Jumma of 1211 Fuslee.	Jumma of 1212 Fuslee.	Jumma of the 1st Settlement of 1213-5 Fuslee.
(a)	(b)	Rs. a. p.	Rs. a. p.	Rs. a. p.	(c) and (d) Rs. a. p.
7.	Furrah - - -	1,18,496 - -	95,770 - -	96,620 - -	99,048 - -
6.	Khundowlee - - -	1,17,235 - -	98,086 - -	1,08,272 - -	1,38,264 - -
4.	Ferozabad - - -	1,25,529 - -	1,10,887 - -	1,05,264 - -	1,12,646 - -
2.	Futtehpore - - -	1,04,205 - -	1,09,906 - -	75,714 - -	1,15,095 - -
1.	Huzoor Tehseel - - -	1,77,006 - -	90,490 - -	1,07,129 - -	1,37,608 - -
3.	Iradutnuggur - - -	1,80,489 - -	1,24,361 - -	1,24,393 - -	1,55,877 - -
5.	Futtehabad - - -	1,38,378 - -	1,26,507 - -	1,21,116 - -	1,47,473 - -
8.	Bah Pinahut - - -	1,40,808 - -	82,787 - -	1,35,830 - -	1,40,827 - -
	<b>TOTAL - - -</b>	<b>11,02,146 - -</b>	<b>8,38,794 - -</b>	<b>8,74,338 - -</b>	<b>10,46,838 - -</b>

Name of each Pergunnah.	7. Jumma of the Settlement of 1216-8 Fuslee.	8. Jumma of 1216-8 F. increased by the Amount of Assessment laid on Maafi subsequently resumed up till 1839, A.D.	9. Jumma of 1223-7 Settlement upon Area of 1216-8 Settlement.	10. Decrease at ditto on 1216-8 Settlement.	11. Increase at ditto on 1216-8 Settlement.
	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.
Furrah - - -	1,28,976 - -	1,56,345 - -	1,41,404 - -	919 - -	13,347 - -
Khundowlee - - -	1,33,423 - -	1,34,593 - -	1,49,385 - -	2,523 - -	18,485 - -
Ferozabad - - -	1,40,274 - -	1,40,599 4 -	1,75,052 - -	2,744 - -	37,522 - -
Futtehpore - - -	1,51,179 12 -	1,54,744 12 -	1,58,220 12 -	6,259 - -	13,300 - -
Huzoor Tehseel - - -	1,51,230 8 -	1,84,649 - -	1,65,356 8 -	1,608 - -	15,734 - -
Iradutnuggur - - -	1,72,982 - -	1,75,757 - -	1,77,178 - -	3,650 - -	7,841 - -
Futtehabad - - -	1,65,812 - -	1,66,852 - -	1,83,828 - -	494 - -	18,510 - -
Bah Pinahut - - -	1,49,868 - -	1,57,214 2 -	2,02,224 - -	- - -	52,356 - -
<b>TOTAL - - -</b>	<b>11,93,750 4 -</b>	<b>12,70,754 2 -</b>	<b>13,52,648 4 -</b>	<b>18,197 - -</b>	<b>1,77,095 - -</b>

Name of each Pergunnah.	12. Net Increase at ditto on 1216-8 Settlement.	13. Jumma of 1223-7 F. increased by the Amount of Assessment laid on Maafi resumed since 1216 F. up till 1839, A.D.	14. Decrease under Regulation VII. of 1822 Settlement.	15. Increase under Regulation VII. Settlement.	16. Column 13 subjected to Adjustment, as per Columns 14 and 15.
	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.
Furrah - - -	12,428 - -	1,68,773 - -	1,954 - -	2,274 - -	1,69,093 - -
Khundowlee - - -	15,962 - -	1,50,555 - -	525 - -	681 - -	1,50,711 - -
Ferozabad - - -	34,778 - -	1,75,377 9 -	452 - -	- - -	1,74,925 9 -
Futtehpore - - -	7,041 - -	1,61,785 12 -	529 - -	5,656 4 -	1,66,913 - -
Huzoor Tehseel - - -	14,126 - -	1,98,425 - -	1,310 - -	4,819 10 -	2,01,934 10 -
Iradutnuggur - - -	4,191 - -	1,79,948 - -	450 - -	3,280 - -	1,82,778 - -
Futtehabad - - -	18,016 - -	1,84,868 - -	1,150 - -	464 - -	1,84,182 - -
Bah Pinahut - - -	52,356 - -	2,09,570 2 -	300 - -	- - -	2,09,270 2 -
<b>TOTAL - - -</b>	<b>1,58,898 - -</b>	<b>14,29,302 11 -</b>	<b>6,670 - -</b>	<b>17,174 14 -</b>	<b>14,39,807 9 -</b>

(a) Had pergunnah Surhendee been included in this Table, it would have occupied the 8th number, and Bah Pinahut would have receded to the 9th.

(b) The area of the pergunnahs, as now formed, differs very greatly from that of the divisions which, at the two triennial and the quinquennial settlements, bore the same names. In all references, however, to the then state of things, which are made in this Report, the remarks of the collector are squared so as to accord in all essential points with the existing area of the nine pergunnahs.

(c) The settlement of five of the pergunnahs west of the Jumna was made by Mr. A. Ross. That of Bah Pinahut had been previously concluded in farm, with the agent of the Buddawur Raja, by Mr. Wemyss.

(d) The settlement of Ferozabad was made with the zumeendars, and of Khundowlee in farm with Thakoor Dyaram, of Hattras, by Mr. Claude Russell, for 1213-5; and for 1216-8 Fuslee, with the zumeendars of both pergunnahs, by Mr. C. Elliott.

TABLE of Pergunnahwar Statistics of Settlement—continued.

Name of each Pergunnah.	17. Jumma previous to Settlement.			18. New Jumma.			19. Decrease at new Settlement.			20. Increase at new Settlement.			21. Net Difference.		
	Rs.	a.	p.	Rs.	a.	p.	Rs.	a.	p.	Rs.	a.	p.	Rs.	a.	p.
Furrah - - -	1,69,093	-	-	1,46,480	-	-	23,778	-	-	1,165	-	-	22,613	-	-
Khundowlee - -	1,50,711	-	-	1,58,831	-	-	2,844	-	-	10,964	-	-	8,120	-	-
Ferozabad - - -	1,74,925	9	-	1,73,635	-	-	7,797	5	-	6,506	12	-	1,290	9	-
Futtehpore - -	1,66,913	-	-	1,74,869	-	-	6,601	-	-	14,557	-	-	7,956	-	-
Huzoor Tehseel -	2,01,934	10	-	1,93,715	-	-	20,861	10	-	2,642	-	-	18,219	10	-
Iradutnuggur - -	1,82,778	-	-	1,80,480	-	-	8,522	-	-	6,224	-	-	2,298	-	-
Futtehabad - - -	1,84,182	-	-	1,79,260	-	-	12,782	4	-	7,860	4	-	4,922	-	-
Bah Pinahut - -	2,04,633	2	-	1,80,364	-	-	30,694	1	-	6,424	15	-	24,269	2	-
<b>TOTAL - -</b>	<b>14,35,170</b>	<b>5</b>	<b>-</b>	<b>13,77,634</b>	<b>-</b>	<b>-</b>	<b>1,13,880</b>	<b>4</b>	<b>-</b>	<b>56,343</b>	<b>15</b>	<b>-</b>	<b>57,536</b>	<b>5</b>	<b>-</b>

Name of each Pergunnah.	22. Decimal Proportions of New Jumma to that of 1216-8 as given with Maafi, included in Column 8.	23. Ditto as regards the Settlement of 1223-7 F., given in Column 13.	24. Remission of Land Revenue from 1213 to 1245 Fuslee.			25. Ditto of Tuccavee.			26. Auction Sales for Arrears.		27. Jumma.	
			Rs.	a.	p.	Rs.	a.	p.	Number of Villages Sold.	Rs.		a.
Furrah - - -	93½	86½	1,25,886	11	4	-	-	-	6	14,710	-	-
Khundowlee - -	117½	105	1,78,719	8	6	-	-	-	12	29,905	-	-
Ferozabad - - -	123½	99	1,70,333	14	-	-	-	-	28	47,298	5	-
Futtehpore - -	113	108	1,44,345	9	9	-	-	-	5	13,958	-	-
Huzoor Tehseel -	99½	92½	2,10,730	7	4	-	-	-	-	-	-	-
Iradutnuggur - -	102½	100½	1,32,265	2	8	-	-	-	1	4,600	-	-
Futtehabad - - -	110½	99½	1,12,806	9	8	-	-	-	-	-	-	-
Bah Pinahut - -	114½	86	1,71,886	3	11	-	-	-	-	-	-	-
<b>TOTAL - -</b>	<b>108½</b>	<b>96½</b>	<b>12,46,974</b>	<b>3</b>	<b>2</b>	<b>14,516</b>	<b>5</b>	<b>-</b>	<b>52 (e)</b>	<b>1,10,471</b>	<b>5</b>	<b>-</b>

(continued)

(e) Of these 52 estates, the following is the detail:

Year of Sale.	Sales on Left Bank of the Jumna.		Sales on Right Bank of the Jumna.	
	Villages.	Jumma.	Villages.	Jumma.
1213 Fuslee - -	11	Rs. 24,416 - -	12	Rs. 33,268 - -
1222 Fuslee - -	29	52,787 - -	12	33,268 - -
<b>TOTAL - -</b>	<b>40</b>	<b>77,203 - -</b>	<b>12</b>	<b>33,268 - -</b>

In both these years, the seven pergunnahs on the right bank of the Jumna were alone attached to Agra. The other two were part of Allygurh. Accurate returns of the amount of jumma subjected to transfer or farm could not be prepared without inconvenient delay; but the want of the return is of no moment; for this mode of realization of arrears has seldom been resorted to at Agra, under the past system of revenue collections.

## SELECTION OF PAPERS RELATING TO THE

TABLE of Pergunnahwar Statistics of Settlement—continued.

Name of each Pergunnah.	28.		29.		30.		31.		32. Vibration of the Acre Rate of New Jumma on Cultivation in each Pergunnah from that of Huzoor Tehseel.	33. Per-centa of Irrigated Surface in Cultivation.	34. Per-centage of Waste in 100 Culturable Acres.
	Average Acre Rate of New Jumma on * Culturable Area.		Average Acre Rate of New Jumma on Cultivated Area.								
	Old.	New.	Old.	New.							
	<i>Rs. a. p.</i>	<i>Rs. a. p.</i>	<i>Rs. a. p.</i>	<i>Rs. a. p.</i>							
Furrah - - -	1 15 9	1 11 5	2 3 -	1 14 4					78	44½	9
Khundowlee - -	1 12 7	1 14 2	1 14 7	2 - 3					83	55½	8½
Ferozabad - - -	2 2 6	2 2 3	2 4 7	2 4 4					93½	72½	5½
Futtehpore - - -	1 15 2	2 - 8	2 4 11	2 6 8					99	50	15
Huzoor Tehseel - -	2 6 8	2 3 2	2 10 8	2 7 -					100	63½	9
Iradatnuggur - -	2 3 8	2 3 3	2 8 -	2 7 3					101½	63	10½
Futtehabad - - -	2 - 9	1 15 11	2 2 -	2 1 2					85½	61½	3½
Bah Pinahut - - -	1 14 5	1 10 9	2 - 6	1 12 8					74	18½	7
<b>TOTAL - -</b>	<b>2 - 10</b>	<b>1 15 6</b>	<b>2 3 10</b>	<b>2 2 5</b>					<b>88</b>	<b>51</b>	<b>8</b>

Name of each Pergunnah.	35.	36.	37.	38.	39.	40.	41.	42.	43.	44.	45.
	Distribution of Cultivated Area into Soils.										
	Per-centage of Chicknote.	Per-centage of Doonatti.	Per-centage of Mootyar.	Per-centage of Perya.	Per-centage of Bhoor.	Per-centage of Retal.	Per-centage of Barren upon Culturable Area.	Population per Square Mile.	Number of Mehals.	Average Area of a Mehal Cultivation.	Average Area of a Mehal entire Area.
										<i>Acres.</i>	<i>Acres.</i>
Furrah - - -	3½	27½	25½	25½	13½	4½	20½	348	111	765	921
Khundowlee - -	2½	13½	24	22½	23½	13½	34½	381	93	908	1,214
Ferozabad - - -	6½	9½	31½	16½	10½	24½	38½	357	146	554	769
Futtehpore - - -	8½	18½	34½	22½	10½	6	10½	456	109	662	744
Huzoor Tehseel - -	2½	20½	10½	40	21	5½	19½	1,057	124	672	805
Iradatnuggur - -	3½	26	5	41½	20½	3½	15½	411	124	660	763
Futtehabad - - -	2	14½	14½	33½	24½	11½	41½	333	128	701	994
Bah Pinahut - - -	9½	11½	15	31	29½	3½	66½	336	183	588	978
<b>TOTAL - -</b>	<b>5</b>	<b>17½</b>	<b>19½</b>	<b>29</b>	<b>19½</b>	<b>9</b>	<b>32</b>	<b>424</b>	<b>1,018</b>	<b>629</b>	<b>911</b>

TABLE of Pergunnahwar Statistics of Settlement—continued.

Name of each Pergunnah.	46.	47.	48.	49.	50.	51.	52.	53.	54.	55.	56.	57.	58.	59.
	Caste of the Village Proprietors reduced to Decimal Proportion.													
	Government.	Europeans.	Aheers.	Brahmins.	Baniya.	Gojurs.	Jadons.	Jaats.	Kayth.	Khuttreys.	Lodhas.	Musulman and Malkansah.	Rajpoots.	Sindries.
Furrah - - -	1	11½	2	13½	4	1	-	18	7½	-	1½	10	30½	-
Khundowlee - - -	2	1	3½	9	-	-	-	19½	-	-	2½	13½	49	2
Ferozabad - - -	-	-	9	17½	1½	20½	24	1	16½	-	-	9½	-	-
Futtehpore - - -	-	-	-	10	6½	-	-	41½	18	-	3½	9	11	-
Huzoor Tehseel - - -	-	9	6	15	10	-	-	22	4	2½	8	13½	6½	2½
Iradutnuggur - - -	-	2½	22½	17½	4½	-	-	2½	2	-	1½	2½	45½	-
Futtehabad - - -	½	1	1½	28½	6	21½	-	-	5	-	½	5	29	½
Bah Pinahut - - -	1	-	3½	48	1½	5	-	-	1½	-	-	-	37½	1½
<b>TOTAL - - -</b>	<b>½</b>	<b>2½</b>	<b>3½</b>	<b>22½</b>	<b>6</b>	<b>7½</b>	<b>3½</b>	<b>11½</b>	<b>6½</b>	<b>½</b>	<b>1½</b>	<b>7½</b>	<b>25½</b>	<b>½</b>

Name of each Pergunnah.	60.	61.	62.	63.	64., 65., 66.		
	Total Number of Zumeendars.	Average Holding of each Zumeendar.	Proportion of Zumeendaree of Mehals in 100.	Proportion of Byachara Mehals in 100.	Irrigation and Waste.		
		Acres.			Number of Pucka Wells.	Number of Pucka Wells per 1,000 Acres of Cultivation.	Average Depth of Springs of Water for Irrigation from the Surface.
					(f)		Feet.
Furrah - - -	2,912	26	50½	49½	764	10	40
Khundowlee - - -	2,479	31	30	70	396	4½	30
Ferozabad - - -	722	105	51½	48½	652	8½	30
Futtehpore - - -	2,609	27	45	60	731	9	30
Huzoor Tehseel - - -	2,673	28	42	58	1,088	14	37
Iradutnuggur - - -	2,278	32	40½	59½	546	6½	37
Futtehabad - - -	2,283	30	50	50	442	5	40
Bah Pinahut - - -	3,744	26	31½	68½	644	6½	75
<b>TOTAL - - -</b>	<b>20,300</b>	<b>31</b>	<b>42½</b>	<b>57½</b>	<b>5,263</b>	<b>8</b>	<b>39</b>

Name of each Pergunnah.	67. Character of the Water.
Furrah - - -	(g) - - But little pure sweet water, much slightly brackish, and some teliya. Ten villages may have bitterly salt water.
Khundowlee - - -	Sweet.
Ferozabad - - -	Sweet.
Futtehpore - - -	- - One-fourth of the villages have bitterly salt water, and the rest sweet, and occasionally brackish water.
Huzoor Tehseel - - -	- - Fifty-five per cent. of the villages have sweet water only; 33 both sweet and brackish; and the rest sweet, brackish, and teliya. Generally sweet, but on the Kharee Nuddee occasionally brackish.
Iradutnuggur - - -	Sweet.
Futtehabad - - -	Sweet.
Bah Pinahut - - -	Sweet.

(continued)

(f) The vicinity of the sandstone quarries of Futtehpore Sickri enables this pergunnah to make a great show in respect to pucka wells. Three hundred and seventy-seven, however, of the wells are built without bricks and chunam, being simply formed of khundas or rocks of stone, cut into shape to make cylindrical layers.

(g) The water called "teliya" is a serious drawback to the prosperity of an estate. Its use for irrigation cakes the soil, and the farmer is compelled to allow the field to lie fallow during the following year, or to put up with a very inferior crop. The natives call the water by a popular error, "teliya," believing that it is impregnated with oil. It has, however, an unctuous appearance. Specimens of it are to be had at Pithoulee, Palee, and other villages in the vicinity of Agra; but an analysis of it I have not been fortunate enough to secure. The noxious effect of very brackish or kurwa water is, that pureh, or flooding of land, becomes necessary, from the scantiness of the rains, in order to admit of tillage. The salt destroys the seed in its germination; otherwise brackish water acts as a manure, when used for irrigation, to barley.

## SELECTION OF PAPERS RELATING TO THE

TABLE of Pergunnahwar Statistics of Settlement—continued.

Name of each Pergunnah.	68.	69.	70.	71.	72.	73.	74.	75.	76.	77.	78.	79.	80.	81.	82.	83.
	Decimal Proportion of Crops 1247 Fuslee.															
	Khurreef.								Rubbee.							
(h) Cotton.	Joat.	Bajra.	Pulse.	Indigo.	Sugar Cane.	Rice.	Mulika.	Wheat.	Barley.	Channa.	Bejar.	Cheyua.	Vegetables, Tobacco, &c.	Total of Khurreef.		
Furrah	11	28½	17½	13½	1½	—	—	—	6½	7½	12	—	—	—	72½	28
Khundowlee	15	19	22½	8	—	—	—	—	12½	11½	10	—	—	—	65½	40½
Ferozabad	14	18½	14	7½	1	—	—	—	15½	16½	11½	—	—	—	55½	48½
Futtehpore	13	31	12½	5½	—	—	—	—	17	11½	8½	—	—	—	62½	42
Huzoor Tehseel	12½	29½	8½	11½	4½	—	—	—	16½	2	11½	1½	—	—	67½	36½
Iradutnaggur	23½	18½	10½	10½	—	2½	—	—	16	6½	11	—	—	—	65	49
Futtehabad	16	11½	27½	7½	—	1½	—	—	10½	5½	7½	11½	—	—	64½	33½
Bah Pinahut	18	10½	27½	5½	—	1½	—	—	—	2½	23½	11	—	—	61	22½
<b>TOTAL</b>	<b>14½</b>	<b>20</b>	<b>18</b>	<b>8½</b>	<b>1</b>	<b>—</b>	<b>—</b>	<b>—</b>	<b>13½</b>	<b>11½</b>	<b>11</b>	<b>1</b>	<b>—</b>	<b>—</b>	<b>62</b>	<b>41</b>

Name of each Pergunnah.	NICKASSEES.			
	84.	85.	86.	87.
	Highest Nickassee Wussool of the 10 Years, from 1235 to 1244 Fuslee.	Medium Wussool, from 1235 Fuslee to 1244 Fuslee.	Nickassee Wussool of 1244 Fuslee.	New Jumma increased by One-half, to serve as a Comparison with the Nickassee Columns.
	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.
Furrah	2,54,730	2,26,836	2,32,158	2,19,720
Khundowlee	2,44,092	2,17,999	2,35,629	2,38,246
Ferozabad	2,71,743	2,48,086	2,60,433	2,59,900
Futtehpore	2,91,545	2,53,256	2,59,435	2,62,305
Huzoor Tehseel	3,06,831	2,77,941	2,83,843	2,76,100
Iradutnaggur	2,72,161	2,52,353	2,59,942	2,70,720
Futtehabad	2,85,475	2,65,540	2,73,607	2,68,890
Bah Pinahut	2,80,942	2,65,324	2,74,431	2,70,546
<b>TOTAL</b>	<b>22,07,501</b>	<b>20,07,340</b>	<b>20,79,478</b>	<b>20,66,451</b>

(h) These columns were prepared from the revised khurreehs of 1247 Fuslee, by a selection of four or more villages in each Chuck of the different pergunnahs. Leisure was wanting to take an average of the whole of each pergunnah. The unnatural action of the country since the drought and famine of 1837 has disturbed the proportions of the two crops. From the poverty of the country, and the immense yield of the autumn crop of 1246 Fuslee, there was a rush to raise a large Khurreef crop on 1247 Fuslee, the out-turn of which, from the rains proving scanty, was one-fifth inferior to an average one. Hence the entries in these columns are by no means a complete index to the character of the ordinary agriculture of the zillah generally, or that of the pergunnahs relatively.

TABLE of CHUCK STATISTICS.

1.	2.	3.		4.		5.	
Name of Pergunnah.	No. of Chuck.	Two-thirds of highest Nickassee Wussool, from 1235 to 1244 Fuslee,		Two-thirds of Nickassee Wussool of 1244 Fuslee.		Two-thirds of average Nickassee Wussool, from 1235 to 1244 Fuslee.	
		Rs.	a. p.	Rs.	a. p.	Rs.	a. p.
Furrah	1	68,218	- -	59,890	- -	57,922	- -
	2	74,870	- -	68,568	- -	67,310	- -
	3	16,332	- -	15,246	- -	15,072	- -
	4	10,920	- -	11,068	- -	10,420	- -
	TOTAL		1,70,340	- -	1,54,772	- -	1,50,724
Khundowlee	1	52,537	- -	50,346	- -	48,369	- -
	2	55,604	- -	54,364	- -	49,701	- -
	3	31,294	- -	29,817	- -	26,776	- -
	4	23,293	- -	22,559	- -	20,487	- -
	TOTAL		1,62,728	- -	1,57,086	- -	1,45,333
Ferozabad	1	75,095	- -	72,977	- -	69,286	- -
	2	59,146	- -	56,948	- -	54,703	- -
	3	22,195	- -	19,797	- -	19,558	- -
	4	24,756	- -	23,900	- -	21,844	- -
	TOTAL		1,81,192	- -	1,73,612	- -	1,65,391
Futtehpore	1	1,11,083	- -	99,281	- -	98,502	- -
	2	54,628	- -	49,465	- -	46,322	- -
	3	25,026	- -	21,138	- -	21,208	- -
	4	3,626	- -	3,066	- -	2,805	- -
	TOTAL		1,94,363	- -	1,72,950	- -	1,68,837
Huzoor Tehsil	1	1,06,915	- -	99,941	- -	97,222	- -
	2	56,103	- -	51,054	- -	49,910	- -
	3	41,534	- -	38,234	- -	38,162	- -
	TOTAL		2,04,554	- -	1,89,229	- -	1,85,294
Iradutnuggur	1	1,19,710	- -	1,13,924	- -	1,12,103	- -
	2	62,520	- -	50,664	- -	47,733	- -
	3	8,474	- -	8,094	- -	7,742	- -
	4	737	- -	613	- -	661	- -
	TOTAL		1,81,441	- -	1,73,295	- -	1,68,239
Futtehabad	1	91,649	- -	87,433	- -	85,305	- -
	2	73,218	- -	70,452	- -	68,328	- -
	3	22,251	- -	21,376	- -	20,613	- -
	4	3,187	- -	3,144	- -	2,781	- -
	TOTAL		1,90,305	- -	1,82,405	- -	1,77,027
Bah Pinahut	1	75,628	- -	74,554	- -	72,276	- -
	2	29,965	- -	28,727	- -	28,161	- -
	3	52,211	- -	50,882	- -	48,956	- -
	4	29,491	- -	28,791	- -	27,490	- -
	TOTAL		1,87,295	- -	1,82,954	- -	1,76,883

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TABLE of Chuck Statistics—continued.

Name of Pergunnah.	6. Deducted Revenue by taking Two-thirds of Value assumed at Rent Rates of Ferozabad.		7. Old Jumma.		8. New Jumma.		9. Total Increase on Old Jumma.	
	Rs.	a. p.	Rs.	a. p.	Rs.	a. p.	Rs.	a. p.
Furrah	65,646	--	65,863	--	60,670	--	990	--
	70,614	--	75,352	--	62,970	--	115	--
	17,345	--	16,520	--	13,130	--	60	--
	10,435	--	11,358	--	9,710	--		--
	<b>TOTAL</b>	<b>1,64,040</b>	<b>--</b>	<b>1,69,093</b>	<b>--</b>	<b>1,46,480</b>	<b>--</b>	<b>1,165</b>
Khundowlee	50,726	--	52,075	--	52,731	--	1,933	--
	49,126	--	51,037	--	54,240	--	3,547	--
	33,766	--	29,566	--	30,750	--	2,360	--
	28,087	--	18,033	--	21,110	--	3,124	--
	<b>TOTAL</b>	<b>1,61,705</b>	<b>--</b>	<b>1,50,711</b>	<b>--</b>	<b>1,58,831</b>	<b>--</b>	<b>10,964</b>
Ferozabad	70,799	--	71,330	5	70,705	--	2,152	--
	56,324	--	61,201	4	58,530	--	1,224	12
	20,307	--	19,271	--	20,000	--	1,454	--
	28,258	--	23,123	--	24,400	--	1,676	--
	<b>TOTAL</b>	<b>1,75,688</b>	<b>--</b>	<b>1,74,925</b>	<b>9</b>	<b>1,73,635</b>	<b>--</b>	<b>6,506</b>
Futtehpore	99,428	--	95,689	--	1,03,514	--	9,902	--
	43,463	--	45,616	--	48,105	--	4,050	--
	19,933	--	21,332	--	20,710	--	5,098	--
	2,450	--	2,776	--	2,540	--	7	--
	<b>TOTAL</b>	<b>1,65,274</b>	<b>--</b>	<b>1,66,918</b>	<b>--</b>	<b>1,74,869</b>	<b>--</b>	<b>14,557</b>
Huzoor Tehsil	93,324	--	1,09,579	--	1,00,028	--	1,711	--
	41,280	--	52,685	10	47,628	--	454	--
	38,220	--	39,670	--	36,059	--	477	--
		--		--		--		--
	<b>TOTAL</b>	<b>1,72,824</b>	<b>--</b>	<b>2,01,934</b>	<b>10</b>	<b>1,83,715</b>	<b>--</b>	<b>2,642</b>
Iradatnuggur	1,09,853	--	1,22,420	--	1,20,640	--	4,086	--
	52,811	--	52,017	--	51,372	--	1,575	--
	8,782	--	7,646	--	7,786	--	480	--
	1,412	--	695	--	682	--	83	--
	<b>TOTAL</b>	<b>1,72,888</b>	<b>--</b>	<b>1,82,778</b>	<b>--</b>	<b>1,80,480</b>	<b>--</b>	<b>6,224</b>
Futtehabad	84,424	--	86,199	--	85,934	--	4,741	--
	78,200	--	73,414	4	70,593	--	2,367	--
	22,766	--	21,530	--	20,300	--	676	--
	4,007	--	3,033	12	2,433	--	76	4
	<b>TOTAL</b>	<b>1,89,397</b>	<b>--</b>	<b>1,84,182</b>	<b>--</b>	<b>1,79,260</b>	<b>--</b>	<b>7,860</b>
Bah Pinahut	74,685	--	82,770	9	77,234	--	3,786	15
	25,842	--	32,446	9	28,984	--	1,230	--
	35,463	--	57,116	--	48,006	--	1,018	--
	22,576	--	32,300	--	26,140	--	390	--
	<b>TOTAL</b>	<b>1,58,566</b>	<b>--</b>	<b>2,04,633</b>	<b>2</b>	<b>1,80,364</b>	<b>--</b>	<b>6,424</b>



TABLE of Chuck Statistics—continued.

Name of Pergunnah.	10. Total Decrease on Old Jumma.			11. Net Increase on the Chuck or Pergunnah.			12. Net Decrease on the Chuck or Pergunnah.			13. Acre Rate of Old Jumma on Cultivation.		
	Rs.	a.	p.	Rs.	a.	p.	Rs.	a.	p.	Rs.	a.	p.
Furrah	6,183	-	-	-	-	-	5,193	-	-	2	5	2
	12,497	-	-	-	-	-	12,382	-	-	2	3	9
	3,450	-	-	-	-	-	3,390	-	-	1	11	4
	1,648	-	-	-	-	-	1,648	-	-	2	-	9
TOTAL	23,778	-	-	-	-	-	22,613	-	-	2	3	-
Khundowlee	1,277	-	-	656	-	-	-	-	-	2	10	7
	344	-	-	3,203	-	-	-	-	-	2	2	10
	1,176	-	-	1,184	-	-	-	-	-	1	10	8
	47	-	-	3,077	-	-	-	-	-	1	-	1
TOTAL	2,844	-	-	8,120	-	-	-	-	-	1	14	7
Ferozabad	2,777	5	-	-	-	-	625	5	-	2	12	-
	3,896	-	-	-	-	-	2,671	4	-	2	6	-
	725	-	-	729	-	-	-	-	-	2	2	1
	399	-	-	1,277	-	-	-	-	-	1	9	2
TOTAL	7,797	5	-	-	-	-	1,290	9	-	2	4	7
Futtehpore	3,077	-	-	6,825	-	-	-	-	-	2	6	5
	1,561	-	-	2,489	-	-	-	-	-	2	3	6
	1,720	-	-	-	-	-	1,122	-	-	2	3	5
	243	-	-	-	-	-	236	-	-	1	11	8
TOTAL	6,601	-	-	7,956	-	-	-	-	-	2	4	11
Huzoor Tehsil	11,262	-	-	-	-	-	9,551	-	-	2	15	1
	5,511	10	-	-	-	-	5,057	10	-	2	11	10
	4,088	-	-	-	-	-	3,611	-	-	2	1	6
TOTAL	20,861	10	-	-	-	-	18,219	10	-	2	10	8
Iradutnuggur	5,866	-	-	-	-	-	1,780	-	-	2	13	5
	2,220	-	-	-	-	-	645	-	-	2	1	10
	340	-	-	140	-	-	-	-	-	1	7	3
	96	-	-	-	-	-	13	-	-	1	-	-
TOTAL	8,522	-	-	-	-	-	2,298	-	-	2	8	7
Futtehabad	5,006	-	-	-	-	-	265	-	-	2	9	5
	5,188	4	-	-	-	-	2,821	4	-	2	-	-
	1,906	-	-	-	-	-	1,230	-	-	1	9	-
	682	-	-	-	-	-	605	12	-	1	1	3
TOTAL	12,782	4	-	-	-	-	4,922	-	-	2	2	-
Bah Pinahut	9,323	8	-	-	-	-	5,536	9	-	2	1	10
	4,692	9	-	-	-	-	3,462	9	-	1	14	7
	10,128	-	-	-	-	-	9,110	-	-	2	1	4
	6,550	-	-	-	-	-	6,160	-	-	1	14	7
TOTAL	30,694	1	-	-	-	-	24,269	2	-	2	-	6

TABLE of Chuck Statistics—continued.

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Name of Pergunnah.	14. Acre Rate on Culturable Area.	15. Acre Rate of New Jumma on Cultivation.	16. Acre Rate of New Jumma on Culturable Land.	17. Per-centage of Waste on 100 Acres of Culturable Land.	18. Per-centage of Irrigation on 100 Acres of Cultivation.
	<i>Rs. a. p.</i>	<i>Rs. a. p.</i>	<i>Rs. a. p.</i>		
Furrah	2 1 7 2 - 9 1 8 4 1 13 8	2 2 3 1 13 10 1 5 8 1 12 -	1 14 11 1 11 4 1 3 4 1 9 4	9½ 8½ .10 9½	46 47 36½ 37½
TOTAL	1 15 9	1 14 4	1 11 6	9	41½
Khundowlee	2 8 8 2 1 2 1 8 9 1 14 5	2 11 1 2 5 - 1 11 8 1 2 10	2 9 2 2 3 3 1 9 9 1 - 10	5½ 4½ 11½ 13½	72 60½ 50½ 37½
TOTAL	1 12 7	2 - 3	1 14 2	8½	55½
Ferozabad	2 7 9 2 4 5 1 14 4 1 8 1	2 11 8 2 4 4 2 - 6 1 10 2	2 7 5 2 2 10 1 15 6 1 9 5	9½ 4 3 2½	84 69½ 68½ 59½
TOTAL	2 2 6	2 4 4	2 2 3	5½	72½
Futtehpore	2 1 4 1 13 3 1 13 6 1 2 8	2 9 1 2 5 5 2 1 7 1 9 4	2 3 8 1 14 10 1 12 - 1 1 1	13 17 10 32	52½ 48 46 30
TOTAL	1 15 2	2 6 8	2 - 8	15	50
Huzoor Tehsil	2 9 8 2 9 1 1 14 3	2 10 11 2 7 8 1 14 6	2 6 1 2 5 2 1 11 6	11 6 9½	66½ 60 61½
TOTAL	2 6 8	2 7 -	2 3 2	9½	63½
Iradtunnugur	2 8 11 1 14 7 1 4 - - 15 2	2 12 9 2 1 5 1 7 9 - 15 9	2 8 3 1 14 2 1 4 4 - 14 11	10 9½ 14 5	69 55½ 45½ 61½
TOTAL	2 3 8	2 7 3	2 3 3	10½	63
Futtehabad	2 8 8 1 14 9 1 7 - 1 1 -	2 9 4 1 14 9 1 7 7 - 13 10	2 8 6 1 13 7 1 5 8 - 13 7	1½ 3½ 7 1½	71½ 61½ 42 30½
TOTAL	2 - 9	2 1 2	1 15 11	3½	61½
Pah Pinahut	2 - 4 1 11 10 1 15 - 1 12 1	1 15 7 1 11 3 1 12 - 1 8 4	1 14 2 1 8 10 1 10 - 1 6 5	4½ 8½ 7½ 8	17½ 13 8½ 10½
TOTAL	1 14 5	1 12 8	1 10 9	7	13½

TABLE of Chuck Statistics—continued.

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Report on the  
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Name of Pergunnah.	19.	20.	21.	22.	23.	24.	
	Per-centage of Soils in 100 Acres of Cultivation.						
	Chicknote.	Doomatt.	Mootyar.	Perya.	Bhoor.	Rettar.	
Furrah	4½	33½	24	26½	7½	4½	
	3½	26½	29½	24½	14½	1½	
	2	19½	16	29½	22½	10½	
	5	24	31½	15½	16½	7½	
	TOTAL	3½	27½	25½	25½	13½	4½
Khundowlee	2½	21½	39½	8½	15½	12½	
	2½	14	24½	24½	26½	8	
	2	13	22½	27½	22½	12½	
	3½	6½	8½	29½	30	24½	
	TOTAL	2½	13½	24	22½	23½	13½
Ferozabad	11½	11	36½	12	11½	18	
	4½	10½	30½	13½	13½	27½	
	4½	9½	25½	21½	10½	27½	
	2½	5	27½	23½	10½	30	
	TOTAL	6½	9½	31½	16½	10½	24½
Futtehpore	11	15½	32½	24½	11½	4½	
	6½	18½	37½	25	7½	4½	
	2½	28½	35	12	9½	13	
	2½	6	23½	17½	23	27½	
	TOTAL	8½	18½	34½	22½	10½	6
Huzoor Tehsil	4½	25½	11½	37	20½	1½	
	2½	20	11½	44½	16	7	
	2½	11½	7	41	28½	11½	
	TOTAL	2½	20½	10½	40	21	5½
	Iradtuggur	4	29½	7½	42½	16½	1
2½		24½	1½	48½	22½	6	
1½		6	1½	31½	44½	16½	
1		5½	5½	70½	16½	1½	
TOTAL		3½	26	5	41½	20½	3½
Futtehabad	3	17½	19	31	17½	12½	
	1½	15½	13½	37½	25	7½	
	1½	6½	7	30	40½	15½	
	1	3½	7	33½	26½	35½	
	TOTAL	2	14½	14½	33½	24½	11½
Bah Pinahuf	20½	22	16	22½	16	3	
	6½	8	20½	40½	23	1½	
	1½	4½	14	33½	43½	3	
	1	3½	9	38	42½	6	
	TOTAL	9½	11½	15	31	29½	3½

TABLE of Chuck Statistics—continued.

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Name of Pergunnah.	25. Total of first 2 Superior Soils.	26. Total of first 4 Superior Soils.	27. Per-centage of New Jumma's Excess on deduced Revenue Rates.	28. Per-centage of New Jumma's Deficiency on deduced Revenue Rates.
Furrah	37½	87	- - - -	8
	29½	83½	- - - -	12
	21½	67	- - - -	7
	29	76½	- - - -	7
TOTAL	31	82	- - - -	12
Khundowlee	24	72	3½	—
	16½	64½	9	—
	15	65	- - - -	9
	7½	45	- - - -	33
TOTAL	16	62½	- - - -	1½
Ferozabad	22½	70½	—	—
	15	59	3½	—
	14½	62	- - - -	1½
	8½	58½	- - - -	15½
TOTAL	16½	65	- - - -	1
Futtehpore	26½	84	3½	—
	25	87½	9½	—
	30½	77½	3½	—
	8½	49½	3½	—
TOTAL	26½	83½	5	—
Huzoor Tehsil	29½	78½	6	—
	20½	77	13	—
	12	60	- - - -	6
TOTAL	23	73½	5½	—
Iradunnggur	33½	83	9	—
	27½	71½	- - - -	3
	6½	39	- - - -	—
	6½	81½	- - - -	110
TOTAL	29½	75	4	—
Futtehabad	20½	70½	1½	—
	16½	67½	- - - -	10
	7	44½	- - - -	11
	3½	38½	- - - -	64
TOTAL	16½	64½	- - - -	5½
Bah Pinahut	42½	81	3	—
	14½	75½	10	—
	5½	53½	25	—
	4½	51½	13	—
TOTAL	21½	67½	12	—

TABLE of Chuck Statistics—continued.

Name of Pergunnah.	Agra Villages of each Chuck adjoining a neighbouring Zillah.				Villages of another Zillah adjoining Agra.			
	29. Number of Mehals.	30. Per-centage of Irrigation.	31. Waste in 100 Acres of Culturable.	32. Acre Rate on Cultivation.	33. Number of Mehals.	34. Per-centage of Irrigation.	35. Waste in 100 Acres of Culturable.	36. Acre Rate on Cultivation.
				<i>Rs. a. p.</i>				<i>Rs. a. p.</i>
	Furrah and Aring conterminous.							
Furrah -	1	37	16	2 - -	1	11	12	2 8 11
	—	—	—	—	—	—	—	—
	—	—	—	—	—	—	—	—

Khundowlee and Jalesur conterminous.

Khundowlee -	5	60	7	2 8 7	5	58	32	2 7 7
	7	62	2½	2 4 1	5	70	3	2 9 7
	—	—	—	—	—	—	—	—
	—	—	—	—	—	—	—	—

Ferozabad and Shikohabad 2d Division conterminous.

Ferozabad -	3	84	13	2 11 1	3	90	5	2 8 2
	5	64	8	2 2 3	4	81	—	2 - 2
	—	—	—	—	—	—	—	—
	—	—	—	—	—	—	—	—

Futtehpore -  
 Huzoor Tehsil  
 Iradunuggur  
 Futtehabad -  
 Bah Pinahut -

No other zillah adjoins these pergunnahs.

No Khalsa village in Bah Pinahut adjoins the Etawah zillah.

Name of Pergunnah.	Agra Villages adjoining another Zillah.				Villages of another Zillah adjoining Agra.			
	37. Number of Mehals.	38. Per-centage of Irrigation.	39. Waste in 100 Acres of Culturable.	40. Acre Rate on Cultivation.	41. Number of Mehals.	42. Per-centage of Irrigation.	43. Waste in 100 Acres of Culturable.	44. Acre Rate on Cultivation.
Furrah -	—	—	—	—	—	—	—	—

Khundowlee and Saidabad conterminous.

Khundowlee -	3	75	2	3 4 7	6	57	8	3 3 3
	5	59	4	2 7 7	5	67	14	2 15 10
	3	61	23	1 13 8	4	75	16	2 12 -
	*1	3	76	1 4 3	*1	57	17	3 1 1

Ferozabad and Shikohabad 1st Division conterminous.

Ferozabad	—	—	—	—	—	—	—	—
	†1	78	4	2 6 10	2	83	3	2 5 7
	8	66	3	1 15 3	13	73	7	1 11 -
	1	54	2	2 3 9	1	46	4	1 3 5

Futtehpore -  
 Huzoor Tehsil  
 Iradunuggur  
 Futtehabad -  
 Bah Pinahut -

No other zillah adjoins these pergunnahs.

No Khalsa village in Bah Pinahut adjoins the Etawah zillah.

\* The Agra village is the wretched one of Dhangrauli, and the Muttra one is the fine estate of Maandar.  
 † A decrease of 1,200 rupees was allowed in Ferozabad; an increase of 20,000 rupees was taken in Shikohabad 2d Division.

## VI.

REPORT on the SETTLEMENT of the District of *Moozuffurnuggur*, completed by *Edward Thornton*, Esq., C.S., 14 August 1841.

## ABSTRACT.

## PARA.

- 1.—List of settlement statements submitted with the report.
- 2.—The maps are intended to show the circles into which the district has been divided.
- 3.—Reasons why the report is confined almost entirely to an explanation of the method on which the assessment has been made.
- 4.—The division of the district into circles, each of which differs from the rest to an important degree in quality of soil—how effected.
- 5.—That this division could not have been so well effected at any other time as during the measurement.
- 6.—That although the number of circles is large, it is not unnecessarily so.
- 7.—What land has been put down as irrigated.
- 8.—That in measuring for the purpose of assessment, it is most important to distinguish the highly manured land from the rest of the cultivation. That such distinction has been made, the word "meesun" being used for soil which is in this condition.
- 9.—The question considered whether meesun land should be assessed at a higher rate on account of its acquired excellence, and the rule stated which has been acted upon in this settlement.
- 10.—Further particulars regarding the application of the rule mentioned in the last paragraph.
- 11.—That the principle adopted has given fully ample relief to the highly cultivated mouzahs.
- 12.—Method adopted for obtaining average rent rates.
- 13.—The ascertainment, by computation from the khusrehs separately for each circle, of the number of acres of each kind of crop in each denomination of soil.
- 14.—Average proportion of the whole produce given as rent, and average zuttee rates—how ascertained.
- 15.—The khusrehs and settlement papers comprised all the requisite information for obtaining rent rates, excepting average produce tables.

## PARA.

- 16.—The subsequent account of the way these tables were formed applies to the settlements of 1840–41, that is, to two-thirds of the district. The difficulty how met in the operations of 1838–39.
- 17.—The kunkoot of the rubbee crop of 1840—the results.
- 18.—Produce tables how extracted from kunkoot papers of malgoozars—the results.
- 19.—Average prices how obtained.
- 20.—Use to which the kunkoot, which forms the subject of paragraph 17, was put.
- 21.—Revenue rates how formed. A list of them given.
- 22.—The jumma for the mouzah having been calculated by means of the revenue rates, a few general rules were to be observed.
- 23.—First, regarding fallow and recently abandoned land.
- 24.—Secondly, as to extent of meesun land.
- 25.—Thirdly, as to the culturable waste.
- 26.—Some few mouzahs are known, and have been clearly shown, to be remarkably productive—how treated.
- 27.—Those in which rent is for some special cause at present very low. By what rule their jumma has been calculated.
- 28.—The khadur of the Ganges.
- 29.—With four exceptions, the revenue rates for each denomination of soil, as given in No. 5 of the Appendix, need never be exceeded.
- 30.—Land round new masonry wells assessed as unirrigated.
- 31.—Fiscal result of the new settlement.
- 32.—The produce tables used. They appear moderate.
- 33.—Portion of whole produce given in rent, also in revenue.
- 34.—The rights of cultivators.
- 35.—Legal impediments to proprietor exercising his right to oust tenants at will.
- 36.—Re-arrangement of putwarrees—why necessary—how made.

## REPORT.

1. THE prescribed tabular statements are submitted, together with this report, according to a list given below. It will be observed that they are drawn up in two sets; the one comprises the pergunnahs of the Bidowlee tehsildaree, with pergunnah Moozuffurnuggur, of the Poor Chupar tehsildaree. This portion, being one-third of the district, was measured in the cold season of 1838–39, and the settlement was soon made afterwards. It had been my intention to report this part of the work by itself; and as it was not till the completion of the statements that I received instructions to wait till I could make a final report on the whole district, I have not thought it necessary to draw these papers out anew.

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*Settlements of 1838-39.*

- 2 Annual jumma statements, No. III.
- 2 General statements, No. IV.
- 2 Police statements.
- 2 Lists of maufee cases regarding land, not exceeding 10 beegahs.
- 5 Volumes village statements.

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*Settlements of 1840-41.*

- 1 Annual jumma statement, No. III.
- 1 General statement, No. IV.
- 1 Police statement.
- 1 List of maufee cases regarding land, not exceeding 10 beegahs.
- 6 Volumes village forms.

*Papers relating to the whole District.*

- 1 Summary of the several annual jumma statements, No. III.
- 1 Summary of the general statements, No. IV.
- 1 List exhibiting the tenures.
- 1 Map of the whole district, in four parts.

Also ten settlement misls.

2. It will be noticed that four maps are submitted, in addition to the usual tabular forms; these have been compiled from the professional survey plans by Mr. Wilson, who, till his removal lately to Budaon, has aided me throughout the whole of this settlement as an uncovenanted deputy collector. These maps together comprise the whole district, which is divided into four parts by the intervention of pergunnahs, some belonging to Saharunpore, and others to Meerut. The relative bearing of the two large maps is easily ascertainable, by reference to the relative situations of the two towns, Shamlee and Moozuffurnuggur, in any geographical map of these provinces, and by observation of the position each of these towns occupies in whichever of these two maps it is contained. The other two isolated portions of the district are small; one consisting of a few mouzahs round qusbeh Shorun would be crossed by a line drawn from Katowlee to Shamlee; the other is pergunnah Azumpore Basta, a small tract of khadur land on the bank of the Ganges, situated a little below the south-eastern corner of that one of the large maps which has the Ganges for its eastern boundary.

The object, however, for which these maps have been prepared, and are now submitted, is to exhibit certain particulars connected with the assessment. A re-arrangement of the frontiers of this and the adjoining districts is on the point of taking place, but need not be further noticed here. It will be seen that each of the two larger maps is divided into several small tracts, one uniform colour having been laid over each tract to distinguish it from the rest. Each of these tracts has been considered to possess some peculiarity of soil, which might render more expedient the formation for it of separate rent and revenue rates, than the incorporation of it with the adjoining country. The object of these maps, therefore, is to show the number, position and extent of each of these circles of mouzahs, and the name and relative situation of each mouzah in the circle. The maps were prepared, primarily, as an assistance to myself in the work of assessment; but will be of use, and indeed are almost essential, by forming a judgment regarding the principles on which the assessment has been made, or the way in which those principles have been carried out in practice. Fuller particulars regarding the grounds on which this division into circles has been made will be given in that part of the report which relates more particularly to the assessment.

3. It is, indeed, to this subject, namely, an explanation of the system on which I have made the assessment, that I shall almost entirely confine myself. The rules by which all questions of private rights are to be disposed of, the arrangements which are to be made and observed, and the records which are to be drawn up, have been ere this so minutely defined by superior authority, that it is merely necessary to refer to the fact, and say that these instructions have been understood and strictly attended to; also the village forms and the several general statements exhibit what has been done, more concisely and more accurately



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than the usual information can be given in a report. The instructions, as to what are the proper steps to be taken for collecting knowledge requisite for the assessment, and the right principles to be acted on in making it, have been carefully defined by the Board of Revenue, as far as the nature of the subject admits; but this limit is of necessity at a point which still leaves great space, in which a person must in practice search out for himself a new plan of collecting the data for assessment, and must also exercise an extensive discretionary power in making that assessment, after the information has been obtained. This has been, as it appears to me, more than ordinarily the case in the present instance, and therefore a somewhat detailed exposition of what has been done in the matter seems called for; afterwards a few observations will be offered on the rights of cultivators, a subject which has received my particular attention, and on which the agricultural prosperity of the country must much depend. I have also made a totally new arrangement of the putwarrees, which has involved the removal of many individuals from their office. The grounds on which I have done this must be given; but after these three subjects have been considered, there appears none other with which I should be justified in occupying the attention of my superiors.

4. My first aim in the assessment was to carry out in its full spirit the system promulgated by the Board of Revenue, and now incorporated in their circular pamphlet on settlements, where it forms the fourth section. The basis of this system lies in bringing together mouzahs whose soil is similar in quality. I possessed peculiar advantages for effecting this, inasmuch as I made the measurement myself, and therefore had a large establishment to devote to the particular object. Shortly before I had joined the district as settlement officer, Mr. Dick had arrived in that capacity, but left the appointment before he could commence work; while here, however, he did exceedingly good service by detecting, and bringing prominently forward, a mass of inaccuracies in the khusrehs, many clearly arising from fraud on the part of the khusreh ameens. A new measurement, therefore, was ordered to be made; but, owing to Mr. Dick's departure, nothing further was done till I myself commenced the measurement, as aforesaid, in the season of 1838-39. An exceedingly effective establishment for controlling ameens was allowed me; and with the professional survey to assist in detecting errors in the total area of the mouzahs, every possible advantage was at hand that could contribute to success. Being myself also well aware that a close superintendence of ameens is necessary, considerable method was observed in enforcing it; so that each ameen, and also the lower grade of the establishment that had to examine the ameen's work, felt themselves under constant observation. The result is, that I can speak with confidence of the correctness of the khusrehs and field maps, in respect of each of the several branches of information they profess to give.

From the commencement of the measurement, the whole of this large establishment, including the ameen's, were instructed to bear in mind the classification which was to be the first step towards the assessment. I have always found the matter a difficult one, and probably it is more so here and in Saharunpore than in some other districts; for payment of rent being chiefly in kind, and being a certain proportion of the crop, the proprietor gets a much larger rent for good than bad soil, without having to notice the fact or the reason; whereas in places where money rates on land are customary, excellence of soil, and the justice of his receiving a high rent, is, no doubt, in some measure, forced on the attention of the proprietor, as his interest would otherwise suffer. Though, however, general inquiries on this subject have not proved successful, accident has, in several instances, brought to light that peculiarities of the kind alluded to are sometimes recognised, in which case the tract is generally called by some name descriptive of its remarkable quality. The name would be used perhaps in casual conversation with the ameen by a cultivator; and the clue once thus got, it would be found that the name and the boundaries of the tract to which it is applied were familiar to all the residents in that part of the district. Often the entire absence, or the scarcity of some valuable staple, such as sugar cane or cotton, or the unusually large quantity of some other sort of produce, not usually very profitable, would be the first indication observed of there being a distinguishing peculiarity. But whatever first directed attention, the result always has been that a similarity as to level has, on inspection, been found to pervade every mouzah in the tract. Indeed, it was only necessary to turn the observation.

observation of the large number of persons, some of whom had to make, and others to test the measurements, to this particular point. The streams, as I had occasion to notice regarding the soil of Saharunpore, exercise the greatest influence on the productiveness of the soil. This being further from the mountains than the district, these streams have united so, that the west of Kalee Nuddee, the Hindun, and a smaller one, the Kirsunee, are the whole that exist in this district. But the two first have worked themselves very deep channels, so that the country slopes for several miles on either side. The best land generally lies on the highest part of the intervening tract; the cause apparently being that the moisture can remain in the slight depressions on the surface of this table land, whereas the slopes are instantly and completely drained, however heavy the rain. To give an instance of what I mean, the mouzahs I have put together as the Churthawul circle are thus situated on the top land; the Bhudaien circle, on its north-east, is affected by two small drains, which go into the Kalee Nuddee, and which have caused a slope towards their beds of all the lands of this latter circle. To the west of Churthawul is the Jukwala set (each set being named after a principal village in it), which slopes on either side towards the Hindun. In the first of these circles the soil is plainly among the best in the district; the second is not of average goodness; and the third, not good in its sloping part, has a considerable quantity of excellent alluvial land on the bank of the Hindun.

Another remarkable feature in the district is a ridge of sand hills, which runs in a southerly direction, and is some miles east of the station of Moozuffnuggur. The soil of this high sandy ridge is called ghoor, and it will be observed that one of the circles of mouzahs is situated on it. This ridge—or belt as it should rather be called, for there is no one continuous crest, but one ridge of hillocks—before it subsides often runs for some distance parallel to another which has only just made its appearance, is not only peculiar in itself, but is the line of separation between tracts which differ much from each other. Perhaps these owe their difference originally to the existence of the sand hills. However this may be, the Puchenda circle, immediately underneath the sand hills to the westward, is a basin that receives and retains—for the exit to the south is not strongly marked—the rain which falls on the western slope of the sand ridge as well as on its own surface. The villages on it are thriving, and the fields have all the appearance of great productiveness.

On the eastern side of the sandy ridges the slope is more gradual, so that the Jowlee set of mouzahs partakes of their sandy dry character. To the east again of these the Tissah set has rather less dryness of soil, and is therefore considered better than the sets on its immediate west and east, for the latter is also high and sandy, reaching eastward to the high bank of the Ganges khadur. Of the space between the sand ridges and the Ganges khadur, it may be said generally that it is a poor country. Kucha wells cannot be made in it, and frequently not even masonry ones; of the latter the cost often exceeds 2,000 rupees for a well, of which the circumference will admit of two pairs of bullocks working at once; and owing to the great depth of the water, it is raised for irrigation at a great cost. The scarcity of wells leads to their being very few villages, the cultivators being obliged to locate themselves at such a distance from their fields as necessarily has an injurious effect upon the state of agriculture.

It was upon information of this kind that I have been stating, obtained from the persons making and superintending the measurement, that this classification of the mouzahs into numerous circles has been made. The measurement of the country was commenced from one point, and was carried on so that there should be a continuous advance; the mouzahs possessing apparently a similarity of soil were considered as belonging to one circle. When some novel peculiarity began to arise, the first circle was from that point considered closed, and the second was commenced.

5. It does not appear that the same accuracy could be obtained if the circles were not defined till after the season's work of measurement has been completed; because those local peculiarities will not be afterwards recollected, and they are much more likely to be noticed if inquired for at the only time when the person called on can obtain the information most easily. Also each set of mouzahs does not consist of one uniform quality of soil throughout, but has in it several varieties, of which the ordinary denominations are meesun, rouslee,

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dakur, bhoduh. If one set has first been closed, and the first mouzah which is to come in the new set is under measurement, an ameen may observe that the soil of any one of these denominations is better, or less good, than that of the same name which he has lately been measuring in the previously completed set; but he still has no hesitation in writing the field down as rouslee, or whatever the proper name may happen to be, because he knows that his rouslee is not to be classed with that of the other set, but will have its own rate of assessment suited to its own quality.

But if he has no certain knowledge that the mouzah is not to be classed with those just before measured, he is inclined to enter this rouslee field as bhoduh or meesun, as the case may be; because he thinks it more equal in quality to the one or the other that he has lately been conversant with than to the rouslee; supposing the mouzah to be classed properly in the subsequent arrangement of circles, its land of one sort will thus inadvertently be assessed at the rate of that of some other denomination.

6. It will attract observation that these circles are much more numerous than would have been anticipated, and also it will be seen that the average rent rates and deduced revenue rates of several contiguous sets are not very dissimilar, as in the case of those of Moozuffurnuggur and Jukwala. To this it should be replied, that on the principle subsequently to be stated, by which the rates of assessment were formed, it was better to make two than one circle of mouzahs, if there was a doubt of their being a distinguishing peculiarity; provided only that each of the two sets thus formed possessed in itself enough of mouzahs of each several stage of agricultural condition to allow of the rates being really average ones. The sets which have been formed on the grounds of a mere doubt are only one or two, and in each of these the result has justified the course adopted. The sets whose rates have come out similar had sufficient distinctive peculiarities to prevent their being, in the first instance, joined in one; and no more strong grounds have existed in other cases where the rates are very dissimilar, and where their applicability in practice has proved their correctness. It will be observed, for instance, that the revenue rates on irrigated rouslee in Chupar, Poor, Tissa, and Nuganjee, among which the three last circles, speaking of their whole area generally, are certainly of inferior quality, vary from Rs. 1. 12. to Rs. 2. 1. per cultivated acre; while in the better parts of the district, the rate on this soil seldom reaches Rs. 1.7. Upon commencing the assessment of Chupar, after having gone nearly through the assessment of the whole district, I ventured, on the experience I had obtained, to lower arbitrarily the rate of this soil; but the result was that the jumma obtained by use of this modified rate was so much lower than from the other information collected appeared proper, that further investigation of the quality of the rouslee land was necessary, and it fully bore out the fact that a high rate was applicable.

Upon the whole, the difference between the rates of the several circles is very considerable, and even in the few cases where it is only small, the rates of the circle are more applicable to it than those of any other. The long investigations made might, however, possibly have led to a different result, and might have shown that the several denominations of soil throughout the district could each be uniformly assessed with one rate; yet still there existed no sufficient information on which to assume such an important fact, and therefore some such process as that which has been gone through would have been necessary to establish it.

A tabular statement is prefixed to the village forms of each circle, exhibiting, among other information, the amount and the average rate on cultivation of the past jumma of each mouzah, and the total past jumma of the whole circle, together with the average rate of it. From these statements will be seen that the past assessment of several of the circles has been very light, especially of those in which there certainly exists a general inferiority of soil. In the Jowlee circle, for instance, the past rate, per cultivated acre, is 9 annas 6½ pie, and for some mouzahs it is less than 4 annas. Great doubt would have been felt of the propriety of insisting on the jummas which have now been ascertained to be proper, if the rates had not been obtained from data belonging exclusively to the particular circle. On the whole, the rates have been very successful, the assessment has been entirely made on them, and the people have evinced their own confidence in the correctness of them, so that the very great trouble and very considerable expense that have been bestowed on them have been amply repaid.

I attribute

I attribute this success, first of all, to the care which has been taken that there should be no mouzahs in a circle which did not partake of the peculiarities of the rest.

7. There are two other particulars in the measurement which require notice. First, that it is not that land alone, which is actually irrigated in the year of the measurement, which ought to be put down as such. The rubbee crop of the past year is succeeded by khureef in the present, and it is not customary to water the khureef, so that land round a well which is all of it watered in the course of two years, only half is irrigated on either one year. Both have been treated by me as irrigated land, though in the khusreh and early papers a distinction is preserved, by using the name of "chahee" for the one, and "muheetah chah" for the other. It will be more fully shown further on, that in estimating the average rent rate, the produce of the latter is calculated as if the land were unirrigated, and is then added to the produce of the former; after which the average of the two is taken as the uniform rate of the whole, and, in the subsequent papers, the distinction is dropped. Also the actual amount of land irrigated by a kucha well is not exclusively considered; but the object proposed is to ascertain the extent of land which possesses this valuable peculiarity of a substratum, which admits of such wells being readily and cheaply made.

8. The next consideration, after the arrangement into circles, or perhaps not even excepting it, is the most important one connected with the measurement of a district for the purpose of equalizing the burden of a land tax; it consists in the noticing and putting down, in a separate heading, that land which, from diligent tillage and much manuring, has acquired much greater productiveness than the natural soil had possessed. In various parts of the country, this highly improved land has different appellations. In these settlements we have applied to it the name of meesun. The land is used for cane, cotton, tobacco and garden products; and though wheat is also grown in it, this is only done for the benefit of the land in rotation with the most valuable articles above mentioned.

In the khusrehs of the Saharunpore district made by the revenue survey, the attempt had been made of discriminating whether, in its intrinsic peculiarities, this was dakur or rouslee; and it was entered as one or the other; and was in no way distinguished, in any of the measurement papers, from the rest of the soil with which it was thus classed. I had occasion, in my report on the Saharunpore measurements, to state the inconvenience I had been thus put to, for having determined, on the comparatively very imperfect data I there possessed, that a kind of soil, rouslee perhaps, could be fairly rated at Rs. 1. 8. per acre; and having in practice been able to assess most of the mouzahs accordingly, much perplexity would arise from finding some one or two mouzahs all rouslee; but that had been paying a jumma which fell at a rate of from two to three rupees per cultivated acre, the people comfortable, and an opinion prevalent among persons of local experience that the Government demand should be raised. In such cases doubts arise whether the variation of productiveness of land, although even the land be called by one and the same name, is not so unaccountably great that a system of equal rates on soils of one name becomes an impracticable theory; but if the measurement papers admit the heading of meesun, we find that whereas this soil is on an average not 20 per cent. of the cultivation, it is in the proportion of 80 per cent. in the mouzahs which are under notice. And as meesun is properly assessed with a rate often exceeding three rupees per acre, there are no irreconcilable facts between ordinary experience on the one side, and the fiscal state of the mouzah, together with the generally prevalent opinion as to its capability of paying a larger jumma, on the other. We see that it is in an extraordinarily advanced state of cultivation; and the question is not one of fact, but of principle, and is, whether we shall treat all this land as rouslee, or part, or all of it as meesun.

9. It seems to be attributable to some opinion as to the first of these alternatives being proper, that all specification of this land has so frequently been omitted. But, for the reasons above given, the land should be classed separately in the measurement, even if the intention were that it should be assessed as rouslee. The opinion seems to have arisen from correct premises, viz., that the land revenue should be of an amount that can be paid with ease, from the rent yielded by land in an average state of cultivation; but then wheat cultivation has been taken as what would yield this average amount of rent. The fact, however, of what is the present average state of cultivation is easily ascertained

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in a district like this, where payments are regulated by the crop, not by the extent and quality of soil. A cultivator who has received a hundred beegahs from the proprietor is expected to have grown five of sugar cane, and from two to five of cotton; he is also expected to have grown about 30 of wheat; and of other good crops there will be a little Indian corn (mukka), some joar, and about five of churree, which is joar sown close, so as not to run to seed, but to be useful for fodder. There will also be five beegahs of the coming year's sugar cane, called pandra; and about 50 beegahs cultivated with oorud, mot, bajra, gram, and other things, which will yield a less profitable return than the 50 first mentioned. These proportions are best exhibited by a Table (No. 1.) given in the Appendix to this Report.

I have spoken of the fairly good soil of the district; and in those circles whose area is largely composed of bhooduh soil, the sugar cane, pandra and cotton together will amount to rather less than in the other case. Now, the man who has grown the customary quantity of sugar cane and cotton is no more considered to have exerted unusual industry than is he considered to have abused his situation by sowing oorud and gram and the rest of the poor crops, much of which will be succeeded the following year by wheat. If he cultivates less of the two first and of wheat than is the customary proportion, he would, in universal opinion, be acting dishonestly.

The sugar cane and cotton are grown in meesun land, and are alternated with churree, wheat, joar. To keep up for a succession of years that amount of the two first, which is averaged over the whole district, about 16 per cent. of the area must be meesun, for this is found to be the existing average. It appears, therefore, that in the present state of agricultural science, and with the present habits of the people in using cow-dung for fuel, the available manure only suffices for this portion of the land under crop.

There is no more extraordinary demand of labour or forethought required for the husbanding and applying this manure, than for any other of the operations of agriculture.

Labour must be given to produce anything; and land cannot be cultivated at all without industry; but this tax will, as applied to the matter under consideration, be only then improper and excessive when the meesun land is above an average amount. The man is only thought to have done fairly and justly for his land when he has brought an average portion of it into that condition which will alone serve for the cultivation of the average quantity of sugar cane and cotton. If he brings more than the average quantity of land into that state, and grows more than the average amount of these sorts of produce, then the high rate which is due for meesun land should be applied to the average quantity of it alone, and the rest should be rated as rouslee.

This principle has been acted upon in the assessment of the meesun land, and its details may as well be given in this part of the report, while the proper mode of treating this kind of land is under consideration; though in some respects these would more properly appear where—after the revenue rates have been arrived at, and have been applied to the existing amount of each kind of soil in the village—the rules are given upon which the sum thus obtained, *i. e.*, the revenue rate jumma, has either been adopted as the assessment without any modification, or has undergone certain regular additions or deductions.

It was decided that the meesun land, on the grounds now fully stated, was to be taken into account, and to be assessed at that high rate which it will be seen to bear—a rate often above three rupees an acre, even if unirrigated; while rouslee unirrigated is ordinarily rated at about *Rs.* 1. 8.; only that the average quantity of the meesun, compared with the cultivated area, was alone to be thus assessed, the remainder being rated as rouslee.

10. But the question arises, what is the proper average to take. The state of agriculture in the mouzahs of the district is very unequal, and the Government revenue has been so also. The effects are still visible, of the former Government having asserted a proprietary right in the soil, and having exacted a full rent from the humbler classes; while it showed peculiar consideration for many of the higher ranks, and lowered the demand on them to really a very small sum. Many also of the higher classes have had no capital to assist the agricultural communities under them, where such have remained, and have not resisted the temptation to exact the highest rent they can get; and though they have now been limited in their future demands on the community, yet from this

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state of things having long been in practice, the agriculture in many places is in a depressed state. On the other hand, very many mouzahs are in a very greatly advanced condition. To show what degree of advance is considered very great, I would instance one or two mouzahs of the Churthawul circle: Kun-nouree, of which the cultivated area is composed of meesun to the amount of 75 per cent., and of irrigated land 84 per cent; again, Jagaheer, where meesun is 82, and irrigated land 88 per cent.; of course between these and the least well-cultivated class there are mouzahs in every stage.

At this settlement it is confessedly impossible, for the reason above given, the exceedingly great degree of difference in the existing state of agriculture, to raise all mouzahs to an equality of assessment. But a general standard, which is to be the ultimate limit to assessment, should be borne in mind; and wherever the past jumma of a mouzah exceeds that standard, it should be brought down to it at once. The jummas of other mouzahs, which are below the mark, can only be brought up to it as near as the existing state of cultivation will allow.

With respect to the settlement under report, the inequality which has now remained lies only in the fact that some mouzahs have more meesun land than others. On the other lands, each mouzah throughout the district, by whomsoever cultivated or possessed, has—the general rule—been made to pay the revenue rate due for that land. The only circles whose rates are as yet not so high as they should be are those in the khadur of the Ganges, rent being in them affected by the assistance of a superabundance of culturable waste. The principle on which, in particular cases, a deduction from the rates of any soil, besides meesun, has been made, will be noted in its due place. With this exception, then, that meesun land is more in some than other mouzahs, an actual equality of assessment has been obtained in all the circles, omitting the Ganges khadur, and also a few mouzahs to be noticed afterwards. The exception regarding meesun, however, is a very large one, the rate for it exceeding, by about Rs. 1. 8., the rates on other soils; and some mouzahs having 80 per cent. of their cultivated area meesun; while some few others have none at all; and while the existing average of the district, putting aside the khadur and also the weiran mouzahs, is barely 20 per cent.

In cases where an assessment had to be raised, and where the meesun exceeded the existing average, and where, by rating as rouslee that meesun which is above the existing average, a large advance, beyond the former jumma, is still demandable according to the deduced revenue rates, it was thought sufficient and best to limit the demand for the present term of settlement to the sum thus obtained by the deduced revenue rates; and whereas, in some circles, special disadvantages were to be contended with, as I have noticed in the case of those of Ghoor and Jowlee, and where therefore the existing average amount of meesun lands is very small, 20 per cent. has been taken as the limit for the present assessment in the particular mouzah. There seems, however, no room for the slightest doubt, judging even from past experience alone, that this average of 20 per cent. is too small for an ultimate limit to that land which is fairly dealt with; for of the meesun land alone can it be said, that it receives that treatment which is best for it. As to all other soils, the case is not that the land cannot be improved, but that there lacks the power at present to improve it. I imagine that in a more advanced country, in most parts of England, in the county of Kent, for instance, the land is nearly all meesun. But not to look to other countries, it is sufficient to recollect that the existing average is affected by there being at present many mouzahs whose agricultural prosperity has been injured from such causes as that noticed a little above, the over-exaction of a party, whose power to inflict this injury has now ceased; that many mouzahs also have very few resident cultivators, so that there is little manure, and consequently little meesun. At the same time it is hardly possible to say, with accuracy, what should be this ultimate fair average. No exact one, therefore, has been fixed; but where the revenue rate jumma shows that the past assessment should be lowered, the meesun is assessed at its existing amount, unless that amount is so large that its becoming an average one, if such ever be the case, must be a distant event. In most of the cases thus alluded to, this land is under 30 per cent. of the cultivation. In comparatively few does it exceed 40, and 50 is the limit. I have left it without making some deduction from the portion of jumma due for it.

11. The relief now given to mouzahs of this kind amounts often to a deduction of 35 per cent. from their past jumma, by the process which has been



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adopted of fixing their demand by application of a fair revenue rate to the actual amount of each kind of soil now under cultivation in them; for their past jumma was the full rent, the demand that a zumeendar, if the tenure had been different and the people had not been proprietors, would have been contented to receive.

When, therefore, the proportion borne by the meesun land in them to their cultivated area is more than may very possibly become the existing average during the term of this settlement, it would, I conceive, have been an erroneous principle of action to assess in no mouzah above 20 per cent. of its cultivation as meesun, when it possesses a large and populous village, and long ago has gone through that early stage which has not yet been passed by that large portion of the mouzahs which depresses the average to 20 per cent. In the case of Kunnouree and Jagheree 50 per cent. of their land has alone been treated as meesun.

12. The division into circles having been made, and the soil in each circle having been separated into as many classes as there were found to be distinctions in quality, the next step in the Board of Revenue's system, which was being carried out, was to ascertain fair average rent rates for each of these several denominations of soil, in each of the circles into which the district has been classified.

The difficulty here lay partly in the tenure of the district being to a great degree bhyachara, where no one pays rent, but each owner cultivates his own field; but chiefly in the fact, that where the tenure is different, and there are non-proprietary cultivators, their rents are paid on the crop, without reference to the quantity of soil, and with the exception of a very few crops called zubtee, and for which the payment is by a money rate; this rent is paid in kind, being a fixed proportion of whatever the produce may be.

The difficulties which at the very outset opposed themselves to the attainment of the desired object were not, on further inquiry, found removable by any summary method. After such deliberation, the plan adopted, as the only one, and which seems to be objectionable on no other ground but that of the labour involved, was to form for each circle a rental for the whole cultivated area of each denomination of soil, by applying average money rates to the whole extent of each kind of crop found in that denomination, and then to divide this rental by the sum of the cultivated area of that particular denomination of soil. The result obtained has been taken as the average rent rate for that denomination of soil in that particular circle.

It might be thought that the following objection may be made to this course—that persons with little capital and industry would have on their lands a less proportion of the best staples than would the more industrious and wealthy; and that, therefore, if in one circle there were a great preponderance of the latter class, the rental would be larger, and the rate heavier; and that the reverse would happen if the preponderance were on the other side. Such, however, would only be the result if the rentals of each denomination of soil were all thrown together, and the sum of them being divided by the whole cultivated area of the circle, the result were taken in an average rate; but in the plan pursued, however, this effect is not produced, for the following reason: the former class spoken of would have 10 per cent. of their area meesun, while the other might have 60 per cent. of their land in that state. In their small quantity of meesun, however, the former would grow the same sorts of produce that the latter do in their larger quantity; and the good agriculturist will grow the same articles in the little land he leaves rouslee, as the bad one will whose area consists almost entirely of this denomination of soil. This will be observed from examination and comparison with each other of several of those tables, which will be more fully mentioned in the next paragraph. It will be seen that whatever variation there may be in the proportion borne by the several denominations to each other in different circles, yet the proportions in which the several crops compose the whole cultivated area of any one denomination are preserved nearly the same throughout all the circles.

The average rent rates on a denomination of soil are not, therefore, affected by a preponderance of a good or a bad class of cultivators in a circle; because the effect is produced, not on the sort of cultivation in any denomination, but is on the amount of meesun land, and the proportions borne by it to the unimproved part of the cultivated area. The cases are comparatively very rare in which the cultivator does not sow in the land the best crop that in its existing

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state it will admit of; but his failure lies in his not bringing the land into a better state. The bunya will rather advance him wheat seed to sow in a field good enough to produce that article, than he would supply him with barley and gram to sow there, because he thus has a better chance of recovering his loan with its interest at the harvest.

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13. To form the proposed rental of each denomination of soil, it was first necessary to add up the whole of each several kind of produce in that denomination. The tables which have thus been formed have, for convenience of comparison, and with the view of their being more intelligible, been drawn out in parts of a hundred; the first column showing the proportions per cent. in which each denomination of soil composes the whole cultivated area; and the line which runs parallel with the name of any one denomination of soil exhibiting the proportions per cent. in which the several agricultural projects compose the cultivated area of that particular denomination. Thus, in the Khatoulee circle, the first column shows that the meesun actually found watered at the time of measurement, exclusive of the moheetah above mentioned, is 18½ per cent. of the cultivated area; by pursuing the line in which this 18½ per cent. is entered, it is learned that this land is cultivated with sugar cane of the present year to the extent of 30¼ of its 100 parts, wheat 42, &c.

Such a table has, of necessity, been formed for each circle, and each will be found in the remarks prefixed to the village statements of the circle. The information which they give for the circle is given for the district, by the first paper in the Appendix to this Report. They are highly interesting, as exhibiting the uniform principle on which, over the whole district, any one denomination of soil is treated, whatever the class of cultivator may be; and still more so, because they show that whatever will extend meesun land will enable the cultivators to drop entirely those poor grains which are inferior as food, and which are little profitable, and to substitute those valuable articles which make up the meesun cultivation. A better system of manuring can alone do this. It seems comparatively of little good to give him a better sort of sugar cane or better grains, where the existing quality of the soil fixes for him, with so strict a rule, the articles it will alone bear with any profit.

14. The number of acres of each kind of produce, which together make up the cultivated acre of each denomination of soil, having been ascertained, a rent rate for each kind of produce was next required to multiply into that number of acres.

This separate rent rate for each sort of produce has not been obtained without much labour. For a few articles, those called zubtee, it was ready at hand; as the measurement of a mouzah proceeded, a list of each cultivator was formed, and the putwarree gave a list of the money rate per beegah which each individual cultivator paid for sugar cane, cotton, churree and mukka. The zumeendars and the cultivators were well aware what rates were put down, and the tendency to understate was soon repressed, so that a true list was gained; besides the actual rate, certain mutually acknowledged additions for zumeendaree dues or expenses were added, and thus the desired object was obtained for these few but important articles. From the putwarree too, in the same way, a list of the proportion of crop given by each cultivator as rent was also obtained, and its correctness similarly secured; and I may observe, that I have been able to remove any possible room for doubt as to the accuracy of these papers, owing to many opportunities that have subsequently occurred of testing them by summary suits for rent. To this proportion was added, as to the zubtee rate, the mutually acknowledged additions under the same names; and the soils of each cultivator's field having been learnt from the khusreh, the amount of each was put down on a sheet of paper, with the proportion of produce he paid as rent entered opposite it: each man paid a uniform proportion, generally speaking, excepting for crops grown in bhlooduh land; of them he had to pay a less share than for the rest. When the whole number of cultivators had thus been gone through, the broken entries, under the heading of each denomination, of course summed up to the total amount of that land existing in the mouzah. Opposite to each of these entries was the proportion of the crop the particular cultivator paid as rent. The average of the proportions paid by all the cultivators was taken as the average proportion of produce demandable as rent for that denomination of soil in the particular circle. A summary of this information is given in No. 4 of the Appendix.

15. There was no avoiding the labour and delay of forming for each circle an

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estimate of the average amount of whole produce yielded by each of the articles for which rent is paid in kind, and the further labour of extracting from records (easily procurable) average prices of each of these same articles. The price applied to the average amount of whole produce gave the latter in money.

The papers of the measurement, therefore, supplied every information required except average tables of whole produce for each article cultivated. There were the circles, the denominations of soil in each, the extent in which each of the agricultural products contributed to make up the cultivated area of that denomination, average rent rates for the crops called zubtee, and the proportion given as rent of the rest, called here nijkaree. It remained to know what was the whole produce of the latter.

16. I have said in the commencement of this report, that the part of the district measured in the season of 1838-39 was settled immediately afterwards, and the papers of this first season's work are drawn up separately from the rest. The village statements of these, as of the whole district, are arranged in the orders of the circles; and prefixed to each circle is a sheet of remarks as to the causes which led to its being formed into one, and of details relating to its rent and revenue rates. The village statements of that season's work are in five volumes, and at the commencement of the first volume are some preliminary remarks, a great part of which has been recapitulated in this report. In these remarks will be found the method by which the difficulty now under consideration was overcome in making the settlements of that season. There, too, any slight deviation from the system of settlement pursued by me subsequently will be ascertainable. I beg a reference therefore to it; and in the remainder of the report the work performed subsequently to that season, that is, the settlement of two-thirds of the district, will be chiefly alluded to.

17. Though in 1838-39 the impediment was overcome, yet between that time and the period when the assessment of the remainder of the district was made, the consideration arose that this great difficulty, the necessity for going to average produce tables, might be turned to an advantage, if the power I possessed from officiating at the time as the collector, in addition to any means my own appointment rendered available, was turned fully to the subject; and that the labour that would be involved in a very extensive ascertainment of the actual amount of the whole produce of the standing crop would be repaid, by affording not only means of assessment, but data such as I had not heard of being collected elsewhere on any large scale, as to the whole produce of a district, and the proportion rent the Government revenue bore to that whole produce.

Accordingly, the rubbee crop for 1840 being just ripe, three or four mouzahs were selected from each circle, and an estimate was made, field by field, of the whole produce of the standing rubbee crop. The estimate was generally of the whole area under crop at that season, but occasionally was only extended to the larger portion of that area. The connexion of each field with the settlement khusreh was of course preserved. When the estimate of the selected mouzahs of a circle was complete, the whole number of beegahs of each article in a particular denomination of soil were added up; and the whole produce of that number of beegahs being also thus added up, and being divided by the number of beegahs in which it had been grown, the product being so many maunds and so many seers, was taken as the average rate of whole produce of the article in the one denomination of soil in that particular circle.

The results are given in No. 3 of the Appendix, and it will be seen that the quantity of land thus examined amounts to 14,574 acres. There is ground for confidence that the actual amount of produce has been correctly ascertained and recorded.

As I hope that this account of the actual produce of so large an area may be looked on as a valuable record, I am anxious to explain that the estimate of the whole standing crop made by the land-owner, and consented to by the cultivator, in a district where payment is in kind, and is a proportion of the whole produce, is in truth a correct statement of the real amount. An appeal to experiment (by cutting a small portion, threshing and weighing it on the spot) is the allowed privilege of the cultivator, and is constantly made use of. If the owner wishes to be liberal, he still estimates correctly the whole produce, and indulges his generosity by subsequent deductions when the rent is being calculated. Both parties aim at a correctness, therefore, and with such constant practice they attain great nicety in judgment, so that there is no difficulty in finding any



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Owing to the papers being so numerous, and owing also to the mode in which the information was extracted, the only fraud which in practice I found could be attempted was to give papers of bad seasons, or to draw the pen through those entries in the produce column of the khusreh, which were large, owing to productiveness of the particular field; so that if the extracts had been made from the remaining entries of a khusreh thus falsified, the average of the produce of the poor fields would alone have been obtained. In these cases all the papers given by the particular individual were set aside.

This process was adopted at first for the khureef nijkaree crops; but a small experiment having been made of the rubbee crop, the comparison with our estimate of the standing crop of that season showed that the latter, in nearly every circle, gave a considerably higher rate of produce than did the malgoozar's and putwaree's papers. The people urged that the rubbee season of 1840, though not particularly good, had been a favourable one for poor light soils; it was certainly the produce of but one single year. Any ground for subsequent objections, too, would be so entirely removed, if the result extracted from their own papers, the average of 14 years, was taken as the great step in the calculation of their assessment. On these accounts the produce tables for the rubbee, as well as for the khureef, have been obtained from the papers given me by the people themselves.

The second paper in the Appendix exhibits the results for the whole district. It will be seen that the averages have been drawn from the produce of 413,650 acres. As relates to each circle, the information will be found in the preliminary remarks to each circle.

19. The produce tables thus obtained were in kind. To convert them into money, the harvest prices of the last 20 years were obtained from each of the thannahs of the district, and the average was struck separately for each thannah. It was owing to there being some difference in the weight of the seer that the average price of each thannah has been kept separate from the rest; and it has been used for those circles which are in the jurisdiction of that thannah, as the difference in the seer was not very considerable. I have not thought it necessary to give here the price of each thannah separately, but have entered below the average of the whole. Allowance has been made for the difference between the prices the cultivator and the grain dealer of the bazar receive.

NAME OF GRAIN.	Quantity obtained per Co.'s Rupee.	
	Mds.	srs.
Rice - - - - -	1	11½
Chahorah (or. fine rice) - - - - -	1	2
Mash - - - - -	-	35½
Moong - - - - -	-	31
Mote - - - - -	1	¼
Joar - - - - -	1	4½
Bajra - - - - -	1	3
Til - - - - -	-	22½
Mukkee - - - - -	1	2
Shamekh - - - - -	1	32½
Wheat - - - - -	-	36½
Gram - - - - -	1	2½
Barley - - - - -	1	14½
Mussoor - - - - -	-	38½
Sursuf - - - - -	-	23
Kunwur - - - - -	-	39
Mundoa - - - - -	-	36
Kulun - - - - -	-	31
Musung - - - - -	1	13½

*N.B.*—The seer weighs 90 current rupees of the kind known as the cross-milled Furruckabad rupee.

The maximum weight of this rupee is declared by Regulation III. of 1806 to be 173 grains troy, and the minimum weight is 171·198 grains troy.

20. Although

20. Although the estimate of the rubber harvest of 1840 has not been taken as the basis of assessment, yet it has answered an important end, in the confidence it gives that the produce tables adopted are moderate.

It has been put to one practical use in the graduation, by means of it, of certain of the produce tables derived from the malgoozar's papers, so as to suit the different qualities of the several denominations of soil. It will be observed, of course, that the latter produce tables are not graduated, so that whether the crop were grown in meesun or bhooduh, it would be rated the same. But it is found, and is exhibited in the table No. 1 of the Appendix, that only wheat, gram, and barley, are grown to any considerable extent in every soil, whatever be the denomination. All other articles are almost exclusively confined to some one denomination of soil, so it is only these three of which the produce table need be modified in this way; and in the process the relative amount of the several rates for the crop grown in one or another soil was determined according to the proportions ascertained by the investigation of 1840; but the same difference from the actual amount of the produce by the Government kunkoot was preserved that exists between the average rate for the particular crop in it, and in the tables obtained from the malgoozar's papers. The rates of produce having thus been determined, the whole produce of the crops whose rent is paid in kind was ascertained by multiplying these rates into the number of cultivated acres of that crop. The money rent rates for the zūbtee crop were multiplied by 4 to give the whole produce, for reasons stated in No. 4 of the Appendix, and the rate obtained was applied to the cultivated area of each zūbtee article. The total of the whole produce of nijkaree and zūbtee gives the total amount of whole produce of the particular denomination of soil. To get the whole rental, the sum given by the zūbtee money rates, applied to the zūbtee cultivation of each kind, of course gave one portion; and from the total whole produce of the nijkaree, the proportion of the crop per maund, which, in the way stated in para. 14, was found to be an average proportion, was taken as the rental; and, added to the other, gave the whole rental of that denomination of soil. The sum divided on the area gave the rent rate per acre for the kind of soil.

21. The revenue rates were formed by a deduction of 35 per cent. from the former. It will be seen that in the settlement of 1839-40 the course was a little different. The produce tables there not having been ascertained by the same completely satisfactory method which was afterwards pursued, some other considerations were admitted in adopting a gross jumma for the circle, beyond simply the amount of the estimated rental. But, after all, the result was but little different. In the first four circles of that season's work, the gross jumma from which the revenue rates were deduced was at a decrease from the rental of 38, 36, 35, and 37½ per cent. in these several circles respectively; so that in these also, the rule of an uniform deduction of 35 per cent. might equally well have been observed.

A list of the revenue rates thus obtained is submitted in No. 5 of the Appendix.

22. The next step, of course, consisted in the calculation of the jumma of each mouzah, by applying to the cultivated amount of each denomination of soil in it the rate formed for that particular kind of soil; the set of rates used being those of the circle of which the mouzah forms a part.

When the jumma of each mouzah had thus been calculated, there were a few general rules to be looked to before the adoption of it as the new assessment. These refer, first, to recently abandoned land; secondly, to the other culturable waste; and thirdly, to the amount of meesun land.

23. In the measurement, when a field was found which was not cultivated, but had evidently borne a crop just before, there seemed to me no plan but to put it down as recently abandoned, though thereby land property, so called, and fallow land became mixed up together. By fallow, I mean land left uncultivated for a season for the improvement of its productive power.

By reference to the last of the several tables, given in the preliminary remarks to the village statements of each circle, it will be seen that the circles in which the best soil is in large proportion to the bhooduh, for instance, in the Shamlee circle, the whole amount of this recently abandoned land does not average more than 2 per cent. on the whole cultivation. But where the proportions of good and bad soil are reversed, the quantity is very great. Thus in the poor circle it

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amounts to 25 $\frac{1}{4}$ , and in the Bhokurhree circle to 24 $\frac{1}{4}$  per cent. on the cultivation.

Not only has the total amount of this recently abandoned land in each circle been ascertained, but also the quantity of each of the several denominations of soil in it; and this has also been compared with the cultivated amount of that same soil. It has been found that of bhooduh land a large portion is annually fallow; frequently the bhooduh fallow in a whole circle averages 33 per cent. on the bhooduh cultivation, that is, it equals in amount to one-third of the bhooduh cultivated area—occasionally the proportion is even larger. Of meesun there is hardly any fallow; and of the other denominations of soil the quantity varies considerably in different circles. Irrigated land of every kind has very little, compared with the amount in unirrigated soil of the same name.

The paper just referred to shows the proportions borne by fallow to cultivation in each mouzah, as well as the total of the circle. It is seen that in many mouzahs the proportions vary widely from the average proportions borne by the whole fallow and cultivation of the circle to each other. Thus in Shamlee, whereas 2 per cent. is the average, the proportion in mouzah Bunnoulee is 9 $\frac{3}{4}$ . The point, then, to be looked to, was whether the poor soil formed an unusually larger proportion of the cultivation; but, on the contrary, there is in that mouzah no bhooduh at all; so that quantity of this recently abandoned land which is in excess of the average amount has been treated as cultivated land. Thus in the circle of Poor, large as the average proportion is, it is greatly exceeded in the two instances of Maudlah and Khaee Kheree; and the remarks in the village statement of each will show that the same course has been followed as with Bunnoulee. And in the same circle it will be observed that this land in Tajpore is very little compared with the cultivation; and therefore such amount of land was put aside for fallow as, with reference to the amount of each kind of soil in the cultivated area, would make up the relative proportions of the fallow and cultivation to what the total quantity of the one in the whole circle is found to bear to the other. The number of acres which in an average of a course of years would be fallow having thus been ascertained, and the existing extent of fallow having been deducted, the remainder, though it had been included in the cultivated area, and had come into account in the calculation of the jumma by means of the deduced revenue rates, was treated as fallow land; that is, the portion of the assessment which by the rates was due for it, and which had been included in the account, was deducted from the jumma.

It was evident, after a short examination, that the proportion the whole amount of this land in the circle bore to the cultivation was a correct index of the amount which in a course of years must be fallow. Land has in very few cases been wilfully thrown waste, in so few that they do not affect this average in any important degree; and casual occurrences, such as disputes which led to land being left uncultivated, are compensated by other circumstances of as frequent occurrence, and of contrary tendency. The most ordinary of these is, that the cultivators who usually pay in kind have accepted the under-lease of the mouzah from the zumeendar at a fixed sum of money; and, during the term of the lease, are keeping up cultivation at an amount it could not be preserved at for a number of years. As an instance of this, I mention mouzah Meeranpoor, of the Moozuffnuggur circle. Another common case is, that the proprietors have two or more mouzahs, and the same person cultivating land in each happened to have his fallow all or chiefly in one, in the particular year when the measurement took place.

The first general rule, therefore, in proceeding to examine whether the jumma obtained by the revenue rates was to be adopted as the new assessment, was to see whether the fallow and actual cultivation in the particular mouzah bore the average proportion to each other; and if they did not, they were in effect reduced to that proportion by the process detailed above. Trifling variations from the average were of course not noticed. In the circles where there is little bhooduh and much irrigated land, this modification did not often affect the assessment in any large degree. But in the other parts of the district I consider the result has been important, in obviating an inequality of assessment, which would have ensued had the difference between the extent of cultivation averaged in a mouzah in a course of years, and the amount in one particular year, entirely escaped observation.

It will be observed, by reference to the table (alluded to above), in the preliminary

liminary remarks of the Gaonree Rehrwa and Bustoura circles, that in the khadur of the Ganges (a tract of considerable extent, though not much cultivated at present), it is found profitable to allow the soil to rest almost every other year.

24. The extent of area which was to be assessed as cultivated being thus fixed, the next step was to see what proportion the meesun bore to it.

If the Government demand on the particular mouzah under revision was to be raised, and the meesun was in excess of the existing average borne by such land to the cultivation, as many acres as were in excess were rated at rouslee rates—that is, though the revenue rate jumma stands unaltered in the tabular account in the village statement, in forming the assessment an abatement was made from the amount of that jumma, by deducting the difference between the sum due by rouslee, or by meesun rates, for the land just alluded to. The existing average taken was generally that of the circle; but if the circle contains very little meesun, and the state of the mouzah is far in advance of it, 20 per cent. of the cultivation was taken, under the belief that putting aside the khadur land and weiran mouzahs, the above-said is an average amount of meesun in the whole district.

But if the Government demand of past years and the jumma by revenue rates were each of the same amount, or the latter were less than the former, then the full amount of the latter was adopted as the assessment, although the meesun exceeded the existing average of the circle and of the district, unless it was more than 50 per cent. of the cultivation; because, for the reasons stated above in paras. 10 and 11, very many of the mouzahs from which the existing average is drawn are in a very depressed state; and partly from this, and partly from other considerations, it is manifest that the existing average is too low to be taken as the basis for a permanent assessment. It has been observed in the paragraphs referred to, that no satisfactory data offered themselves for the assumption of an ultimate average; but it would not have been difficult to collect them if this were the only remaining step towards the determination of a rule for a permanent settlement of the district—the question would have been gone into further. But there is another point to be ascertained, viz., the extent to which irrigation can and will be increased, especially with reference to the proposed canal from the Ganges. It seems impossible to lay down any complete rule for formation of a permanent assessment on the eve, as I trust we are, of a measure which will produce so immense a change in the condition of a sandy and totally unirrigated tract, such as is the great part of this district which will be influenced by the canal.

No ultimate average, therefore, has been fixed. In the majority of cases the quantity of meesun exceeds the existing average in no very great degree; so that it may be expected that in the course of a few years the latter will rise even with it; where, however, this land came to 70 or 80 per cent. of the cultivation, it was necessary to adopt some limit; I took 50 per cent. The difference between it and 20 is such, that even if it be below what will ultimately be the standard, still more than the term of one settlement must elapse before even this limit be attained. Fifty per cent. does not, however, appear to be beyond what may be averaged within a moderate period; so there seemed to be an objection to putting the limit at a lower proportion.

What has been stated above should be borne in mind, viz., that the mouzahs which have more than 50 per cent. of the cultivation meesun are those which are now for the first time reduced, in all other respects, to an exact equality of assessment with the rest of the district; whereas they are chiefly owned by communities who are good agriculturists, and have been paying exceedingly heavy jummas hitherto.

25. Beside the regulation of the fallow and meesun, the only remaining general consideration refers to the old culturable waste; putting aside the khadur of the Ganges, the rest of the district has attained a fair advance of cultivation as concerns the extent of land cultivated. There is no more culturable waste averaged in any one circle than is allowable for pasturage. The table at the end of the prefatory remarks for each circle will exhibit this. The proportion of the cultivation in most circles is 10 per cent.; in some it is only four; while in three it reaches a higher rate, being in the Jhukwala circle 15 per cent., in the Ghoor circle,  $17\frac{1}{2}$ , and in that of Bhookurheree it amounts to 20 per cent. In the former of these, greater part of the land lies in bends of the



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banks of the river Hindun; where, though the soil may be itself good, the situation is sufficient reason for its not being cultivated; and in the latter two, the culturable waste is very poor land on high sandy ridges; and this being considered, the land is not in excessive proportion to the cultivation. In this, therefore, as in respect to the fallow land, the average portion in the whole circle was taken as that fairly allowable. Where there is no valuable waste, the circumstance was taken into account in the assessment, and will be found noticed in the remarks for each mouzah. Where there was an excess beyond the average, that excess was assessed at the rate due for the particular denomination of soil; but if the addition to the jumma thus obtained was considerable, it was not made demandable till some years of the settlement should pass: measures being taken to secure the land being broken up by a date fixed considerably within that on which the larger jumma is to come into operation.

26. It will be found that, thus modified, the jumma obtained by means of the deduced revenue rates has been adopted as the new assessment for three-fourths of the mouzahs.

There are a few mouzahs which have been ascertained to be especially valuable, and the cause has been traced to unusual excellence of soil; their number does not exceed 30 in the whole district. A few more were suspected to possess uncommon natural superiority; but as for them, the case was not capable of proof; the assessment has been made as for the rest of the district. Those first mentioned were clearly proved to possess the qualities commonly attributed to them. The proofs are of the kind noticed in the remarks to mouzah Bhyndee, of the Khatoulee circle; the past jumma of it was 5,085 rupees, and this sum fell at the rate of 463 rupees on the cultivated acre. There is no culturable waste. Under so heavy an assessment the zumeendars, who are poor syuds, have always been able to mortgage the mouzahs for large sums; and the present mortgagee has received a rental of 9,000 rupees for two years, while the average rental has been 7,000. The kunkoot papers of the mortgagee were obtainable, and they showed that each article yielded a gross return, per beegah, very much larger than the average produce tables of the circle. The cultivator paid one-third more for the beegah of sugar cane, if grown in that mouzah, than he did if he grew it in any good one of the adjoining mouzahs; an addition therefore has been made to the amount of the jumma obtained by means of the revenue rates, proportionate to the difference between the amount of produce in this and in other good mouzahs. I should observe that the good sorts of produce are not in excessively large quantity, so the largeness of the rental cannot be accounted for in this way. An examination of the area satisfactorily brings to light the reason of this mouzah being so productive. It is the same I have noticed in explanation of the excellence of the Pucheinda circle, viz., that there is a dip in the level, which retains the waters which fall on its own surface, or near to it.

These few mouzahs are the only ones of which the assessment now has been made at a sum larger than the new revenue rate jumma.

27. Of the mouzahs now assessed at sums lower than the amount of that jumma, there are two classes. The one embraces those in which rent is not unusually low, but of which the owners have formerly been assessed very lightly, and are in circumstances that claim consideration: from 5 to 15 per cent., according to the particulars of the case, have been deducted from the revenue rate jumma, and it has been recorded that this deduction is allowed for the term of this settlement only. The other class are those mouzahs in which rent is low from causes of a temporary nature, and an enhancement on the past jumma is demandable. The rule laid down being that in such cases 20 per cent. net profit is to be relinquished, the assessment has been made by a deduction from the actual rental; that deduction amounts to the usual 35 per cent.; although the allowance of 15 for expenses is liberal, there is no sufficient reason why, as it is the usual allowance, it should be diminished in these cases. The actual rental was thus ascertained. The temporary disadvantages alluded to are either that the cultivators have but lately been located in the mouzah, or that the resident cultivators are very few, and others are not to be procured. In either of these cases, the good and bad sorts of produce are commonly found in their usual proportions, in each denomination of soil; but the land is not well ploughed, each man cultivating an area he cannot do full justice to. In these cases the amount of rent is found to be less to a certain degree than the average amount;

amount; and the actual rental is estimated by deducting from the average rental a proportion equal to the difference between the average portion of the crop given in rent by them with the average zuttee rates, and those rates and portions of crop paid in the particular mouzah.

When, however, the smallness of the rental is caused by the mouzah being entirely cultivated by people from neighbouring villages, it being itself without a village; or where these strangers from a distance are the chief cultivators; it then happens that not only is the rate of rent below the average, but also the poor sorts of produce are in unusual proportion to the rest. In these cases a jinswar jummandee was formed; the average produce tables of the circle were applied to the extent of the cultivated area of each article; from these the proportion of the produce was taken, which was found to be actually given in rent for the nijkaree; and the zuttee rates actually in use in the mouzah were also employed, and the rental was thus formed; from this rental 35 per cent. was struck off.

28. Of the khadur of the Ganges it should be remarked, that the northern part, that is, pergunnah Noornuggur, is in a very much more advanced state than the rest to the south; of Noornuggur also, the northern portion, the Jytpore circle, is in a more advanced state (there being considerable villages of old standing) than the southern, which is low and marshy, splendid rice land, but not fit for residence; in the more southerly portion the advance in cultivation is at present very small. It will be seen, on examination of the assessment of this portion, that the last grade of the new jumma is considerably in advance, either of the past demand, or of the jumma obtained by means of the revenue rates; but the last-mentioned sum is often less than the past jumma, and yet in this case the past jumma has been retained as the first grade of the new assessment. I do not consider the proprietors entitled to any abatement from the past demand, as it has been paid regularly, and the cultivation might have been increased if they chose. I believe that a considerable profit is made from grazing and chopper grass of the whole of the khadur of the Ganges, except the Jytpore circle. It should be recollected that while the land is for the most part productive, and some of it exceedingly so, the paucity of cultivators, superfluity of culturable waste, and dampness of climate, tend so to depress rent that the rent rates, and consequently the revenue rates, are not adapted to what must be at some future time the condition of these tracts.

29. Of the rest of the district the reverse is the case. I consider that with perfect safety and propriety it might be declared, that the rates for each circle, as now given in No. 5 of the Appendix to this Report, with the exception of those for the five circles in the khadur of the Ganges, viz., Goordunpore, Rusy-ullapore, Rehrwah, and Bustoura, need never be exceeded; and that the only two matters subject to subsequent examination should be the amount of meesun and of irrigation.

30. Regarding irrigation, it should be stated that wherever masonry wells have been quite recently constructed, I have assessed the land around them as if it were not capable of irrigation, because it must be long ere the outlay can be returned to the owner; at a future revision of the assessment, however, as is expressly declared to prevent future mistakes, this land is liable to be treated as irrigated soil.

31. The effect that the revision of the assessment has had upon the revenue is exhibited in the paper which brings together the totals of the annual jumma statements of the two seasons' work. As several causes operate to reduce the first year's jumma of a settlement, a comparison of the past demand for the whole district, with the new one for the coming year, 1842-43, will best show the truth. By this comparison it is found that the portion of the latter due on account of resumed maafee being put aside, an increase of 28,947 rupees, that is, of 5 per cent. on the past annual revenue, has been obtained by the present assessment for land hitherto malgoozaree. The resumed maafee, exclusive of 16 mouzahs in which a life interest has been decreed, and of which the jumma has not come into these accounts, has brought an enhancement to the revenue of 44,451 rupees; also by the last year of the term for which the settlement has now been made, a further increase of 15,405 rupees, chiefly on account of culturable waste lands, will have become demandable. Thus, whereas the whole revenue before the revision amounted to 5,83,937 rupees, the demand will in 1859-60 be 6,72,740 rupees. Also of the land in which a life interest

has been decreed to the maafeedar, the small parcels which are situated in khalsa mouzahs have been prospectively assessed at 10,804 rupees; and the jummas of the sixteen whole mouzahs will amount to rather more than 20,000 rupees; these two items together are 30,804 rupees; these added to the revenue of 1859-60, bring up the ultimate demand to 7,03,544 rupees.

32. It seems necessary to make one or two observations regarding the amount of the tables of whole produce, which have been the foundation of the assessment; because I hope that it has been successfully shown, by what has been already submitted respecting every other step in the process of procuring the revenue rates, that it could not possibly lead to the adoption of too high rates: so these rates must be moderate if the produce tables are. Regarding them, however, the plan by which they were ascertained has alone been mentioned in para. 18, but nothing has been said of their amount. These tables, as fixed separately for each circle, are given in the preliminary remarks to the circle. In No. 2 of the Appendix, however, the average for the whole of the circles together has been exhibited; and the results are shown in maunds, in money at average prices, and also in lbs. avoirdupois. As far as I have the means of comparison, these results are very moderate indeed. Of the articles for which these tables were required, wheat is not only that which yields the best return, and is most valuable; but also, as will be seen by the statement No. 1 of the Appendix, it occupies nearly a third of the whole cultivated area: so wheat is the important article to look to.

By the Table No. 2, it will be seen that the quantity given as the whole produce per acre of wheat, is the average of the actual produce of 1,28,439 acres, and its amount is 653 lbs. avoirdupois. According to the Table No. 3 of the Appendix, the kunkoot made by myself of the rubbee of 1840 included 11,419 acres of wheat, and the whole produce of wheat averaged per acre 794 lbs. The difference between these two is not greater than might, I conceive, frequently occur between an average of the annual produce of 14 years and that of a single year; but it is satisfactory that the produce rate adopted for the calculations is on the moderate side.

The only other means of comparison available were afforded by Mr. Henry Boulderson's experiments in the Bareilly district. In the years 1828-29 and 1830-31, the average produce of wheat obtained from 512 trials was 1,046 lbs. avoirdupois per acre. By the Table No. 3 in the Appendix, it is shown that while the average produce of wheat in the season of 1840 was 794 lbs., the average in each denomination of soil varied from 1,321 lbs., the rate yielded by irrigated meesun, to 605; the average produce of bhooduh graduated in the same proportions, the average produce rate adopted for the assessment, 653 lbs., would rise to 1,086 lbs. for irrigated meesun. Thus if there were much less bhooduh land where Mr. Boulderson's experiment was made than there is in this district, the difference between the two would be much diminished; though still the rates used in this district would be considerably more moderate than the others. In this district bhooduh land is 28 per cent. of the cultivated area, which is an unusually large proportion.

33. The paper still to be noticed is No. 6 of the Appendix. It gives for the several circles the whole produce of their land (calculated by means of the moderate produce tables), the whole amount of the rent, and the whole revenue. The whole produce averages per acre of cultivation, Rs. 8. 1. 6½. Mr. Boulderson, in his experiments in the Bareilly district, made it average Rs. 8. 6. 9. The proportion of this whole produce paid in rent will be seen to be 31½ per cent., and in revenue 20¼ per cent.

34. In the 3d paragraph of this report it has been stated, that some observations would be offered in this place regarding the relative positions of the cultivator and land-owner, and also that an explanation would be given of the course pursued in the re-arrangement of the putwarrees.

Putting aside those men who are the undoubted proprietors of the field they themselves occupy, there still remains a very large portion of the lands of this district cultivated by persons, about the exact nature and degree of whose rights there have hitherto been some doubts in the minds of the European officers of Government. From the very commencement of the measurement, steps were taken to induce the zumeendar to assert each cultivator to be a mere tenant at will, whom he really considered as such; and also to induce each cultivator, who thought he had a right of occupancy, to advance his claim to that

that effect. Throughout the whole of the operations now reported, all the zumeendars, and those of the cultivators who felt themselves to possess this right, have shown great eagerness in asserting their claim. It will be seen by looking through the village statements, that by far the larger portion of these cultivators have proved to be tenants at will; among the latter, those who have asserted a right which after a hearing has been disallowed are so exceedingly few that they can have no perceptible effect on the whole number. The rest have acquiesced in the zumeendar's declaration, that they have no right to keep their field after they have reaped the rubbee crop. The notice to quit, however, should be served by the middle of the month Asar; or else, in the general opinion of the district, the man is entitled to hold for the following year. This rule has, of course, been acknowledged in the zumeendar's administration paper.

The other class, those who have right of occupancy for as long as they continue to pay the amount due from them, have, at their own request, been protected by the substitution of money rates on their land, in the place of the former system of payment of a certain proportion of the whole produce in kind.

35. All doubt, therefore, on this subject has now been removed. The distinction is now fully understood by both parties, and valued by whichever benefits by it. The cultivator, who has the right of occupancy, immediately applies to the collector if interfered with; and possession having been restored, and redress given in a few instances, the attempts to oust him have been discontinued. While, however, this party is fully protected, by the authority vested in the collector, to dispose summarily of questions between the zumeendar and cultivator regarding rent and occupancy, the zumeendar is under a great disadvantage as relates to his right to oust tenants at will; he gives due notice to a cultivator who disregards it. It is plain there ought to be some court where he can present an authenticated copy of the record which proves the propriety of his ousting the cultivator, and where he can get a summary order for the man to be turned out: also it seems that this order could most readily and best be given by the collector, because all the other questions between these parties are legally referrible to him. The refusal to quit is an encroachment on the rights which, in the records of the settlement, the zumeendar is stated to possess. It is most desirable that the course by which the zumeendar is to oust his tenant should be laid down by higher authority, and that it should be a brief process; for the boon applied for is no more than the execution of a decision previously made. At present the zumeendar is tempted to oust the man himself by violence, simply because he does not know how else to effect what he knows he has a right to do.

36. It now only remains to notice the re-arrangement of the putwarrees. It became necessary in October 1840 to obtain from them, for that part of the district which had been settled in 1838 and 1839, those papers which are annually to be recorded in conformity with the rules laid down in Section VII. of the Sudder Board's Revenue Circular, No. III.; the result proved that the papers could be correctly prepared without any trouble to the collector, and with very little to the tehseeldar after the first year, but that a general change of the putwarrees was absolutely unavoidable; they understood the accounts, but instead of writing full words and sentences in the Nagree character, they were utterly unable to write a sentence, but substituted for it two or three leading words, which they generally could not themselves explain, unless, when called on to read their writing, they remembered the fact itself which they had recorded: also they do not profess to number any vowels, not even the long vowels, among their letters. Most of these persons are from among the petty bunyahs of the village, and many get their chief means of subsistence as weighers of the grain due from the cultivator as rent, or made over by the zumeendar to his bunyah. It should be observed that there are some exceptions to this general inefficiency; some putwarrees are good accountants, and also write the Persian character; but these exceptions are few: in all large villages there were several putwarrees, each subdivision of the community employing their own bunyah. A general re-arrangement was absolutely necessary; and it was not to be accompanied by loss of the means of support to a considerable body of men, for only a small part of their income was taken from them.

It was decided that a good accountant, who could keep his accounts in books

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with sufficient method for them to be valuable evidence in summary suits, and who could understand a field map (with a copy of which each putwarree has been furnished), and also could prepare the requisite annual papers for the collector, was not to be secured for less than 100 rupees a year.

This sum, therefore, was fixed as the salary for each putwarree in the whole district. On a rough calculation 2,000 acres of cultivated land seemed as much as one putwarree could undertake, and on this estimate the re-arrangement was commenced. Several causes, however, would lead to a fluctuation on the extent of area which one putwarree could manage; and as his interest lay in taking on himself as little as possible, while of the zumeendars each wished to diminish his own quota of the hundred rupees by adding another village to the man's list, the truth was easily ascertainable.

The zumeendars have brought forward the new putwarrees, and it is only where they were unable to procure a competent man that he has been found for them. Six years ago, when the settlement of Saharunpore was commenced, it frequently required compulsion to collect the people for the purpose of compiling the record of rights; and when they were collected, it was difficult to hinder them from filling this record up in any way that could most easily get them permission to depart. So great a change has taken place in their opinion, that they now appreciate the record most fully. There seems no reason to doubt that in a very short time they will learn equally to value the one which they will now have to give annually through their putwarree.

(signed) *Edward Thornton,*  
Settlement Officer.

14 August 1841.

APPENDIX.

Appendix, No. 1.

THE object of this Table is to exhibit the proportions in which the several qualities of Soil together compose the Cultivated Area; also the proportions in which the various agricultural products are found, both in the whole area and also in each quality of Soil. These particulars have been obtained as is stated in the Report, and, to be more easily understood, they are here given by reduction into parts of a hundred. Thus the column of Soils gives the proportions per cent. in which the several denominations of Soil compose the whole Cultivated Area; and in the line parallel with the name of each sort of Soil are given the proportions per cent. in which the various agricultural products compose the whole Cultivated Area of that denomination. In the lowest line are given the proportions in which these products compose the whole Cultivated Area of all the denominations added together.

The Cultivated Area of the district, exclusive of resumed Maafee, or of Maafee land, amounts to 3,67,886 acres. Of this the Tuhseeldaree of Bidowlee and Pergunnah Noornuggur amount to 1,20,659 acres. These were settled in the season of 1838-39. The Table below has reference to 2,47,227 acres, the two-thirds of the district which have been settled in 1840-41. It might have been made to include the whole district, but all the other Papers in the Appendix, excepting of course the last Table, relate to the work of 1840-41 alone.

	Soils.	Sugar Cane.	Sugar Cane for the next year.	Cotton.	Churree.	Common Rice.	Chuhora Moonjee (fine Rice).	Joar.	Oorud.	Mot.	Baja.	Till.	Kowara.	Vegetable.	Koodrum and Shamakh.	Mundoa.	Mukkee.	Indigo.	Torea.	Tobacco.	Moong.	Sunnee.	Wheat.	Gram.	Barley.	Wheat and Barley mixed.	Wheat and Gram mixed.	Kurrur.	Mosoor.	Tirra and Uhee.	Ploughed Land.	Total.	DOPUSLEE LAND.										
																																	This land has already been included in the columns to the left; its amount, and its extra crop, is entered below.										
																																	Wheat.	Gram.	Barley.	Sugar Cane for next year.	Tirra.	Vegetable.	Wheat and Gram mixed.	Wheat and Barley mixed.	Mosoor.	Total of Dofuslee.	
Meesun irrigated	6 1/2	30 1/2	11 1/2	5 1/2	1	1/2	-	1	2	-	-	-	1/2	1	1/2	7 1/2	-	1/2	1/2	1/2	-	-	32	1 1/2	2 1/2	1/2	1/2	-	-	-	1/2	100	2 1/2	1 1/2	2 1/2	6 1/2	1/2	1/2	-	-	-	-	11 1/2
Meesun moheeta	3 1/2	4 1/2	10	14	5 1/2	2	-	7 1/2	12 1/2	1/2	-	-	1	-	1 1/2	1	13 1/2	-	1/2	-	-	-	9 1/2	14 1/2	1	1	-	-	-	-	1/2	100	1/2	-	1/2	10 1/2	-	-	-	-	-	-	11
Meesun unirrigated	6 1/2	18	14 1/2	7 1/2	3 1/2	4 1/2	-	3 1/2	11 1/2	1/2	1/2	-	-	-	2	1/2	2 1/2	-	-	-	-	-	23 1/2	5 1/2	1 1/2	1/2	1/2	-	-	1/2	100	1/2	2 1/2	1	1/2	-	-	-	-	-	-	4 1/2	
Rouslee irrigated	3 1/2	7 1/2	5	2 1/2	2 1/2	1/2	-	4	3 1/2	1/2	-	-	1/2	1/2	1/2	3 1/2	-	-	-	-	-	-	63	3 1/2	2 1/2	1/2	1/2	-	-	-	100	1 1/2	1 1/2	1/2	1/2	-	-	-	-	-	-	3 1/2	
Rouslee moheeta	3 1/2	1	3	6	9	1/2	-	15 1/2	15	2	1 1/2	-	1	-	1 1/2	1/2	1 1/2	-	-	-	-	-	15	19 1/2	1	1/2	1/2	-	-	-	100	1/2	1/2	3 1/2	1/2	-	-	-	-	-	-	4	
Rouslee unirrigated	40	2 1/2	2 1/2	2 1/2	4 1/2	1 1/2	1/2	10 1/2	15 1/2	2 1/2	5	1/2	1/2	1	1/2	3 1/2	-	-	-	-	1/2	-	32	11	2	1 1/2	1/2	-	-	-	100	1	1	1 1/2	1/2	1/2	-	-	-	-	-	4	
Dakur irrigated	1/2	2 1/2	1	1/2	1/2	14	3 1/2	2 1/2	2	1/2	-	-	-	1/2	-	5	-	-	-	-	-	-	52 1/2	10	3 1/2	-	1	-	-	-	100	5 1/2	8	3 1/2	1/2	1	-	-	-	-	-	16 1/2	
Dakur moheeta	1/2	1	1 1/2	2	4	18 1/2	5 1/2	6 1/2	8 1/2	-	-	-	-	-	1/2	1 1/2	1 1/2	1 1/2	1 1/2	1 1/2	-	-	10 1/2	34 1/2	2 1/2	-	1/2	-	-	-	100	1/2	8 1/2	1	1	1/2	-	-	-	-	-	11 1/2	
Dakur unirrigated	8	1 1/2	1	1/2	2	23 1/2	9 1/2	6	12 1/2	1/2	1/2	-	-	1/2	1	-	13 1/2	-	-	-	-	-	14	20 1/2	1 1/2	1/2	1/2	-	-	-	100	1 1/2	2 1/2	1 1/2	1/2	1/2	-	-	-	-	-	7 1/2	
Bhoodah irrigated	*	7 1/2	8 1/2	2 1/2	1/2	-	1	1	2	4 1/2	-	-	-	2 1/2	-	1 1/2	-	-	-	1/2	-	-	55 1/2	2	8	1 1/2	1/2	-	-	-	100	-	-	-	1 1/2	-	-	-	-	-	-	1 1/2	
Bhoodah moheeta	*	"	2	3	3	-	-	7	3 1/2	10 1/2	9	1/2	-	4 1/2	1 1/2	1 1/2	1 1/2	-	-	-	1/2	-	23 1/2	17 1/2	4 1/2	3	1 1/2	-	-	3	100	-	-	-	-	-	-	-	-	-	-	-	
Bhoodah unirrigated	28	1/2	1/2	1 1/2	1 1/2	-	1 1/2	2 1/2	3	10 1/2	32	-	-	1/2	1/2	1	-	-	-	-	-	-	21	7 1/2	12	7	1 1/2	-	-	-	100	1/2	1/2	1/2	-	-	-	-	-	-	-	1	
Nihub	*	1 1/2	-	-	-	-	1/2	1/2	1/2	-	-	-	-	1/2	-	-	-	-	-	-	-	-	34 1/2	7 1/2	35	1 1/2	10	-	-	-	100	-	1	-	-	-	-	-	-	-	-	-	1
	100	4 1/2	3 1/2	2 1/2	3 1/2	2 1/2	1	8 1/2	9 1/2	3 1/2	11 1/2	1/2	1/2	*	*	*	3 1/2	*	*	*	*	*	26 1/2	9 1/2	4 1/2	2 1/2	1/2	*	*	*	100	1	1 1/2	1 1/2	1 1/2	*	*	*	*	*	*	4 1/2	

REVENUE SURVEY AND ASSESSMENT (INDIA).

It has been explained in the Report that "moheeta" applies to land capable of irrigation equally with "irrigated land," only in the rotation of crops its turn had arrived for being cultivated in Khurreef, and it is not usual to irrigate the Khurreef. It will be observed, then, that the irrigated land is 17 1/2 per cent., Meesun 16 1/2, and Bhoodah 28 per cent. of the whole cultivated area.

\* N.B.—It will attract attention, perhaps, that in several instances, as in those of "Bhoodah irrigated," and "Bhoodah moheeta," there is no entry in the column of Soils, whereby it would appear that there is no such land, and nevertheless the proportions in which the several agricultural products compose this land are given. The reason is, that the proportion borne to the whole cultivated area by the soil, regarding which this will be observed, is so small that it cannot be conveniently expressed in fractions even of a hundred. Still it seems well to retain the name, with this explanation, for otherwise a village statement might be opened, and some land of the denomination entirely omitted might be observed, and the omission here would lead to a doubt of the correctness of this statement. These observations apply, too, to some of the agricultural products, as, for instance, kurrur. There is some kurrur among the cultivation, only very little.

Appendix, No. 2.

AVERAGE TABLES of Whole Produce, extracted from the Malgoozar's Kunkoot Khusrehs and Khuteonees.

The following Table has been referred to in para. 18 of the Report, and the mode in which the information has been acquired has there been detailed. It was not thought safe to conclude that the whole produce of each article averaged the same amount in all the circles of mouzahs, and, therefore, the extracts from the Malgoozar's papers have been made separately, and thereby separate Produce Tables have been got for each circle. These Tables are given and fully explained in the preliminary remarks prefixed to each circle of mouzahs in the volumes of village statement.

The following Table, therefore, is not one which has been of use in the work of assessment, excepting, indeed, in respect to eight articles, viz., fine Rice, Kodrum, Munda, Moong, Till, Kurrur, and Mosoor, which are but little cultivated; so that, although 4,13,650 acres of cultivation have been extracted, there was not enough of each of these articles to allow of any other course but the adoption of one Table for each, to be used in whatever circle the article might be found. But though the settlement operations required separate Tables, yet for a record of the average whole produce of this part of the Doab, it was necessary to add the land of these separate Tables together, and also the grain, and then to strike one average for the whole district. It is the result which is now given.

In explanation of the Table below, it should be stated that the entry under each article represents the number of acres of that article which the Malgoozar's papers of that year, which is in a line with the entry contained. Instead of encumbering the Table by giving the number of maunds or the rate of each year, it is thought sufficient to state that the average was struck for each year separately, and that it is the average of these annual averages which is given below.

Year (A. D.)	Rice.	Joar.	Bajra.	Oorud.	Shamak.	Mot.	Chuhora and Moujee (fine Rices.)	Kodrum.	Munda.	Moong.	Till.	Wheat.	Gram.	Barley.	Wheat and Barley mixed.	Wheat and Gram mixed.	Kurrur.	Mosoor.
1827 -	1,106	800	2,730	1,531	689	387	25	27	31	4	44	4,131	2,108	1,120	432	57	2	11
1828 -	674	492	2,606	1,745	422	336	19	24	12	-	19	3,915	1,605	1,094	364	1	-	-
1829 -	1,144	849	3,655	2,132	345	242	12	36	6	-	49	4,841	2,779	835	480	63	-	9
1830 -	1,846	902	3,123	2,006	376	230	4	13	4	7	1	7,074	1,990	1,026	554	37	13	1
1831 -	3,092	1,532	4,984	4,735	953	762	46	43	17	10	26	7,200	2,688	1,169	225	28	43	1
1832 -	3,288	962	3,674	3,638	309	412	38	11	7	14	47	9,147	2,370	1,447	574	26	-	43
1833 -	3,104	706	4,570	5,544	409	640	25	17	2	67	129	9,461	1,618	1,595	390	12	8	3
1834 -	1,865	1,384	5,760	5,809	490	645	33	19	11	2	298	10,722	1,468	1,298	675	35	1	5
1835 -	4,410	1,204	5,874	5,660	745	1,099	68	28	13	3	78	13,465	3,683	3,256	1,018	165	18	24
1836 -	5,350	1,787	5,034	7,909	516	1,699	13	18	38	16	48	16,774	5,180	2,683	627	452	-	7
1837 -	2,878	1,944	5,618	7,467	797	1,316	110	6	-	-	5	13,048	3,424	2,105	1,791	17	5	4
1838 -	1,893	1,271	7,923	6,754	579	1,172	59	9	11	18	24	10,083	1,175	2,113	272	453	-	-
1839 -	2,849	2,368	7,512	7,362	1,875	909	189	5	19	2	126	9,474	1,994	3,063	460	313	-	-
1840 -	1,487	1,911	5,276	6,162	905	1,521	-	8	10	5	3	9,104	3,544	1,945	1,302	7	6	-
TOTAL Number of acres of land extracted	34,986	18,112	68,339	68,454	9,410	11,370	641	264	181	148	897	1,28,439	35,626	25,749	9,164	1,666	96	108

In the line below is given the average whole produce per acre in Maunds and Seers. The Seer, as explained in para. 19 of the Report, weighs 90 current rupees of the kind known as the Cross-milled Furruckabad Rupee. The maximum weight of it is declared by Regulation III. of 1806 to be 173 grains troy, and the minimum legal weight is 171-193 grains troy.

Mds. srs.	Mds. srs.	Mds. srs.	Mds. srs.	Mds. srs.	Mds. srs.	Mds. srs.	Mds. srs.	Mds. srs.	Mds. srs.	Mds. srs.	Mds. srs.	Mds. srs.	Mds. srs.	Mds. srs.	Mds. srs.	Mds. srs.	Mds. srs.	Mds. srs.
6 ¼	4 30½	4 ½	3 17	3 19½	2 37½	7 4½	4 22½	5 16½	2 19½	1 32½	7 15½	5 7	6 34½	3 18½	5 32½	3 4	3 1½	

Average whole produce per acre in Avoirdupois and Decimals. In making the calculation, the Cross-milled Rupee has been considered to average 172 grains troy.

Lbs. avoiv.	Lbs. avoiv.	Lbs. avoiv.	Lbs. avoiv.	Lbs. avoiv.	Lbs. avoiv.	Lbs. avoiv.	Lbs. avoiv.	Lbs. avoiv.	Lbs. avoiv.	Lbs. avoiv.	Lbs. avoiv.	Lbs. avoiv.	Lbs. avoiv.	Lbs. avoiv.	Lbs. avoiv.	Lbs. avoiv.	Lbs. avoiv.	Lbs. avoiv.
531.294	421.275	354.933	302.966	307.940	260.433	628.596	404.136	479.324	219.483	157.563	652.922	457.765	606.482	305.728	514.155	274.216	269.239	

Money value of average whole produce per acre at average prices (for which see the Report).

Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.
4 12 -	4 5 -	3 11 9	3 12 3	1 14 6	2 14 9	6 12 3	2 8 3	6 - 3	1 14 -	3 2 6	7 15 9	4 14 6	5 1 -	3 - 6	5 8 -	3 2 9	3 2 6	

N.B.—Articles called Zubtee, namely, Sugar Cane, Cotton, and several others, are not included in this statement, because the estimate of their whole produce was obtained by a different process. The information regarding them will be found in Appendix, No. 4.



## Appendix, No. 3.

VI.  
Appendix to  
Report on the  
Settlement of the  
District of Moo-  
zuffurnuggur.

THE following Table is referred to in para. 17 of the Report. It exhibits the results of the estimate made of the standing rubbee crop of 1840, A. D., by the settlement officer, who was at the same time officiating as collector also, and who took all the precaution in his power for securing the greatest possible accuracy.

DENOMINATION of SOIL.	WHEAT.			BARLEY.			GRAM.		
	Number of Acres of which the Kunkoot was made.	Average Rate of the whole Produce per Acre, in Maunds and Seers.	Average Rate of the whole Produce per Acre, in Lbs. Avoirdupois and Decimals.	Number of Acres of which the Kunkoot was made.	Average Rate of the whole Produce per Acre, in Maunds and Seers.	Average Rate of the whole Produce per Acre, in Lbs. Avoirdupois and Decimals.	Number of Acres of which the Kunkoot was made.	Average Rate of the whole Produce per Acre, in Maunds and Seers.	Average Rate of the whole Produce per Acre, in Lbs. Avoirdupois and Decimals.
		<i>Mds. Seers.</i>	<i>Lbs.</i>		<i>Mds. Seers.</i>	<i>Lbs.</i>		<i>Mds. Seers.</i>	<i>Lbs.</i>
Meesun, Irrigated -	1,017	14 37½	1,321·325	50	13 35½	1,224·575	9	9 39½	882·910
Ditto, Unirrigated	523	10 18½	925·480	16	9 20½	841·446	211	9 18½	836·470
Rouslee, Irrigated -	461	11 21½	1,021·124	23	8 39	793·901	16	9 4½	806·615
Ditto, Unirrigated	6,719	8 19	749·673	328	9 8	813·804	1,212	7 4½	629·701
Dakar, Irrigated -	29	10 13½	914·475	2	8 8½	727·004	—	—	—
Ditto, Unirrigated	264	8 28½	769·961	30	7 30	685·541	289	5 35½	520·790
Bhoodub, Irrigated -	15	8 10	729·799	1	—	—	—	—	—
Ditto, Unirrigated	2,391	6 33½	605·376	570	10 23	935·432	398	6 13½	560·595
TOTAL - -	11,419	8 39	793·901	1,020	10 6	897·838	2,135	7 2½	624·726
		<i>Rs. as.</i>			<i>Rs. as.</i>			<i>Rs. as.</i>	
Value at average prices of the average produce per acre. -		9 11	—		7 7½	—		6 11	—

The information here given did not supersede the necessity of going through the labour of which the preceding paper exhibits the result, and this for two reasons. First, it was necessary to get produce tables for the khureef as well as the rubbee; and secondly, there were not thought to exist beforehand any sufficient grounds for concluding, that one set of produce tables would be applicable to all of the circles into which the district has been divided for assessment; and though the land of which this kunkoot was made is of considerable extent, inasmuch as it amounts to 14,574 acres; yet in many circles there had not come under examination a sufficient extent of many of the denominations of soil to allow of a fair average being struck. Therefore, though useful when thrown together in the form exhibited above, this kunkoot did not suffice for what was wanted. Also it gives the true state of one year only, and there appears to be a great variation between the yield of one year and another.

It will be seen that by this table the average whole produce of wheat per acre is 794 lbs. avoirdupois, while the tables actually used give 653 lbs.; and the produce of barley and gram is also larger here than in the preceding tables. The tables above, therefore, were of use in giving confidence that the others are moderate. Another great advantage has been, that by these tables I have been able to graduate the others for the three articles—wheat, barley and gram; preserving the proportions borne in these by the return in one, to the return in each other kind of soil.

## Appendix, No. 4.

THE method by which the average proportion of the crop given in rent has been ascertained is stated in the Report.

In the preliminary remarks to each set of mouzahs, these proportions have been given for the particular set. The whole being thrown together, the result is as follows:—

The whole produce of the field having been correctly ascertained, and one-tenth having been struck off that gross amount, as an offset against the labour of cutting and cleaving the crop, from each maund of the remainder the proprietor takes,

Of Meesun	-	-	-	-	-	-	-	18	seers.
Of Rouslee	-	-	-	-	-	-	-	17½	„
Of Dakur	-	-	-	-	-	-	-	17	„
Of Bhooduh	-	-	-	-	-	-	-	15½	„
Of Danda (that is high and very poor Bhooduh)								14	„

In calculating the rental of any one denomination of soil, therefore, after the average produce table of each crop in that denomination has been applied to the cultivated area of that crop, and thus the total produce has been learned, a tenth has first been struck off, and then from the remainder that portion is taken as rent which has been found to be due by the method explained in the Report. This process gives the nijkarree rental.

The ascertained average of the zubtee rates of each circle is also recorded, in the preliminary remarks prefixed to the village statements of that circle. The average of all of these is per acre, for

	Rs.	a.	p.
Sugar Cane	14	7	-
Cotton	6	6	5
Churree	2	6	-
And for Mukkee, Indian Corn	3	3	6

In making the rental for zubtee crops, it is usual to deduct that portion of the field where the crop has failed. The malgoozar's papers for a series of years were examined; and from the allowance thus ascertained to have been actually made in 20,247 beegahs of zubtee cultivation, the average was struck, and came to three biswahs per beegah. This proportion, therefore, has been set aside from the area of each kind of zubtee cultivation before the rates above given were applied.

In estimating the whole produce of zubtee articles, excepting mukkee, for which, as it is not an expensive crop, the proportions borne in nijkarree by rent to whole produce have been preserved, the calculation has been made by multiplying the zubtee rate by 4. The proportion of the produce paid in kind having been taken into consideration, together with the known fact that, with the above exception, the cost of production of these zubtee articles is so much greater than that of the others that a much less portion of the whole produce can be paid as rent for the zubtee than for the other, the process above-mentioned was considered to lead to a moderate result.

Thus the whole produce per acre is estimated to average—for sugar cane, Rs. 57. 12.; for cotton, Rs. 25. 8. 8.; for churree, Rs. 9. 8.; or after deduction of the three biswahs per beegah—for sugar cane, Rs. 48. 1. 4; for cotton, Rs. 21. 13.; and for churree, Rs. 8. 10. 9.

Appendix, No. 5.

THIS Statement is referred to in para. 21 of the Report; its object is to exhibit the Revenue Rate per acre which has in the settlement now reported been considered the proper demand for each kind of Soil in each Circle.

NAME of CIRCLE.	Meesun Irrigated.	Meesun Unirrigated.	Rouslee Irrigated.	Rouslee Unirrigated.	Dakur Irrigated.	Dakur Unirrigated.	Bhoodah Irrigated.	Bhoodah Unirrigated.	Danda.
	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.
The Hulwanah Circle	2 10 8	2 - -	2 1 3	1 10 4	1 11 8	1 10 -	1 1 3	1 1 -	-
" Fukhunpoor "	2 13 1	1 12 8	1 13 10½	1 8 3	1 15 6	2 1 5½	1 3 9½	1 - 1½	-
" Santour - "	2 9 9	1 10 0	1 14 10	2 8 2	2 1 6	2 - -	1 6 3	- 15 6	-
" Abba - - "	2 14 2	- - -	2 - 4	1 6 -	2 1 -	1 13 3	1 6 9	- 14 8	-
" Bidoulee - "	2 12 10	1 15 2	1 8 3½	1 5 8½	1 4 2	1 7 2	- 15 6	- 14 11	-
" Toduh - - "	3 15 11	- - -	1 9 4½	1 2 11½	1 12 2½	1 13 6	1 - 5½	- 12 6	-
" Yuheapoor - "	2 1 6	- - -	2 - 10	1 3 3	2 - 4	1 5 6½	1 11 3	1 1 -	-
" Jhinjanah - "	3 15 9	- - -	2 1 -	1 6 8	2 1 -	1 14 3½	1 11 3	1 - 7½	-
" Bhymswal - "	5 - -	- - -	2 - 6	1 6 -½	2 - 10½	1 5 -	1 1 6	- 13 7	-
" Jytpoor - - "	- - -	2 11 3	- - -	1 6 1½	- - -	1 3 3	- - -	1 3 3	-
" Goordhunpoor "	- - -	1 11 9	- - -	1 4 1	- - -	1 1 9	- - -	1 1 5	-
"* Rusquillapoor "	- - -	- - -	- - -	1 - 4½	- - -	- 14 -	- - -	- 13 3½	-
" Burumpoor "	- - -	2 8 1½	- - -	1 9 10½	- - -	1 13 5½	- - -	- 11 6½	-
" Secunderpoor Mehul - "	- - -	1 12 -	- - -	1 7 4½	- - -	- - -	- - -	- 13 4	-
" Jansul - - "	2 11 8	2 4 7½	1 14 7½	1 5 1½	1 12 3½	1 3 3½	1 11 10½	- 14 10	-
" Nirganjee - "	3 8 9	2 13 5½	2 3 -	1 12 6	- - -	1 3 1	- - -	1 1 9½	-
" Joulee - - "	2 5 6	2 1 3½	1 13 2	1 5 2½	- - -	- 15 5	1 10 3	- 11 3	-
" Kheree Korei-shee - "	2 6 7½	1 9 9½	1 12 6	1 2 10	1 3 3½	1 - 5½	1 3 3½	- 14 3	-
" Khatoulee - - "	2 13 3½	1 13 11	1 15 4½	1 3 11½	1 4 8½	1 - 10½	1 15 1½	- 15 1½	-
" Poorbalean - "	3 - -	2 8 -	1 13 - 4	1 8 -	1 14 - 3½	1 5 2	1 1 2½	- 13 -	- 12 -
" Jukhwala - - "	3 - 3½	2 10 6	2 1 11½	1 7 -	1 7 5½	1 3 2½	1 12 2½	- - -	-
" Budhaien - - "	2 13 5½	2 9 11½	1 9 8½	1 4 9½	1 3 6½	1 2 2	1 8 6	1 - 11½	-
" Churthawal "	3 10 8	3 3 2½	2 14 1½	1 10 1½	1 9 7½	1 3 8	- - -	- 12 7½	-
" Bugrah - - "	2 14 3	2 2 11½	2 4 -½	1 4 6½	1 8 9½	1 2 4	2 - 9½	- 15 4½	-
" Puchenda - - "	3 1 3	2 13 11½	2 14 1	1 9 -½	1 7 9½	1 6 9	- - -	1 2 2	-
" Moozuffnuggur	3 - 4	2 13 9½	2 4 -½	1 7 7	2 - -	1 5 6	- 15 11½	- 15 4	-
" Shorun - - "	3 10 8	3 3 2	2 14 2½	1 10 1½	1 9 7½	1 3 8	1 - -	- 12 7½	-
" Shamlee - - "	3 9 6	3 1 9	2 5 5½	1 10 -½	1 14 11½	1 7 1	1 - 3½	- - -	-
" Kodana - - "	4 5 6½	2 3 5½	2 12 8½	1 11 9½	2 3 3	1 12 8	1 15 9	- 15 5½	-
" Poor - - - "	- - -	3 - -	- - -	1 8 -	- - -	1 9 4	- - -	1 - -	- 12 -
" Ghoor - - - "	3 1 3	2 3 11½	- - -	1 9 -½	- - -	1 6 9	- - -	1 - -	- 12 -
" Chupar - - - "	- - -	2 14 -	- - -	1 9 -	- - -	1 12 -	- - -	1 - -	- 12 -
" Bokurheree "	- - -	2 - 6½	- - -	1 7 3½	- - -	1 6 5	- - -	- 12 5	-
" Tissa - - - "	3 - -	2 12 -½	- - -	1 14 6½	- - -	1 5 2½	- - -	1 - 1½	-
"* Gaonree - - "	- - -	- - -	1 10 5½	1 3 4½	- - -	1 2 3	- - -	- 12 9	-
"* Rehrwah - - "	- - -	- - -	1 15 3	1 4 8	- - -	1 5 8	- - -	1 - 5	-
"* Bustourah - - "	- - -	- - -	1 12 3½	1 5 8	- - -	1 7 -	- - -	1 4 -	-

N.B.—In the four Circles to which this mark \* is prefixed, the soils are denominated Oosur, Dakur, and Danda; they consist entirely of Khadur land, and the Danda of them is quite different from the Danda of the Bangur, for which there is a distinct heading above. For these three denominations the rates have, for convenience, been entered in the Table under Rouslee, Dakur, and Bhoodah.

The Circles of Goordhunpore, Rusquillapore, Gaonree, Rehrwah, and Bustourah, are those stated in the Report to be in a state of cultivation too little advanced to allow of it being declared that the present revenue rates of them shall not be exceeded in future. Their names and the rates have been entered in *italics* to distinguish them from the rest.

Appendix, No. 6.

This Table is referred to in para. 33 of the Report; the object of it is to exhibit the amount of the whole produce and of the whole rent, and also the average rate of each upon the cultivated area; secondly, to show the proportions per cent. of the whole produce which are taken as rent, and (by the new assessment) as revenue. It will be observed, perhaps, that the cultivated area in this statement is less by 12,091 acres than that entered in No. 1 of this Appendix. The explanation is, that the Shoran Circle is not included in this Table, as no account of its whole produce and whole rent has been made, for reasons given in the preliminary remarks to the village statement of that Circle.

NAME OF CIRCLE.	Whole Cultivated Area in Acres.	Whole Produce in Rupees.	Average Rate per Cultivated Acre of the whole Produce.	Whole Rent in Rupees.	Average Rate per Cultivated Acre of the whole Rent.	Whole Jumma in Rupees.	Average Rate per Cultivated Acre of the whole Government Jumma.	Proportion per cent. borne by the whole Rent to the whole Produce.	Proportion per cent. borne by the whole Government Jumma to the whole Produce.
			Rs. a. p.		Rs. a. p.		Rs. a. p.		
The Jansut - Circle	16,690	1,36,858	8 4 10 $\frac{1}{2}$	42,048	2 8 10	27,331	1 10 $\frac{1}{2}$	30 $\frac{1}{2}$	20
" Nerganjee - "	4,387	36,638	8 1 11 $\frac{1}{2}$	10,971	2 8 -	7,132	1 10 -	30	19 $\frac{1}{2}$
" Jowice - "	19,431	1,12,422	5 13 $\frac{1}{2}$	29,171	1 8 $\frac{1}{4}$	18,961	- 15 7 $\frac{1}{2}$	26	17
" Kherce Koreshee - "	5,156	34,993	6 12 3 $\frac{1}{2}$	10,896	2 1 10	7,082	1 5 11 $\frac{1}{2}$	31	20 $\frac{1}{2}$
" Khatowlee - "	19,811	1,87,871	9 8 3	59,664	3 - 2 $\frac{1}{2}$	38,775	1 15 3 $\frac{1}{2}$	30 $\frac{1}{2}$	20 $\frac{1}{2}$
" Poorbalean - "	13,843	1,04,965	7 9 3 $\frac{1}{2}$	34,755	2 8 $\frac{1}{4}$	21,083	1 8 4 $\frac{1}{2}$	33	20 $\frac{1}{2}$
" Jukhwala - "	15,335	1,11,061	7 - 2 $\frac{1}{2}$	38,404	2 8 1	24,974	1 10 $\frac{1}{2}$	34 $\frac{1}{2}$	22 $\frac{1}{2}$
" Bodhara - "	6,726	47,332	7 - 7 $\frac{1}{2}$	15,956	2 15 11 $\frac{1}{2}$	10,373	1 8 8 $\frac{1}{2}$	33 $\frac{1}{2}$	22
" Chauthawal - "	11,069	1,11,610	10 1 3 $\frac{1}{2}$	38,509	3 7 7 $\frac{1}{2}$	25,034	2 5 7 $\frac{1}{2}$	34 $\frac{1}{2}$	22 $\frac{1}{2}$
" Bugrah - "	6,022	43,312	10 3 1	15,079	2 8 $\frac{1}{2}$	9,605	1 10 $\frac{1}{2}$	35	22 $\frac{1}{2}$
" Pechendah - "	7,852	70,398	8 15 5 $\frac{1}{2}$	23,194	2 15 3 $\frac{1}{2}$	15,076	1 14 8 $\frac{1}{2}$	33	21 $\frac{1}{2}$
" Moosuffurungur - "	16,779	1,17,262	7 - 2	38,671	2 4 10	25,156	1 8 -	33	21 $\frac{1}{2}$
" Samlee - "	8,986	1,09,204	12 3 6	37,021	4 1 10	24,065	2 10 10 $\frac{1}{2}$	34	23
" Kodans - "	8,075	1,11,416	13 12 9 $\frac{1}{2}$	35,580	4 6 6	23,127	2 13 10	32	20 $\frac{1}{2}$
" Poor - "	8,796	53,667	6 1 7 $\frac{1}{2}$	16,894	1 4 9 $\frac{1}{2}$	10,981	1 3 11 $\frac{1}{2}$	30 $\frac{1}{2}$	20 $\frac{1}{2}$
" Ghoor - "	14,402	1,01,929	7 1 3	31,448	2 2 11	16,404	1 2 3	31	16
" Chupar - "	13,141	1,21,542	9 4 $\frac{1}{4}$	40,117	3 - 9 $\frac{1}{2}$	26,077	1 15 9	33	21 $\frac{1}{2}$
" Bhookarherce - "	14,164	82,683	5 13 4 $\frac{1}{2}$	24,522	1 11 8 $\frac{1}{2}$	15,939	1 2 -	29 $\frac{1}{2}$	19 $\frac{1}{2}$
" Tissa - "	15,150	1,25,786	8 4 10	40,332	2 10 7	26,215	1 11 8 $\frac{1}{2}$	32	21
" Gaooree - "	4,360	40,566	9 4 9 $\frac{1}{2}$	9,555	2 3 $\frac{1}{4}$	6,179	1 6 7 $\frac{1}{2}$	23 $\frac{1}{2}$	15 $\frac{1}{2}$
" Rehrwah - "	2,577	21,986	8 8 6	6,159	2 6 3	4,004	1 8 10 $\frac{1}{2}$	28	18 $\frac{1}{2}$
" Bustourah - "	1,354	12,013	8 10 10 $\frac{1}{2}$	3,368	2 6 11 $\frac{1}{2}$	2,189	1 9 4	28	18 $\frac{1}{2}$
<b>TOTAL - -</b>	<b>2,34,136</b>	<b>18,95,516</b>	<b>8 1 6<math>\frac{1}{2}</math></b>	<b>6,02,312</b>	<b>2 9 2</b>	<b>3,85,964</b>	<b>1 10 4<math>\frac{1}{2}</math></b>	<b>31<math>\frac{1}{2}</math></b>	<b>20<math>\frac{1}{2}</math></b>

(signed) Edward Thornton, Settlement Officer.

STATISTIC STATEMENT of Zillah Moosuffurnuggur.

Number of Circles.	NAME of CIRCLE and PERGUNNAH, and Number of Mohals.	Total Area in Acres.	Barren.	Lakraj.	Cultivated.	Culturable.	Irrigation.	Decimals of Cultivation.	Decimals of Irrigation.	Rate per Acre on the Sum of Cultivated and Culturable Acre.	Rate per Acre on the Area in actual Cultivation.
										Rs. a. p.	Rs. a. p.
1.	Jansut - 29	24,249	2,818	1,017	17,963	2,452	4,608	-88	-26	1 6 3 $\frac{1}{2}$	1 9 3 $\frac{1}{2}$
2.	Nerganjun - 7	7,495	668	151	4,664	2,012	32	-70	-00	1 2 5 $\frac{1}{2}$	1 10 4 $\frac{1}{2}$
3.	Jowice - 22	32,709	2,923	163	19,891	9,732	517	-67	-02	- 10 -	- 15 -
4.	Kherce Qoreshee - 15	8,138	1,168	90	5,248	1,632	1,283	-76	-24	1 - 3 $\frac{1}{2}$	1 5 4 $\frac{1}{2}$
5.	Khatowlee - 55	35,246	5,123	1,611	24,510	4,002	10,651	-86	-47	1 13 2 $\frac{1}{2}$	2 1 11
6.	Poorbalean - 19	21,770	2,963	26	14,562	4,219	1,843	-77	-12	1 3 5	1 9 $\frac{1}{4}$
7.	Jukhwala - 22	26,491	5,374	1,167	15,557	4,393	3,010	-78	-19	1 3 9 $\frac{1}{2}$	1 9 4 $\frac{1}{2}$
8.	Bodhace - 11	9,167	1,336	10	6,830	991	872	-87	-13	1 5 11 $\frac{1}{2}$	1 9 2
9.	Chauthawal - 25	13,745	2,235	545	11,511	1,454	4,033	-88	-35	1 13 5	2 1 2 $\frac{1}{2}$
10.	Bhugra - 16	10,440	1,133	1,095	7,054	1,158	1,779	-86	-25	1 7 4 $\frac{1}{2}$	1 11 1 $\frac{1}{2}$
11.	Pechkenda - 12	11,477	1,330	983	8,232	932	763	-89	-09	1 11 7	1 14 8 $\frac{1}{2}$
12.	Moosuffurnuggur - 31	28,260	4,538	2,543	17,574	3,605	1,170	-83	-06	1 3 9 $\frac{1}{2}$	1 7 10
13.	Shorona - 10	13,960	2,767	228	9,715	1,250	3,398	-81	-35	1 19 8 $\frac{1}{2}$	2 - 5
14.	Shamlee - 17	15,117	2,766	334	11,089	928	8,929	-92	-60	2 4 10 $\frac{1}{2}$	2 8 -
15.	Khodana - 12	11,390	2,620	19	8,250	501	5,361	-94	-65	2 11 7 $\frac{1}{2}$	2 14 7 $\frac{1}{2}$
	Scattered Mozahs - 6	5,919	1,503	4	2,956	1,456	1,693	-67	-64	1 3 11	1 13 8 $\frac{1}{2}$
16.	Poor - 21	17,616	1,406	378	11,839	3,993	-	-74	- none	1 1 -	1 6 8 $\frac{1}{2}$
17.	Ghoor - 18	22,149	2,449	561	14,553	4,586	938	-76	-06	- 15 6 $\frac{1}{2}$	1 4 5 $\frac{1}{2}$
18.	Chupar - 20	17,472	1,915	8	13,550	1,999	53	-87	-00	1 10 11 $\frac{1}{2}$	1 14 11
19.	Bhookarherce - 20	34,256	10,699	1,427	14,824	7,306	1	-67	-00	- 12 11 $\frac{1}{2}$	1 3 4 $\frac{1}{2}$
20.	Tissa - 23	22,419	2,025	318	15,474	4,602	129	-77	-00	- 12 11 $\frac{1}{2}$	1 3 4 $\frac{1}{2}$
21.	Gaooree - 9	16,714	3,172	-	4,360	9,182	25	-32	-00	- 7 8 $\frac{1}{2}$	1 8 -
22.	Rehrwah - 9	18,250	3,847	-	2,580	11,853	11	-18	-00	- 8 -	2 12 9
23.	Bustourah - 6	19,424	4,020	-	1,514	13,890	9	-09	-00	- 7 10 $\frac{1}{2}$	5 2 -
	Pergunnah Bidowlee - 200	166,449	25,324	5,183	99,939	56,003	65,128	-65	-65	1 3 2 $\frac{1}{2}$	1 13 11
	Noornuggur - 107	59,354	17,339	50	28,139	13,826	-	-67	- none	- 13 8 $\frac{1}{2}$	1 4 5 $\frac{1}{2}$
	<b>TOTAL - -</b>	<b>6,91,706</b>	<b>1,13,461</b>	<b>17,911</b>	<b>3,92,377</b>	<b>1,67,957</b>	<b>1,16,441</b>	<b>70</b>	<b>29</b>	<b>-</b>	<b>-</b>

Sadder Board of Revenue, North-Western Provinces, Allahabad, 12 October 1841.

(signed) H. M. Elliot, Secretary.

STATISTIC STATEMENT of Zillah *Moozuffurnuggur*.

NAME of PERGUNNAH.	DECIMALS OF CROPS.							REMARKS.
	KHUREEF.				RUBBEE.			
	Decimals of Khureef.	Sugar Cane.	Cotton.	Rice.	Decimal of Rubbee.	Wheat.	Barley.	
Bhookurheree - - -	.57	.04	.02	.05	.43	.20	.10	
Sharon - - -	.53	.05	.02	.00	.47	.30	.01	
Shamlee - - -	.52	.05	.03	.02	.48	.30	.01	
Moozuffurnuggur - - -	.54	.04	.02	.03	.46	.32	.01	
Bugra - - -	.50	.05	.02	.04	.49	.28	.02	
Churthawall - - -	.50	.04	.02	.03	.50	.30	.02	
Joulee - - -	.59	.04	.02	.05	.41	.20	.08	
Khatowlee - - -	.56	.05	.03	.03	.44	.30	.01	
Poorchupar - - -	.54	.04	.03	.04	.46	.29	.05	
Lalookheree - - -	.52	.06	.02	.00	.48	.32	.01	
Lukhnontee - - -	.49	.02	.03	.08	.51	.31	.03	
Bunnut - - -	.48	.10	.04	.05	.52	.30	.02	
Jhinjhanuh - - -	.51	.04	.03	.09	.49	.27	.01	
Bidowlee - - -	.42	.02	.01	.02	.58	.38	.05	
Noornuggur - - -	.47	.04	.04	.13	.53	.36	.05	
<b>TOTAL</b> - - -	<b>.52</b>	<b>.04</b>	<b>.03</b>	<b>.05</b>	<b>.48</b>	<b>.29</b>	<b>.04</b>	

Sudder Board of Revenue, North-Western Provinces,  
Allahabad, 12 October 1841.

(signed) *H. M. Elliot,*  
Secretary.

VII.

DESPATCH of the Court of Directors, 13 August 1851, on the Settlement of the North-Western Provinces.

REVENUE.

The Directors of the East India Company to the Governor-General of India in Council.

London, 13 August 1851. (No. 9.)

1. It is our intention to review, in this despatch, the measures which have been some years in progress for the settlement of the North-Western Provinces.
2. The plan of settlement promulgated by the Circular Order of the Sudder Board of Revenue, on 9 April 1839, called forth, in the first instance, much cordial support, and much strenuous opposition.
3. We shall state the views which the advocates and opponents of the measure have severally taken of its purposes and results. We shall then test their several views

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views by a careful analysis of the settlement proceedings in every district, and shall conclude by giving our final judgment on the whole.

4. The main points of the question on each side are clearly and comprehensively stated in the two principal documents transmitted with your despatch, dated 25 November 1842, No. 15; viz. :—

The Report of Mr. R. M. Bird, late first member of the Sudder Board of Revenue; and,

The Minute of Mr. Robertson, late Lieutenant-governor of the North-Western Provinces.

5. Mr. Bird enters into a statement of the opinions and impressions conceived and adopted by him from an early period, after a long and careful study of landed tenures in Upper India, and of the effect of the previously existing revenue and judicial systems on those tenures.

6. With reference to the impression very generally received, that the various arrangements connected with the settlement had for their immediate object such an accurate ascertainment of the resources of the land as would ensure to Government its full share of the rents or produce, he declares that the measures which he has now carried through had been many years previously planned and elaborated by him as measures of a purely judicial character, when he was holding a judicial office, and had no prospect of ever being connected with the Revenue Department. His experience in the discharge of his functions as a judicial officer led to the conviction in his mind, that the existing tribunals were insufficient for the ascertainment of rights, or their protection, and that the combined effect of the revenue and judicial systems would be injurious and oppressive unless those systems could be made to bear a more exact relation to the institutions and habits of the people. He entertained a strong conviction of the general soundness of the views put forth by Government in Regulation VII. of 1822, and considered that practical operation might be given to those views, and the assessment of a fair and moderate revenue be combined with the recognition of private rights and the protection of the village communities.

7. It was under the influence of these feelings and impressions that Mr. Bird first entered on his duties as Revenue Commissioner in Goruckpore, and subsequently undertook the superintendence of the settlements; and when the ascertainment and assessment of a just amount of revenue was added to the other objects with which he had undertaken the charge, he acted on the conviction, that the course best calculated to determine the rights of individuals was the one most conducive to the ascertainment of such an equal and moderate revenue as is most for the interest of the state.

8. The objects proposed to be embraced by the survey and settlement were as follows:—

1. The revision of the assessment.
2. The better division of the kists or instalments.
3. The demarcation of the exterior boundaries of estates and villages.
4. The correction of the system of accounts at the tehsildars' offices, and the arrangement of their records.
5. The formation of a fund for the construction of roads.
6. The establishment of a provision for the support of the village police.
7. The resumption of all hidden rent-free tenures, brought to light by the survey.
8. The recasting or reduction of the talookahs or large tenures.
9. The demarcation of the component portions of every village; the recording of the several rights comprised therein, and providing for their maintenance; and the registering of all rights which may spring up hereafter.

9. With respect to the revision of the assessment, Mr. Bird expresses his belief, that a "moderate, fair, and equal demand on the land, such as can and ought to be collected without interfering with the accumulation of property and the march of agricultural prosperity, has, generally speaking, been fixed." This portion of the settlement is highly spoken of by the late Lieutenant-governor (Mr. Robertson), as sound in principle, and performed with consideration and judgment;

judgment; and he states that he had not found cause, up to the period at which he was writing (April 1842), to return any settlement for revision, on the ground of excess in the jumma imposed.

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10. The division of the kists or instalments of public revenue has been so fixed as to allow the sale of the produce before the demand can take effect, an arrangement regarding the benefit of which there appears to be no diversity of opinion.

11. The same may be said of the demarcation of the exterior boundaries of estates and villages, and of the correction of the system of accounts, from both of which measures much public benefit is anticipated.

12. The formation of a fund for the construction of roads, and the provision for the support of the village police, are measures deemed by some of the opponents of the system of settlement to be of doubtful expediency. The former, Mr. Robertson is of opinion, will be beneficial, but cannot be popular with the community, until they are enabled to appreciate the advantages to be derived from well-made roads, and he fears that one per cent. collected for the object proposed will be viewed in the light of an addition to the regular assessment, instead of a deduction from it; while the latter measure he states to be often complained of and generally felt as a grievance. He is of opinion that the presence of a paid chokeydar would never be acceptable, even if it involved no extra charge. Such a functionary, he conceives, would be likely to lord it over the Brahmin or Rajpoot on his own domain. "There is in this," he observes, "an inversion of the social order of the country, such as must cause heart-burnings and mortifications in that class of our subjects whose affections it is most our interest to conciliate. An abatement in the number of thefts and burglaries is but a sorry compensation for such a consequence, or for the no less pernicious result of the zemindar taking advantage of the presence of a paid police officer to exonerate himself from all responsibility for what occurs."

13. The resumption of the hidden rent-free tenures brought to light by the survey is considered by Mr. Robertson to have been marked at the outset by a hard and harsh dealing with individual rights, gradually (but, he fears, reluctantly) "yielding to the orders from superior authorities, especially from the Honourable Court." "The settlement officer," he says, "swept up without inquiry every patch of unregistered land; even those under 10 beegahs, exempted by a subsequent order, which did not come out until five-sixths of the tenures had been resumed." In one "district, that of Furruckabad, the obligations of a treaty and the direct orders of Government were but lightly dealt with; and in all, a total disregard was evinced for the acts even of such men as Warren Hastings and Lord Lake."

14. The recasting and reduction of the talookahs, or superior tenures, are considered by Mr. Robertson to have been much too precipitate and summary. He admits, however, the difficulty of maintaining the privileges of the talookdars without endangering the rights of the village proprietors, and states that he would gladly have given his support to any well-digested plan for reconciling those conflicting titles; but he objects strongly to the course which has been adopted, especially in reference to tenures of magnitude, whence all that remains of an aristocracy in the country derives its support. With respect to the practice of assigning a malikana allowance, generally of 18 per cent. on the jumma, as a compensation to the talookdar, on the villages severed from the talookah, he contends that if the talookdar has not a title such as it is found impossible entirely to reject, the land should not be saddled with the cess on his account; and if he have a title, it ought to rest with some more impartial authority than a settlement officer, bent on the realization of schemes to which the talookahs are a serious obstacle, to set it aside. He adduces instances in justification of his strictures, from the proceedings which have taken place in this branch of the settlement, in the districts of Mynpooree, Etawah, and Allighur, the details of which we shall notice in reviewing the settlement in those districts respectively.

15. We now come to that section of the settlement arrangements on which, with the exception of the preceding, the greatest differences exist, viz.: the demarcation of the component portions of every village, and the recording of the



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several rights comprised therein. The measure is thus described by Mr. Bird: "Complete records have been made of the possession, rights, and liabilities of all those members of the agricultural community who hold in severalty, by which a just due may be enforced against any member who may withhold it, without injuring the innocent; and provision has been made for keeping up the record, by such an arrangement of the native village and revenue (putwarree and tehseeldarree) accounts as, if properly watched and maintained, will always yield the necessary information." Lastly, he states that "the summary revenue suit department has been put on such a footing as to ensure that prompt recovery of an undoubted demand which is requisite to preserve those under direct engagements with Government from ruin, and at the same time all disputes and questionable claims are left, as they should be, to the judicial tribunals."

16. In opposition to the foregoing description of the beneficial operation and tendency of the arrangements detailed, we have the opinion of Mr. Robertson and Mr. Grant, by whom respectively they are considered to be most defective, and unlikely to effect the object proposed. Mr. Robertson considers that to keep up a record of the circumstances of every field would entail a constant interference on the part of the Executive in the affairs of every village, and in fact of every villager, which would be irksome to any people, and especially so to the natives of India, while the system would do little towards sustaining the village communities, which, as experience "led him to think, thrive best" when protected from "outward aggression," and "left to the undisturbed adjustment of their own relations." The prominent defect of this part of the settlement is stated to exist in its aiming at too much by seeking to give a detached and separate durability to rights which exist only from their mutual and almost indefinable connexion with each other.

17. The late Lieutenant-governor (Mr. Robertson) proceeded to the work of revision with "strong prepossessions in favour of much of what the project promised to accomplish;" and "it was with sincere regret that, after having confirmed at the outset the settlements of the districts of Bareilly, Shahjehanpore, Furruckabad, Goruckpore, Suharunpore, and the Bhuttee country, he felt compelled to proceed more slowly for a while, and at last to postpone all further ratification until the receipt of the next annual report."

18. He adds, "I suspended the progress of the operations pending a reference to the Supreme Government. My sentiments are given at length in my letters to the Governor-general in Council of 15th August and 21st November 1840; and though I cannot say that my arguments were answered, yet, as my objections were overruled, the measure was of course suffered to proceed."

19. The tenor of Mr. Bird's report would lead us to infer that he anticipated much of the opposition which his proceedings have met; and is willing to take on himself the full responsibility which may attach to the originator of the system. He reviews the condition and prospects of each district, recapitulates the principal measures adopted for the reform of the general revenue administration of the provinces, and anticipates from them, on the whole, much practical advantage: though he expresses his belief that many errors and omissions will be found in so vast an undertaking. In reply to those who estimate less favourably the extent of the benefits expected from the settlement, he says it must be left to parties who know what was the state of the Revenue Administration of Upper India in 1830, and what it now is; what was the condition of the agricultural population at that time, and what, in spite of great national calamities, it has become since; what was the feeling of the people then, and what it now is, to appreciate the labours with which these changes have been effected, or the extent of the benefits which have resulted from their operation.

20. The foregoing summary of the various opinions recorded regarding the probable results and tendency of the settlement in its various branches, embraces the principal points which have come under our notice. We reserve, as already intimated, for our concluding remarks, such observations as we may deem it expedient to make on the general advantages and disadvantages of the measure. We shall consider the several reports in the order of the divisions.

21. The tabular statements with which we shall conclude our examination of each district will be compiled from the settlement papers.

## FIRST, OF MEERUT DIVISION.

*Seharunpore District.*

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22. The settlement of this district was undertaken and completed by Mr. Edward Thornton, and reported to us in the Revenue Narrative of 16th November 1840, No. 6.

23. The term of settlement was fixed at 20 years instead of 30 years, as in most other districts. It was considered that the very low rate of assessment in many estates, the consequence of over-assessment in former years, rendered it expedient that the present jumma, though somewhat enhanced, should stop far short of the sum fairly demandable, when the prosperity of the district should have been restored.

24. The Sudder Board, however, recommended that a distinct pledge should be given to those who had signalized themselves by their industry and punctuality of payment, that no increased demand should at any future settlement be exacted from them, until the rates on the lands of others less industrious should have been brought up to their standard.

25. The above suggestion appears to have been entirely approved by the Lieutenant-governor, with the exception of the latter clause, by which the term of the present assessment, as regards the mouzahs in question, was limited to the period when "the rate of assessment on their neighbours' land shall equal their own." The above limitation, in his opinion, admitted of so many interpretations as to destroy the value of the measure.

26. The obstacles which presented themselves generally throughout the district to an equalization of the demand are very fully described by Mr. Thornton. A prominent place is assigned to the difference existing in the habits and characteristics of a very diversified population, some remarkable for skill and energy, and others for indolence. The Lieutenant-governor, in his observations on the settlement, urged the necessity of fixing the demand on the former, so as to avoid trenching on the fair reward of skill and industry, and at an amount which would, in the case of the latter, admit of easy and profitable transfer of the tenures of defaulters; and as it did not appear from the proceedings which class of people are considered the least industrious, he suggested that policy demanded some relaxation in favour of the old or decayed Puthan families, who, from their habits or former pursuits, might not be as skilful managers of land as other classes of proprietors. The industrious classes were represented to be progressively increasing in number and wealth, and gradually buying out and displacing the others.

27. The measures adopted by the settlement officer for defining rights, by securing the titular zemindars in the full and unquestionable enjoyment of all they had ever possessed, and fixing distinctly the terms of the tenures of those who had always exercised the right of cultivation and fiscal management, are much commended by the Board, who observe that agriculture "can never attain the prosperity which it is the duty of every good Government to use all right means of obtaining for it, till security of tenure and title be afforded."

28. In reference to the reduction in the demand allowed by Mr. Thornton in cases where he deemed the interests of the skilful and industrious to require such concession, the Board asserted the right of Government to a fair and moderate share of the fruits of that increased productive power which has been given to the soil by a long course of patient effort; but they stated that "in practice, it requires cautious forbearance to avoid appropriating what is, in fact, the return of labour and capital, and thus destroying the spring of improvement at its source. This error has, in past times, struck deep at the root of the prosperity of the Northern districts, and the Board are proportionately anxious now to avoid it, without, however, falling into the opposite extreme."

29. The Lieutenant-governor expressed his entire concurrence in the foregoing sentiments, and his gratification at observing that the Board were desirous to use every possible caution to avoid the errors into which others had fallen.

30. The financial result of the revised settlement showed an average acre rate of assessment on the area in actual cultivation of Rs. 1. 10. 6.

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31. The total amount of the assessment is 9,04,438 rupees, being an increase on the previous assessment of 48,113 rupees.

32. The proceedings of a judicial character in this district were of minor importance, except in the case of a large mocrurree tenure of the late Rajah Ramdial Sing, regarding which the settlement officer entered into copious details.

33. It appears that on the accession of the British Government, the Rajah was found in possession of the tenure, at a jumma of 1,11,597 rupees, which was confirmed to him for his life. At his death, in 1813, the claim of his heirs to the zemindarree right in the property was considered, and, pending future investigations, they were admitted to settlement. The grounds of this concession to them are stated to have been consideration towards a family so long in occupancy, their altered circumstances, and the services of the Rajah to Government.

34. At the settlement of 1822, certain modifications were made, and though the stipends were secured to the young Rajah and his mother, the Ranee, it was explicitly laid down, that the grant was not an acknowledgment of right, but simply a mark of consideration to the family.

35. The necessity entailed by the present system of settlement of defining the rights of the parties admitted to engagements, obliged Mr. Thornton again to re-open the investigation of the conflicting claims of the mocrurreedar's heirs and the village communities, and the persons found by him in what he deemed "proprietary occupancy" of the land have been recorded as proprietors, and admitted to settlement. The claim of the mocrurreedar to the zemindarree right was declared to have been from the first unfounded, and, as a consequence, that of his descendants, at the present day, has been set aside as invalid.

36. The Sudder Board expressed their surprise that Mr. Thornton thought it necessary to enter into so long a discussion of this mocrurree, the fact of the proprietorship vesting in the village communities being, as they alleged, quite clear to any officer of common experience and acquaintance with landed tenures.

37. The Lieutenant-governor, though approving generally of the arrangements in reference to the mocrurree, postponed his final confirmation of them pending the completion of the settlement of another portion of the district with which they are connected, and expressed his readiness to take into favourable consideration the claims of any branches of the surviving family to pecuniary allowance. He also stated his opinion, that there were passages in Mr. Thornton's report whence an inference favourable to the claims of the mocrurreedar's heirs to be regarded, in some instances, as proprietors, may be drawn.

38. The following circumstance was brought to the notice of Government, with a view to its being taken into consideration, whether Government should not make a watercourse in this district at its own expense.

39. The construction of the bunds at the heads of the two canals had annually, for several years, been made more perfect, till the whole of the waters of the Jumna had, it appeared, been completely diverted into the one or the other canal, and at the foot of the bunds the river had become passable by a person dry-shod; the result had been, that a mass of villages lying between the Jumna itself and a stream called the Boorhee Jumna, in a soil which did not admit of the construction of cucha wells, and which villages depended on those two streams for drinking-water, had been put to great inconvenience. This privation of drinking-water, or at least of such as is wholesome, was a serious ground of complaint, it appeared, with the villagers, as was also the fact of the loss of the means of irrigation formerly afforded them by the Jumna.

40. To remedy the foregoing causes of inconvenience and discontent, Mr. Thornton suggested a plan for the construction of a watercourse at the expense of Government. Under the arrangement proposed, the whole of the mouzahs requiring it would be supplied with wholesome water to drink; and those who chose to irrigate would pay the usual rates.

41. The above proposal was recommended for favourable consideration by the Commissioner; and the Lieutenant-governor readily acquiesced in the necessity of adopting measures to remedy the hardships complained of, and empowered the Board to authorize at once the formation of the proposed cut, at the expense of Government, chargeable to the canal accounts.

*Seharunpore.*

## Seharunpore.

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PERGUNNAH.	Total Area in Acres.	Cultivated Area.	Rate on Total Area.	Rate on Cultivated Area.	Per-centage of Irrigation.	Former Jumma.	Proposed Jumma.	Increase.	Decrease.
			<i>Rs. a. p.</i>	<i>Rs. a. p.</i>					
Seharunpore	102,345	75,004	1 3 10½	1 11 1½	21	1,11,372	1,16,351	4,979	
Mulhyepore	44,733	33,947	1 2 2½	1 8 3	12	49,634	48,473	-	1,161
Moozufferabad	45,295	24,547	1 3 9	1 9 4	07	33,603	37,290	3,687	
Jehanjerabad	13,020	2,157	1 6 6	1 11	02	4,043	5,102	1,059	
Fyzabad	48,021	17,330	1 8 11½	1 8 10	01	20,738	24,603	3,865	
Talook Puteehs	15,564	10,003	1 9 9½	1 10 2	06	18,533	18,367	-	166
Behnt	49,098	23,339	1 12 7½	1 10 6½	04	30,769	37,190	6,421	
Sursawah	57,638	38,288	1 15 9½	1 7 9	20	53,609	56,824	3,215	
Sultanpore	42,198	27,495	1 15 5½	1 7 7½	11	35,875	38,109	2,234	
Nukoor	42,494	28,258	1 15 5½	1 7 7½	29	33,473	38,380	4,907	
Jumalghur	6,221	3,668	1 1 1½	1 8 2½	20	5,630	5,820	190	
Deobhund	135,147	101,151	1 2 10½	1 9 2½	07	1,54,576	1,56,308	1,732	
Rampoor	29,788	20,901	1 2 11	1 10 11½	31	32,598	35,234	2,636	
Thana Bhowm	54,554	33,638	1 2 8½	1 14 4½	25	36,077	63,024	26,947	
Nanowtah	10,377	7,385	1 7 9	2 1 3	37	14,761	14,922	161	
Gungo	41,941	24,517	1 15 1½	1 9 4	26	27,899	29,916	2,017	
Chousutheree	19,326	11,527	1 10 10½	1 10 10½	31	17,139	17,571	432	
Khatka	25,781	19,622	1 1 11	1 7 6½	12	23,342	23,889	547	
Jowalapoor	41,802	10,247	1 6 11½	1 12 1½	00	13,040	15,287	2,247	
Roorkee	72,604	40,865	1 13 8½	1 13 8½	06	84,022	74,969	-	9,053
Jowrassee	52,144	18,683	1 11 6½	2 3	-	45,418	37,291	-	8,127
Tuppa Sukroda	18,099	3,736	1 5 11½	1 12 10½	-	7,403	6,747	-	656
Tuppa Kheree	2,771	2,277	1 3 10½	1 3 6	-	2,771	2,771	-	-

Total amount of new assessment	Rs. 9,04,438
Amount of increase on previous assessment	48,113

*Begum Sumroo's Jagheer.*

42. The papers connected with the settlement of this jagheer, by Mr. Plowden, under Regulation IX. of 1833, accompanied the Revenue Narrative, dated 15th April 1841, No. 2, paras. 35 to 39.

43. It appears from Mr. Plowden's sketch of the state of the property before it lapsed to the Company in 1836, that the previous administration of the territory under the Begum was characterized by the systematic exaction of the utmost that could be wrung from the cultivators, although by her skilful management, in always limiting her demand to the exact point of endurance, with due regard to the occurrence of favourable and unfavourable seasons, she gave her country a fictitious appearance of prosperity. "Above the surface," says Mr. Plowden, "all was smiling and prosperous, but within was rottenness and misery."

44. But when this system of extreme exaction lost the advantage of her own skilful management, and the administration passed, in the latter years of her life, into the hands of Mr. Dyce Sombre, that which she had carefully restricted to the limits of endurance became unendurable. More than half the lands were thrown up, and numerous cultivators abandoned the soil. When, on the Begum's death, the jagheer lapsed to the Company, it was found necessary to begin in 1836 with a summary settlement at a reduced jumma, and the people who had migrated elsewhere were induced to return and establish themselves

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in their old homes, on receiving the assurance of a speedy and equitable assessment at a long lease.

45. The financial result of the settlement shows a revised jumma of 5,63,748 rupees, being an increase of 48,833 rupees on the aggregate of the previous summary assessment, and less by 47,602 rupees than the average of the Begum's jumma for 20 years.

46. The sum above stated was the amount at which the jumma was prospectively fixed, but to which it would only attain on the twelfth year of the present settlement, by annual increases during the intermediate years.

47. The preparation of the records of rights and responsibilities was stated by the settlement officer to have been a work of no ordinary labour, owing to the inaccuracy of the kusreh survey, and to the fact that the Begum's records consisted of nothing more than an account current with each mouzah.

48. Mr. Plowden's proceedings appeared to have been generally approved by the different revising authorities.

49. Some differences of opinion existed on the subject of enhancing the jumma on improved soils at the expiration of a lease. We have repeatedly expressed our opinion on this subject, and shall recur to it in our concluding remarks.

50. The documents received from you do not admit of the formation of a tabular statement, showing the average rates of cultivation and assessment, as in the case of other districts.

*Allyghur District.*

51. The completion of the settlement of this district was reported in the Revenue Narrative of 15th April 1841, No. 2.

52. The district was represented as being in a very high state of cultivation, and, generally speaking, of prosperity. Most of the pergunnahs were fully cultivated, and no improvement was to be expected, except from the introduction of canal irrigation.

53. Mr. Bird's report entered at some length into the circumstances of two pergunnahs\* (in that portion of the district which was settled by Mr. Thornton, and was not included in the proceedings under review) in which much difficulty has been experienced in collecting the revenue. He traced this difficulty to the embarrassments of the owners of the villages, which had arisen, in a great measure, from unsuccessful speculations in indigo, and the failure of the houses of agency which had promoted these speculations by granting advances.

54. The village communities had received advances from bankers to meet the demands of the Rajah.

55. After a lapse of years the purchasers of the abandoned factories urged their claims to the repayment of the outstanding balances of former advances, and the native bankers also pressed for reimbursement, in some cases insisting on having lands assigned to them as security. They, however, omitted to take measures for paying regularly the public revenue, and the Sudder Board deemed it advisable to bring some few lands to sale, "in order to prove to the creditors that their own haste and rapacity would lead to their own loss;" and that it was requisite for them to accept a more tardy recovery of their demand, and to provide for the payment of the demand of Government also.

56. Matters would from this time, according to Mr. Bird, have proceeded satisfactorily, but for the interference of Government; which, he states, "for reasons unknown to him," prohibited the Board from selling any of the mouzahs without a special authority from them, and directed that, if any fell into arrear, they should be made over to the Rajah. The effect of this prohibition was, in his opinion, likely to be unfavourable, both to the regular realization of the revenue, and to the interests of the communities, and was specially adverted to by him to prove that the difficulty found in collecting the revenue in this portion of the district did not arise in any respect from over-assessment, but from the unsparring exaction of old balances by new purchasers; that the extremely moderate Government demand ought to be annually realised from the resources of the district; and that any further reduction of the jumma would be a sacrifice

of

\* Hatrass and Moorsaum.

of the Government rights to the new proprietors, without any benefit to the actual cultivators, who had only their food and clothing, but under any degree of remission would have no more.

57. The settlement of the six pergunnahs under notice was undertaken conjointly by Mr. Rose and Mr. Deputy Collector Wright.

58. Many portions of the district had suffered severely from the drought of Fusly 1245 (1838). The settlement officer consequently granted in some instances reductions of jumma to have immediate effect, and in others, immediate remissions without permanent reduction.

59. The zemindaree claims brought under the notice of the settlement officer were stated to have been generally preferred by parties who could not prove possession, and they were therefore disregarded. Certain other claims, however, described as Moccuddumee or Dhakulkharij, were specially adverted to. They were stated to be claims to malgoozarree occupancy, under the recorded zemindars, on the ground of long actual occupancy, conceiving that the point to be determined was, whether the occupancy of the claimants was founded on original right, or was merely dependent on the will of the recorded zemindars. Mr. Rose ruled, that where the claimants could prove possession so far back as could be traced, and that the sole zemindarree management had rested with them (that is, that they had built wells, advanced tucavee, collected the rents, and paid the revenue through the recorded malgoozars), their claims should be admitted, and themselves retained in malgoozarree occupancy, paying, as heretofore, the jumma through the recorded zemindars, who received a per-centage for their profit and trouble of collection.

60. The case of the Rajah Menjh Sing, zemindar of Himmutnuggur, in the pergunnah of Munhera, involved some points of importance.

61. He had enjoyed a nankar allowance of 4,591 rupees, the continuance of which he claimed. The allowance in question was originally granted to his father, the late Rajah, by Government, for life, with an intimation that it would not be continued to his heir. After his death the Board continued the grant, or at least directed that no alteration should be made in the assessment. The present Rajah was unable to substantiate any claim to the indulgence he solicited; but Mr. Rose deemed the circumstances of his case to be worthy of consideration, with reference to this fact among others, that he was a very indulgent landlord; and as the general state of his property, its agricultural inferiority, and the liberal scale of expenditure required by his rank and position, rendered it impossible that the estate should be raised to the pergunnah standard, *quoad* the rate of assessment, he deducted the amount of nankar allowance from the jumma, fixed on the principles according to which the pergunnah has been assessed. This adjustment of the Rajah's claim was highly commended by the Lieutenant-governor.

62. Another case, also involving points of importance, was adjudicated on by Mr. Wright, and the decision was demurred to by the Commissioner. It arose in the mouzah of Hamudpore, which had been given to a farmer, though the proprietary right of two persons was stated by the Commissioner, Mr. Franco, to have been fully established.

63. The reason assigned for excluding them was, that they had never had the management; that the estate had been held by farmers for many settlements; and that the farmer in possession, Putah Sing, having engaged for a long time, had been considered entitled to the settlement. A malikana assignment of 10 per cent. was made to the zemindars, who tacitly assented to the arrangement, and preferred no appeal against the proceeding.

64. This settlement with the farmer, without any alleged incompetency on the part of the zemindars, and without their consent being asked, was considered by the Commissioner to be irregular, and he therefore submitted the case for the orders of the Board, who caused further inquiries to be made in reference to the question, pending which, however, they deemed it expedient not to suspend their confirmation of the settlement.

65. A proposition by Mr. Wright for cutting a canal through certain culturable waste lands situated in the valley of the Jumna, was made the subject of inquiry by the Board; but the expediency of the measure was doubted by the Lieutenant-governor, who thought it unadvisable to diminish, by any further drain, the very small quantity of water in the Jumna.

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66. The financial result of the settlement gave an average acre rate on the area in actual cultivation of Rs. 1. 4.

67. The amount of revised jumma for the six pergunnahs under notice was 6,83,153 rupees, and exhibited an increase on the previous assessment of 30,068 rupees.

68. The settlement had been made for 30 years, except in the pergunnah of Tuppal, fixed at 20 years; but it was recommended by the Commissioner that that settlement should be extended to the full period of 30 years.

*Allyghur.*

PERGUNNAH.	Total Area in Acres.	Cultivated Area.	Acre Rate on Cultivated Area.	Acre Rate on Total Area.	Former Jumma.	Present Jumma.	Increase.	Decrease.
			<i>Rs. a. p.</i>	<i>Rs. a. p.</i>				
Burrowley - - -	20,045	15,228	1 11 4	1 4 9	19,000	26,000	7,000	
Jullallee - - -	65,906	57,682	2 3 11	1 15 5	1,34,779	1,29,492	- - -	5,287
Secundra - - -	84,312	69,132	2 1 -	1 11 1	1,31,891	1,42,346	10,455	
Mohrerah - - -	87,230	65,596	1 15 9	1 7 10	1,19,267	1,29,966	10,699	
Akberabad - - -	98,645	76,825	1 12 7	1 6 2	1,82,838	1,37,143	4,305	
Tuppal - - -	93,966	58,539	2 - 2	1 4 1	1,15,310	1,18,206	2,896	

Total amount of new assessment - - - - - Rs. 6,83,153

Amount of increase on previous assessment - - - - - 30,068

*Bolundshukur District.*

69. The portion of this district which has come under settlement consisted of only two pergunnahs, viz., Jewur and Puhasoo, which were settled by Mr. Tonnochy, whose report was furnished with the Revenue Narrative, dated 11th April 1842, No. 2.

70. The district is one of those which suffered severely from the drought of 1838, and in fixing the assessment, remissions were granted for the purpose of enabling the agricultural community to recover from the effects of the calamity.

71. The district was reported to be very backward. The population were stated to evince a preference for pastoral over agricultural pursuits, and to bear a very indifferent character for industry and honesty. At the period of settlement, a large portion of fertile land was waste, which was likely to receive the benefits of cultivation under the system of management newly established; and much advantage is anticipated to the district from the introduction of canal irrigation.

72. The financial result of the settlement gave an average acre rate of assessment of the area in actual cultivation of Rs. 1. 9. 8.

73. The amount of the revised jumma of the two pergunnahs together was for the first year of the settlement, 1,15,139 rupees, and for the last year, 1,27,374 rupees, showing a present decrease of 13,414 rupees, and a prospective one of 1,179 rupees.

74. The only subject in connexion with the settlement of this portion of the district which appears to us to require any special notice, is the question which arose as to the number of lumberdars which should have been sanctioned in the different estates. The statements of responsibilities submitted by Mr. Tonnochy are represented as showing more than would constitute a due number of lumberdars; but he stated that this fact did not arise from any inattention or want of proper firmness on his part in enforcing the necessity of reduction, but from his being obliged to yield to circumstances, which, if left unregarded, would immediately have led to rancorous animosity and hostility among the brotherhood, to an interruption of the village economy, the stoppage of rents, and still more, injurious results. Notwithstanding every necessary explanation on his part, the people could not be got to assent to the validity of his reasons for vesting their transactions with Government in as few hands as possible, but urged, on the contrary,



contrary, the ruin which would attend them, if compelled to submit their affairs to those whom they could not trust. The proprietary body also resisted all attempts towards assigning a puchotra allowance to their lumberdars, and the provisions could not be insisted on, owing to the avidity with which the lumberdarree office was coveted by all, without any remuneration whatever.

75. In deference to the strong feeling entertained by the village communities in regard to what they deemed an infringement of their rights and privileges, the settlement officer, in the exercise of his discretion, waived the strict enforcement of the unpopular arrangement.

76. The Sudder Board were of opinion that the practice of having a multitude of lumberdars would be productive of as much inconvenience to the people themselves as to the Government officers, and they desired the Commissioner to use his endeavours to reduce the number to what they considered the proper proportion, viz., one lumberdar to every 1,000 rupees of jumma; giving due consideration, however, to the habits of the people, and their ignorance of our system.

77. In reference to the question here discussed, the Lieutenant-governor observed, that in the report of the settlement officer he remarked that the standing-up of the community for that which they considered a privilege, and which, in reality, was a point of minor consideration, was viewed as an act of resistance and obstinacy, when in fact it amounted to nothing beyond a fair assertion of a custom which the parties under engagement deemed essential to enable them to secure the performance of their contracts. He urged that, on such occasions, inconvenience to Government officers should be considered as a secondary matter, more especially when, as in this case, the parties interested have but recently come under British control; that the alleged inconvenience to the communities they would themselves soon discover, and seek to remedy; and that the required reduction in the number of lumberdars could then be effected by the free act of the people, and become a popular measure. He therefore desired that no immediate alteration should be made in the existing state of things, as fixed by the settlement, until the parties themselves should seek its revision.

78. The Sudder Board disclaimed the sentiments which the remarks of the Lieutenant-governor appeared to impute to them, and said, "If there be any one ground more than another on which the Board claim for their proceedings the confidence of Government, it is on this very one, that the customs of the people are scrupulously preserved, and the system carefully adapted to the varying circumstances of each tenure." The Lieutenant-governor expressed his satisfaction that such were the sentiments of the Board, and that they were "so directly opposed to what he imagined that he had occasionally detected in the writings of their subordinates."

*Bulundshukur.*

PERGUNNAH.	Total Area in Acres.	Cultivated Area in Acres.	Acre Rate on Cultivated Area.	Acre Rate on Total Area.	Former Jumma.	Proposed Jumma.	Decrease.	REMARKS.
			Rs. a. p.	Rs. a. p.				
Jewar	70,709	35,025	2 1 8½	1 - 8½	74,154	73,720	434	The jumma which is described here as the proposed jumma is the amount at which the assessment will eventually arrive, not that of the first year of the present settlement.
Pahasoo	43,796	23,270	2 4 10½	1 3 7½	54,399	53,654	745	

Total amount of the new assessment - - - - - Rs. 1,27,374

Amount of decrease on previous assessment - - - - - 1,179

*Mozuffnuggur District.*

79. The proceedings relating to the settlement of this district were transmitted with the Revenue Narrative, dated 21 April 1843, No. 3. The settlement was completed by Mr. E. Thornton, whose report differed in some respects from those submitted regarding other districts, inasmuch as it partook more of the character of a laborious scientific inquiry into the quantity and quality of soils, and entered less into questions connected with proprietary rights or individual interests. The process by which Mr. Thornton fixed his assessment on certain soils involved a principle of importance.

80. Bearing in mind the doctrine, so often advanced by the Sudder Board, of the undoubted right of Government to a moderate share of the increased produce which is derived, not from the original fertility of the soil, but from the judicious application of skill, capital, and industry, Mr. Thornton endeavoured to fix a rate of assessment by which all land in an extraordinarily advanced state of cultivation shall bear a larger jumma than soils possessing the same intrinsic peculiarities and natural capabilities, but which have not attained so high a degree of agricultural advancement.

81. He placed under a separate and distinct head all the land which, from diligent tillage and much manuring, has acquired greater productiveness than the natural soil possessed. The land so classed is termed "meesum," and, after much deliberation, he decided on assessing it at the high rate which it will be seen to bear, a rate often above 3 rupees per acre, even if unirrigated; while "rouslee" land (the superior of the three denominations into which the soils are generally classed) is ordinarily rated at Rs. 1. 8. unirrigated. He then assumed that in every village there was (or ought to have been) a certain proportion of this highly-manured soil, and that where it did not exist, the proprietors had neglected their trust, and had deprived Government of their legitimate share of what the property ought to yield. He, therefore, took 20 per cent. to be the average proportion of "meesum" of the whole cultivated area. In most cases the land in question is stated to be under 30 per cent. of the cultivation; in comparatively few did it exceed 40; and 50 per cent. was the limit which he fixed to the assessment on it; that is to say, in order that an industrious community, who had enriched their soil by skilful husbandry, should not, if they possessed a very large proportion of such land, be deprived of all the benefits of their past labour, he ruled that in all those highly-improved villages in which a proportion of more than one-half of the land had been, by careful and ample manuring, brought into the state of "meesum," the higher revenue rate was only to be taken upon one-half, the remaining "meesum" land being taxed as ordinary land of the next lower denomination, viz., "rouslee," and the additional profits left to the occupants as the reward of their exertions.

82. The arrangements above detailed were highly praised by the Sudder Board, and characterized as giving every encouragement to the agricultural population "to push their improvement to the highest state of which it is capable."

83. We shall, as we have already said, in relation to Begum Sumroo's jagheer, reserve the discussion of this branch of the subject for our concluding remarks.

84. The fiscal result of the settlement gave an average acre rate of assessment, on the area in actual cultivation, of Rs. 1. 11. 2.

85. The aggregate amount of the revised jumma for the first year of the settlement is 6,57,335, rupees and for the year 1859-60, 6,72,740 rupees, showing an immediate increase of 73,398 rupees, and an ultimate one of 88,803 rupees.

86. Mr. Thornton had made a re-arrangement in reference to putwarrees, an entire change of those functionaries having been, in his opinion, necessary, from their general inefficiency as accountants, and inability to keep the records of rights and responsibilities with regularity. In lieu of the former system, under which the individuals appointed were selected from among the petty bunyars of the village, he decided that the office should be filled with good accountants, who could keep their accounts with method, with a salary of 100 rupees.

87. His

87. His report was so minute in its details and professional descriptions of the mode in which the information he sought was obtained, as almost to baffle any attempt to describe his proceedings without entering into minutiae, the recapitulation of which is unnecessary, as the points for consideration are the principles by which he was guided, and the result at which he arrived, rather than the elaborate and intricate process employed by him in the attainment of his object. The Board viewed the information collected by Mr. Thornton (much of which is wholly unconnected with the measure of assessment) as well calculated (tracing as it did the agricultural history of the district through a series of years) to demonstrate the advanced state of agriculture in India. They also consider that the settlement report fully established the injustice of the outcry regarding the enormous proportion of the produce of the country exacted by the Government as revenue; and they stated that it was proved by the tables of the settlement officer, that from 17 to 20 per cent., or an average of 20 per cent. on the produce, was the full amount taken by the Government, which exactly agrees with the one-fifth fixed as the Egyptian land-tax 3,500 years ago, and falls far below the much-lauded moderate demand of Ukbar.

88. They entered into a long speculative discussion regarding the position and prospects of India, in respect to its advancement in social and scientific characteristics, the object of which appeared to be to prove that the absence of the knowledge and experience, by which alone the benefits of science can be appreciated or applied, has the effect of retarding that advancement which it is the duty of every good Government to promote. They desired to demonstrate the necessity which existed for great works being undertaken by the state; and they urged upon Government the expediency of its coming forward as the sole possessor of the requisite knowledge, power and wealth to effect the desired objects, namely, the construction of roads and canals.

89. The Lieutenant-governor, in reviewing Mr. Thornton's proceedings, expressed the opinion that, viewed as a scientific paper, embodying the results of the most patient and laborious inquiry, his report left nothing to be desired, and merited every encomium bestowed on it; but that, considering it in the light of a document which is for a long series of years to be decisive of the rights and possessions of individuals, as well as of classes, it was not so satisfactory as the more simple reports of other officers.

90. In the opinion of the Board as to the propriety of great works of public utility, such as canals and roads, being undertaken by Government, the Lieutenant-governor entirely concurred.

91. With reference to the arrangements regarding the putwarrees, the Lieutenant-governor's approval and confirmation was qualified and conditional; as although he does not doubt the superior fitness of the individuals brought in by Mr. Thornton's arrangement, he apprehended that they would be regarded too much as the officers of Government, instead of as servants of the zemindars or village communities; and he deprecates too direct or apparent an interference on the part of the Executive in the minute affairs of the village.

92. It is to be inferred from the following passage in the letter of the Commissioner, Mr. Franco, that the proceedings of the settlement officer (in the cases in which the decisions of the latter came before him on appeal) were confirmed and upheld rather from the belief that they were in accordance with the spirit and intentions of the orders and views of the revenue authorities, than from any conviction in his own mind of their propriety and justice:—

Coll. 5, p. 360.

“Mr. Thornton had a bias generally in favour of the assamees' claims, and he always availed himself of the utmost that the law allowed in their favour; whereas I never considered their claims in the same light, and my opinions bear mostly in favour of the zemindaree gentry, whose profits, arising from their hitherto acknowledged property, have been materially affected. In consequence, therefore, of this difference in our views, Mr. Thornton was always particular in furnishing me with the details of each case; and as his proceedings were in accordance with the well-known sentiments of my superiors in the Revenue Department, and never contrary to law, I was seldom called on to interfere in any other way than to confirm the order he had passed.”

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*Mozuffurnuggur.*

PERGUNNAH.	Total Area in Acres.	Cultivated Area in Acres.	Acre Rate on Total Area.	Acre Rate on Cultivated Area.	Previous Jumma.	Revised Jumma.	Increase.	Decrease.	Remarks.
Jansut	24,249	17,962	Rs. a. p. 1 2 9	1 9 3½					The details are furnished in reference to each separate pergunnah, but the revenue was assessed by Mr. Thornton after dividing the districts into circles. The jumma is therefore not ascertainable upon each pergunnah, though the total is shown.
Nerganjun	7,495	4,604	1 - 5½	1 10 4½					
Taulee	32,709	19,891	- 9 1½	- 15 -					
Khoree Qoreeshee	8,138	5,248	- 13 9½	1 5 4½					
Khatowlee	35,246	24,510	1 7 7	2 1 11					
Poorbaleen	21,770	14,562	1 - 9	1 9 -½					
Jukhwala	26,491	15,557	- 14 10½	1 9 4½					
Budhace	9,167	6,830	1 2 9	1 9 2					
Churthawal	15,745	11,511	1 8 2½	2 1 2½					
Bhugra	10,440	7,054	1 - 10½	1 11 1½					
Puchenda	11,477	8,232	1 6 1½	1 14 8½					
Mozuffurnuggur	28,260	17,574	- 14 9½	1 7 10					
Shoroun	13,960	9,715	1 6 6½	2 - 5	5,83,937	6,72,740	88,803		
Shamlee	15,117	11,089	1 13 4	2 8 -					
Khodana	11,390	8,250	2 - 6½	2 14 7½					
Scattered Mouzahs	5,919	2,956	- 14 10	1 13 6½					
Joor	17,616	11,839	- 15 3½	1 6 8½					
Ghoor	22,149	14,553	- 13 5½	1 4 5½					
Chupar	17,472	13,550	1 7 11½	1 14 11					
Bookurree	34,256	14,824	- 8 4½	1 3 4½					
Sissa	22,419	15,474	1 - 3	1 7 7					
Gaonree	16,714	4,360	- 6 3	1 8 -					
Rhurwa	18,280	2,550	- 6 3½	2 12 9					
Bustoorra	19,424	1,514	- 6 3	5 2 -					
Bedowlee	186,449	99,939	1 - -½	1 13 11					
Noornuggur	59,354	28,139	- 9 8½	- 13 8½					

Average acre rate of assessment on the area in actual cultivation - - - - - Rs. 1. 11. 2.

Total amount of new assessment - - - - - Rs. 6,72,740  
Increase on previous assessment - - - - - 88,803

AGRA DIVISION.

93. We now proceed to review the measures connected with the settlement of the districts composing the Agra division.

*Muttra District.*

AGRA REVENUE NARRATIVE.

No. 3. April 21, 1843, par. 107, 108.  
" 3. " 21 " " 109 to 116.  
" 2. " 11, 1842 " 96 to 100.  
" 3. " 21, 1843 " 121.  
" 3. " 21 " " 126 to 131.  
" 1. Feb. 12, 1842 " 71 to 73.  
" 3. April 21, 1843 " 123, 124.  
" 4. Oct. 31, 1842 " 87, 88.

94. This district, the settlement of which was completed by Mr. W. H. Tyler, and reported in your Revenue Narrative of 21st April 1843, appears to have suffered severely during the period of drought and famine in 1837-38. Nearly nine-tenths of the culturable land are represented to be now in actual cultivation, and no prospect is held out of any further improvement or increase of revenue on future revision.

95. The

95. The present settlement has reference only to the eight pergunnahs named below,\* the settlement of the other pergunnahs comprised in the zillah Muttra having been already confirmed by Government in the years 1833, 1835, and 1836. VII.  
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96. In several pergunnahs of this district, by reason of the calamity of 1838, or of pressure from previous over-assessment, the immediate demand of the full jumma with which the land may be eventually fairly chargeable has been postponed for a term of years, during which the assessment is progressively to increase, until it reaches the amount at which it is to be fixed during the remainder of the lease. The effect of this arrangement is, in many cases, a decrease in the commencement, and an ultimate permanent increase on the amount of the previous assessment.

97. The financial result of the settlement of the eight pergunnahs under notice gives an average acre rate of assessment on the area in actual cultivation of Rs. 1. 10. 2.

98. The aggregate amount of the revised jumma is 5,50,548 rupees, showing an ultimate increase on the previous assessment of 63,174 rupees.

99. The proceedings in reference to the settlement of this district appear to have given rise to less discussion than the measures adopted in other districts. No large talookahs have been partitioned. Mr. Tyler's measures seem to have given much satisfaction, and to have been approved and confirmed with no opposition and little comment.

100. The great extent of maafee holdings is one of the chief points for notice in this district. In the pergunnah of Muttra they are particularly numerous.

101. The whole of the maafee lands in the pergunnah in question, from not having been duly registered, were considered liable to resumption, but it was not thought advisable to act strictly on the letter of the law, as it appeared that the greater part of them had been held free of rent for very many years, and had in no way been interfered with by former Governments, on account of the religious character of the parties to whom the grants were originally made. Moreover, it was thought that their immediate resumption would cause great distress, and excite much discontent and ill-feeling towards Government. Mr. Tyler, therefore, appears to have adopted a middle course, by giving the lands so situated the benefit of the modified rules of 22d August 1838, regarding maafee tenures, although, strictly speaking, the rules in question applied only to registered maafee grants.

102. Grants were made for the maintenance and support of religious institutions, which he proposed to relinquish in perpetuity for the support of the temples.

103. The Lieutenant-governor † not only concurred in the justice of Mr. Tyler's position, that the maafee tenures in question, owing to the religious purposes to which in many instances the proceeds are devoted, should not be dealt with according to the exact letter of the law, but it was declared that they should be treated with more than ordinary leniency, and that all the tenures should be admitted to the benefit of registry. All those connected with religious institutions are to be exempt from inquiry, so long as the proceeds are applied to the maintenance of the establishments for which they are assigned, and are in no case to be resumed without the previous sanction of Government. + Mr. T. C. Robertson.

104. Besides the religious grants there were three other classes of tenures, viz. :—

1. "Grants held by persons who have been in uninterrupted possession from a period long antecedent to the British rule.
2. "Grants held by persons who have come into possession since the British rule, and held upwards of 30 years.
3. "Grants held by persons who have entered in possession within 30 years."

105. Of these grants the two first classes, have been continued in possession of the incumbents for their lives, and declared subject to inquiry on lapse, but they are not to be resumed without the previous orders of Government, in the event of there being any heirs of the body to the present incumbent.

106. The

\* Suhar.  
Meerghur.  
Kosec.

Souke.  
Arung.  
Goburdhum.

Sousa.  
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106. The remaining class has been settled with the present incumbents at half-rates.

107. The settlement has been fixed for a period of 30 years, and at the recommendation of the Sudder Board, authority has been given for the extension of the leases of all previously settled pergunnahs to a like period of 30 years.

*Muttra.*

PERGUNNAH.	Number of Mehals.	Total Area in Acres.	Cultivated Area.	Culturable Area.	Acre Rate on Culturable and Cultivated Area.	Acre Rate on Area in Cultivation.	Former Jumma.	Proposed Jumma.	Increase.	Decrease.
					<i>Rs. a. p.</i>	<i>Rs. a. p.</i>				
Suhar - -	63	115,252	93,001	10,472	1 - 9	1 2 8	1,04,410	1,33,877	29,467	
Meerghur - -	28	43,558	29,433	9,539	- 13 2	1 1 6	32,265	41,699	9,434	
Kosee - -	63	97,639	82,402	7,173	1 11 5	1 13 9	1,62,207	1,62,711	504	
Souke - -	15	39,790	33,323	3,674	1 6 2	1 8 8	71,475	69,258	-	2,217
Arung - -	21	49,144	38,627	5,895	- 13 8	- 15 9	39,058	52,085	13,027	
Goburdhum - -	12	16,051	10,662	3,136	1 1 8	1 3 11	21,441	22,489	1,048	
Sousa - -	15	18,864	11,373	6,480	1 7 2	1 9 8	27,379	29,547	2,168	
Muttra - -	32	53,267	37,754	5,107	- 11 2	- 12 9	29,139	38,882	9,743	

Average rate of assessment per acre on cultivation - - - - - *Rs. 1. 10. 2.*

Total amount of new assessment - - - - - *Rs. 5,50,548*

Amount of ultimate increase on previous assessment - - - - - 63,174

*Agra District.*

108. The settlement of the district of Agra was effected by Mr. Mansell, with the exception of a single pergunnah and a mehal which were assessed by Mr. Alexander; and the reports of both those gentlemen accompanied your Revenue Narrative, dated 21st April 1842.

109. It appears from the proceedings, that it has been found necessary in the eight pergunnahs revised by Mr. Mansell, to make a reduction of upwards of 50,000 rupees on the revision, and that it is considered that no increase of revenue can at any time be expected. Nine-tenths of the whole culturable area are stated to be in actual cultivation, and the revenue as high as is consistent with agricultural prosperity.

110. The capability of Agra and its neighbourhood to bear a higher rate of assessment than the soil in other parts is specially noticed by Mr. Mansell, and is ascribed to the fact that the market affords a much higher price to the farmer for his grain than in Delhi, Rohilcund, and the Upper Doab; while the high rents obtaining in the district are attributed to the proceedings of Government in the year of famine, which, by drawing into, and circulating in, this district abundant supplies from every quarter, prevented that distress and consequent fall in rents which ensued from that calamity in other districts.

111. Much stress appears to be laid on the fact that Agra is the only district in which an attempt has been made to fix the rate of rent of ryots having a right of occupancy, bearing a certain relation to the amount of the Government demand; Mr. Mansell having made a compact with the zemindars, that the general rate to be demanded from the cultivators who had a right of occupation should not exceed by more than one-half the jumma or demand of Government for that class of lands.

112. The

112. The financial result of the settlement gives an average acre rate of assessment on the area in actual cultivation of Rs. 2. 2. 5.

113. The total revised jumma amounts to 15,54,010 rupees, and exhibits a decrease on the previous assessment of 64,524 rupees.

114. We perceive from the proceedings in this district in reference to the resumption of the unregistered lands, that much difficulty arose in disposing of the cases of certain holdings of less than ten beegahs, which were decided on before the promulgation of the orders exempting such lands from the operation of the resumption laws, from an uncertainty whether or not those orders should be allowed retrospective effect.

115. The Lieutenant-governor has directed that every case in which the operation of those laws presses heavily shall be specially considered, and though alive to the inconvenience of giving retrospective effect to the subsequent modified orders, he directed that the claims of the parties should receive indulgent consideration.

116. The proceedings of a judicial character in the district involved the disposal of several talookahs. Of these, the largest was that of Sookee Missér, in the pergunnah Futtehabad. This individual, it appears, had, under the native Government, been a farmer on a small scale, who was employed to look after unproductive and deserted estates, for which duty he received an allowance of upwards of 1,100 rupees per annum, throughout the Mahratta rule. Being successful, he was promoted, and received from time to time villages, which he was allowed to hold in farm, until, in the course of years, his holdings aggregated 20 villages, which were assessable with a jumma of from 20,000 rupees to 25,000. He died in 1820, and nearly forty years' undisturbed possession encouraged his heirs to claim the entire proprietary right. This claim has been disallowed, and the talookah resumed and partitioned. Mr. Mansell states, at the same time, that the services of Sookee Misser deserve acknowledgment, and that the resumption of the talookah at this late hour is felt more by the family than if they had been deprived of it at the conquest.

117. A talookdarree allowance has been awarded to the family, at the rate of 18 per cent. from the rent assets, dependent, however, on the relinquishment by the heirs of a long-pending and partly admitted claim, amounting to 13,222 rupees, on the villages of the talookah.

118. In the case of the village of Gojpoorah, also in the pergunnah of Futtehabad, the same course was recommended by the settlement officer as in the case above cited, viz., the grant in perpetuity of an allowance of 18 per cent. on the rent assets to the party in possession. The dispossession is in this case also viewed by the party interested as a grievance and hardship, after forty years' occupancy; but the right of the talookdar is stated by Mr. Mansell to be even less than that of Sookee Misser, the estate being held under a mortgage from Kestoram, a member of the once powerful Buddeysura family.

119. The amount of the proposed Huck talookdarree is 141 rupees, being 18 per cent. on the real assets, and is recommended in consideration of the fallen fortunes of the family.

120. In the case under review, the measures of the settlement officer have been matter of discussion. On the one hand, it is alleged by Mr. Mansell that the character of the property, and the circumstances attending its present tenure, were not such as to constitute a permanent hereditary claim on the part of the heirs of the original possessor, although he was of opinion that the present incumbents were justly entitled to the liberal scale of compensation proposed by him.

121. On the other hand, while it is not contended that a permanent proprietary right to the tenure does exist, a striking inconsistency is stated to characterize a decision, by which a talookdar is declared to have no rights in the property of which he is deprived, and yet to be entitled to 18 per cent. on the jumma of the villages which formed his talookah. In such a case it is urged that the Government, out of the general resources, and not the village proprietary, should be taxed for the support of the party dispossessed.

Mr. R. N. C. Hamilton, Commissioner of Agra. Coll., p. 364.



## SELECTION OF PAPERS RELATING TO THE

## Agra.

PERGUNNAH.	Number of Villages.	Population per Square Mile.	Culturable Area.	Cultivated Area.	Acre Rate on Culturable Area.	Acre Rate on Cultivated Area.	Assessment of 1808.	Assessment of 1816.	Assessment of 1828.	Present Assessment.	Decrease or Increase.
					<i>Rs. a. p.</i>	<i>Rs. a. p.</i>					
Farrah - -	135	348	7,847	77,227	1 11 5	1 14 4	1,28,976	1,41,404	1,69,093	1,46,480	22,613
Khundowlee -	93	381	5,512	78,647	1 14 2	2 - 3	1,33,423	1,49,885	1,50,711	1,58,831	In. 8,120
Ferozabad -	146	357	4,626	76,369	2 2 3	2 4 4	1,40,274	1,75,052	1,74,925	1,73,635	1,290
Futtehpore -	109	456	13,268	72,231	2 - 8	2 6 8	1,51,179	1,58,220	1,66,913	1,74,869	In. 7,956
Hazoor Teseel -	124	1,057	8,093	75,342	2 2 3	2 7 -	1,51,230	1,65,356	2,01,934	1,83,715	18,219
Iradatnuggur -	124	411	8,343	73,550	2 3 3	2 7 5	1,72,987	1,77,178	1,82,778	1,80,480	2,298
Futtehabad -	128	333	3,323	86,461	1 15 11	2 1 2	1,68,123	1,83,828	1,84,182	1,79,260	4,923
Bah Pinahut -	183	336	7,075	100,564	1 10 9	1 12 8	1,49,868	2,02,224	2,09,270	1,80,364	28,906
Sirhindee -	105	387	24,188	94,782	1 7 8	1 13 9	1,50,852	1,69,002	1,78,728	1,76,376	2,352

Average rate of assessment per acre on cultivation - - - - - *Rs. 2. 2. 5.*

Total amount of new assessment - - - - - *Rs. 15,54,010*

Amount of decrease on previous assessment - - - - - *64,524*

*Furruchabad District.*

122. The proceedings having reference to this district accompanied your Revenue Narrative, dated 11th April 1842, No. 2. The completion of the settlement was entrusted to Mr. Robinson, whose measures embraced the pergunnahs named below,\* and were in course of completion from the year 1837 to 1840 inclusive. Part of the district, which, like all others in the Agra division, has suffered much from the drought of 1837-8, is represented to be fully cultivated and assessed; while certain pergunnahs, it is stated, should yield an increase on revision.

123. The financial result of the settlement of the 11 pergunnahs under notice shows an average rate of assessment on the area in actual cultivation of *Rs. 2. 6.* per acre.

124. The aggregate amount of the revised jumma is *Rs. 9,21,739*, being a decrease on the previous assessment of 47,455 rupees.

125. The engagements proposed by Mr. Robinson appear to have been very generally accepted. In the tehsildarree of Imrutpore, the zemindars demurred to engage for 30 years, in consequence of the risk to which agriculture is there exposed by the inundations of the Ganges and Ram Gunga. They were subsequently induced to sign; but it was stipulated that if at any time the soil should be deteriorated or improved by the action of the river to the extent of 10 per cent., either the Government or the zemindars might claim a revision of settlement.

126. In some estates held under farming leases, Mr. Robinson has not allowed the reduction of assessment to the farmer, but has fixed it to commence from the termination of his engagement, on the ground that in the farmer's engagement no stipulation for such revision was made. The Commissioner was of opinion that the reduction should be made to the farmer, who, in his turn, should be required to reduce his rent to his assamees in proportion to the reduction he receives on his jumma; a failure so to do being held to involve the exaction of the full demand.

127. This latter view of the case was not concurred in by the Sudder Board, who were of opinion that the farmer's claim goes no further than to entitle him to the usual return for his money advanced, and a fair remuneration for his time and

\* Kemonje.  
Thutteah and Terivah.  
Putteealee.  
Bhojepore.

Mohamadabad.  
Peepurgaon.  
Tuppah Puhara.

Shumsabad.  
Imrutpore.  
Khakutmow.

and trouble—advantages which they consider he will doubtless have secured to himself by his original engagements.

128. The Lieutenant-governor decided otherwise, and while conceding the point that farmers holding under lease have no claim in law to the benefit of a reduction of jumma, consequent on a revision of settlement, where no stipulation to that effect is contained in the leases, he was of opinion that a liberal and equitable view of the case demands that the farmer should not be forced to fulfil any engagement which is proved on inquiry to subject him to loss, or to leave him no hope of profit; the duty of the settlement officer being, he urged, to fix, after due inquiry, the limit of the Government demand; any exaction beyond that limit must assume the nature of a rack-rent, and act injuriously in the long-run on all parties, as any higher demand from the farmer than the lands he leases are capable of yielding, or should fairly be chargeable with, would induce him to secure himself against loss or disappointment by over-exaction from his under-tenants or ryots.

129. The release in perpetuity of five maafee tenures has been authorized, three of which are in the pergunnah of Kemonje, the proceeds being devoted to the purposes of education, and two in the pergunnah of Putteealee, the proceeds of which are appropriated to services connected with the religious observances of the inhabitants.

130. The prosperous condition of the pergunnah of Tuppah Puhara is specially brought to notice, as indicating not only the fertility of the soil, but the industrious habits and skilful husbandry of the agricultural community.

131. The Lieutenant-governor was of opinion that the cultivators merited some marked encouragement, and directed that the amount of the increase obtained on the new assessment should be relinquished. The Sudder Board thought the indulgence was unnecessary, the claims of the cultivators having been taken into consideration at the time of the jumma being fixed. The Lieutenant-governor, on reconsideration, waived the enforcement of his order, and acquiesced in the view of the Board.

132. The Nuwab of Furruckabad remonstrated against the resumption of certain lakheraj tenures granted by the Nawab Moozuffer Jung to certain relatives for their maintenance, in lieu of zehuk pensions, which were allowed to other members of the family, and which are continued hereditary under the British Government. The grants were resumed, on the grounds that they were not specified in the articles of the treaty made with the Nawab Nassir Jung, that they are not registered, and that the incumbents had no sunnud to produce showing hereditary right.

133. The holders of these lands had been in possession for periods varying from 20 to 50 years. The act of resumption was stated to have deprived them of their only means of subsistence, and reduced them to indigence. The Nuwab earnestly appealed for the continuance of the tenures.

134. The eighth article of the treaty with the Nuwab of Furruckabad, in 1802, stipulated that "the rent-free lands, the daily and yearly pensions, and the jagheers, shall be continued, if, upon a fair question, they shall appear to have been established previously to the death of Moozuffer Jung."

135. The decision of the Sudder Board in the first instance was, that the claimants had no right in law, the tenures having been properly and legally resumed; and the Governor-general in 1838 (as stated in the précis drawn up by Mr. Thomason, dated 9th October 1841) decided "that the resumptions should be maintained, but pensions given if necessary."

136. Subsequently to this date the question of the resumption of the talookah of Amotee, in the pergunnah Tuppah Puhara, was brought under notice. The talookah, which is large and valuable, and is one of those belonging to the Furruckabad family, had been resumed as unregistered in 1837, and the Sudder Board declared their opinion that the settlement officer had pursued the proper course, and that the jagheer was clearly subject to resumption. The grounds of their decision were the fact of the non-registry of the property, and of its having been bequeathed to the actual occupants by a party having no right to make the bequest. The correspondence in reference to this talookah was not brought to any satisfactory conclusion until May 1840, when the Governor-general, on a review of the whole proceedings, decided in favour of the claimants, and ordered that the property should be placed in the position in which it stood previously to the resumption, the sums realized since the date

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Coll., p. 564.

of its first attachment being made over for the benefit of the parties entitled thereto.

137. Certain questions having reference to the restoration of this jagheer were raised in the latter end of 1841.

138. The Lieutenant-governor, in January 1842, recorded his judgment on the question.

139. The plea of non-registry he held to be by no means sufficient to warrant resumption in the case of grants held under treaty, it being unlikely that parties holding lands so guaranteed would suppose anything more necessary to strengthen their right to possession.

140. He disputed the interpretation sought to be given to the article of the treaty under which it was argued that any tenures might be resumed which were not made hereditary by the original grants. He considered that the object of the British Government in the treaty was to provide for the maintenance of the family, and that this purpose would not admit a construction of the treaty by which the family would be reduced to destitution; and that the article in question construed not singly in itself, but, with regard to the general spirit of the entire treaty, showed that the grants in question were intended as a boon to a fallen family, to be at once a respectable provision for them, and a compensation for what they had lost. He accordingly decided that all resumptions which have taken place of grants made before the death of Moozuffer Jung were clearly and decidedly at variance with the plain meaning and wording, as well as with the spirit of the whole treaty; and directed that the holdings in question should be immediately and unconditionally released.

*Furruckabad.*

PERGUNNAH.	Number of Mouzahs.	Total Area in Acres.	Cultivated Area.	Rate on Total Area.	Rate on Cultivated Area.	Percentage of Irrigation.	Former Jumma.	Proposed Jumma.	Increase.	Decrease.
				<i>Rs. a. p.</i>	<i>Rs. a. p.</i>					
Kanonje	211	106,142	63,137½	1 11 5	2 14 11	60	1,92,129	1,81,928	-	10,201
Thutteah and Terivah	132	145,625	47,941	1 6 11	4 5 8	60	2,48,437	2,08,727	-	39,710
Putteealee	54	41,535	23,113	- 11 3	1 4 3	31	30,695	29,298	-	1,397
Bhajepore	133	62,032	39,840	1 3 7	1 14 6	40	67,550	76,038	8,488	-
Mohamadabad	22	15,995	5,300	1 - 1	3 - 6	60	15,585	16,071	486	-
Peepurgaom	21	11,815	7,589	1 5 -	2 - 9	31	13,295	15,530	2,235	-
Buhareepore, &c.	157	86,966	30,919	1 4 3	3 8 10	60	1,20,595	1,09,868	-	10,727
Tuppah Puhara	55	19,534	8,809	1 6 2	3 - 9	66	21,865	26,870	5,005	-
Shumsabad	150	117,856	56,054	1 - 6	2 2 9	39	82,012	87,763	5,751	-
Imrutpore	115	114,818	61,033	1 2 1	2 1 9	32	1,36,689	1,28,847	-	7,842
Khakutmow	65	37,959	22,954	1 1 3	1 12 6	34	40,342	40,799	457	-
			366,689½							

Average rate of assessment per acre on cultivation - - - - - *Rs. 2. 8 2.*

Total amount of new assessment - - - - - *Rs. 9,21,739*  
Amount of decrease on previous assessment - - - - - 47,455

*Mynpooree District.*

141. The voluminous papers relating to the settlement of this district have been transmitted with your Revenue Narratives, dated respectively the 12th February, 21st April, and 31st October 1842.

142. The settlement was entrusted to Mr. Edmonstone, whose labours extend over two seasons, viz., 1839 and 1840, and are made the subject of two separate reports, detailing his proceedings in each of those years.

143. The district of Mynpooree is among those which suffered severely from the drought of 1838, particularly in that portion of it in which irrigation is deficient;

deficient; but, on the whole, it would appear to be a fertile, well irrigated, and flourishing district.

144. The financial result of the settlement gives an average acre rate of assessment on the land in actual cultivation of *Rs.* 2. 4½.

145. The amount of the revised jumma for the whole district is 13,82,132 rupees, and exhibits an increase on the previous assessment of 49,072 rupees.

146. Much discussion arose on the justice and expediency of the arrangements adopted in reference to the talookah of Munchunnah. The party whose interests were involved (the Rajah of Mynpooree) petitioned against the settlement proposed.

147. This talookah had been held in hereditary possession by the Rajahs of Mynpooree since the accession of the British Government to the supremacy of the North-Western Provinces. The family is one of antiquity and respectability, and is stated to have been distinguished for its loyalty to the British authority, and for the assistance rendered during the Mahratta war, and in the unsettled state of the country at that time.

148. The actual Rajah was described as nearly imbecile, and totally incompetent to manage landed property so extensive as that possessed by him with any degree of efficiency. He was stated to be surrounded by agents of the worst character, who, in his name, had been guilty of various flagrant acts of oppression, and had violated the rights of subordinate village communities.

149. This mal-administration of his estate, and an alleged priority of claim on the part of certain of the village communities, were assigned by Mr. Edmonstone as his reasons for excluding the Rajah from the management.

150. Out of 189 villages composing the talookah of Munchunnah, the Rajah was, under the settlement arrangement, recorded proprietor of only 51. The above were settled with him as zemindar; the remainder were settled with village zemindars, who were allowed to engage with Government direct.

151. In addition to the rental of the villages settled with himself, the Rajah was granted a huk talookdarree, or a per-centage at the rate of 18 per cent. on the estimated rentals of those which passed from him, amounting to 27,625 rupees per annum.

152. Mr. Hamilton, the Commissioner, strongly opposed the measure; he was of opinion that the value of landed possessions, and the importance attached to them, could never be made up by a money allowance; that the imbecility of the Rajah, if affording a justification for his being relieved from the management of his estate, could be none for depriving the family of their inheritance; and that it was inconsistent to denounce as oppressive, in a native ruler, the same measures of sale and dispossession which were adopted by our own Government towards revenue defaulters.

153. The Board dissented from the views of the Commissioner, and maintained the integrity of the settlement arrangements.

154. The Lieutenant-governor differed from the settlement officer and from the Board. He noticed "the prevailing and perhaps excessive readiness to reduce extensive properties into minute portions, and to substitute, whenever there was an opportunity, a village community for an individual landholder," and suspended the confirmation of that portion of the settlement.

155. Much correspondence ensued between the Lieutenant-governor and the Sudder Board; and, in conclusion, the Lieutenant-governor recorded his opinion, that no proof of the Rajah's mismanagement, such as could justify his exclusion, had been adduced; that the evidence in support of the proprietary claims of the zemindars was insufficient and inconclusive; that if the zemindars ever possessed the rights attributed to them, they had not been in the active enjoyment of them for upwards of a century, while the Rajah's claims had been admitted for more than four generations; that, admitting the inconvenience which might sometimes result from the recognition of the superior malgoozar, it would not be reconcilable with good feeling or justice to deal, as the Board proposed to do with one found in actual and long-acknowledged possession. He condemned the practice of deciding cases of this nature on one invariable and generalizing principle; stated that he could discover no sufficient reason for excluding the Rajah of Mynpooree from the management of any of the villages composing the talook of Munchunnah; and finally withheld his confirmation of the settlement concluded with the village zemindars, directing the engagements to be taken from the talookdar.

## Mynpooree.

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PERGUNNAH.	Number of Villages.	Total Area in Acres.	Cultivated Area.	Culturable Area.	Irrigated Area.	Acres Rate on Cultivated Area.	Average Jumma of past Five Years.	Present Jumma.	Increase.	Decrease.
						<i>Rs. a. p.</i>				
Kursana	38	18,688	12,264	5,623	3,348	1 6 10 $\frac{1}{2}$	16,265	17,561	1,296	—
Sotawur	85	48,596	30,162	15,579	8,738	1 10 8	49,887	50,272	385	—
Sirpoora	96	58,005	23,260	26,369	9,617	1 11 1 $\frac{1}{2}$	44,153	39,436	—	4,717
Sukeet	130	84,356	37,508	11,190	27,294	2 — 2 $\frac{1}{2}$	72,241	75,842	3,601	—
Kerowlee	80	48,467	17,800	13,146	11,474	2 2 6 $\frac{1}{2}$	32,676	38,428	5,752	—
Moostafabad	185	198,419	111,778	10,762	96,966	2 8 8	2,63,396	2,84,148	20,752	—
Shekohabad	177	162,703	102,726	10,393	77,735	2 5 6	2,47,278	2,40,595	—	6,683
Ghirour	56	94,845	36,838	8,370	32,302	2 3 8 $\frac{1}{2}$	89,221	96,177	6,956	—
Kurhul	55	53,049	21,534	5,479	18,380	2 15 10 $\frac{1}{2}$	66,227	64,285	—	1,942
Kishnee (Nubbagnge)	42	68,351	26,239	10,602	17,682	2 11 7	71,042	71,466	424	—
Sanj	42	71,436	24,985	7,352	20,336	2 11 8 $\frac{1}{2}$	59,310	68,241	8,931	—
Allipore Pattee	22	19,499	9,434	5,142	4,866	2 1 6 $\frac{1}{2}$	20,885	19,798	—	1,087
Bhowgaon	101	105,076	44,148	17,729	25,669	2 2 8	99,714	96,073	—	3,641
Talookah Munchunnah	150	129,998	53,675	18,687	32,095	2 2 3	1,02,277	1,14,861	12,584	—
Talookah Eytah	139	74,647	34,676	5,515	25,640	1 15 7 $\frac{1}{2}$	65,586	68,436	2,850	—
Souhar	32	20,882	10,985	6,771	3,009	1 8 10	15,209	16,879	1,670	—
Bewur	33	23,911	15,346	3,952	4,633	1 4 6	17,693	19,634	1,941	—

Average rate of assessment per acre on cultivated area - - - - - *Rs. 2. 3. 1.*

Total amount of new assessment - - - - - *Rs. 13,82,132*

Amount of increase on previous assessment - - - - - *49,072*

## Etawah District.

156. This district was settled by Mr. M. R. Gubbins, whose report was forwarded with your Revenue Narrative, dated 21st April 1842. The district appears to have suffered much, both from over-assessment and from the drought of the year 1837-38. Mr. Bird considered that it was fully cultivated, and that no future increase was to be expected.

157. The striking characteristic of the settlement is the large reduction of the jumma in all the pergunnahs.

158. It was considered that this reduction was imperatively required by the depressed state of the district under the previous high assessments, which had been repeatedly enhanced, and by a due regard to the ordinary vicissitudes of seasons and markets. Even with this reduction, the restoration of prosperity was still expected to depend on comparatively favourable seasons, seeing the impoverished condition of the agricultural community.

159. The financial result of the settlement gives an average acre rate of assessment on the area in actual cultivation of *Rs. 2. 11. 11.*

160. The amount of the revised jumma for the whole zillah is fixed by the settlement at 13,11,038 rupees, which shows a decrease on the previous assessment of 1,58,163 rupees.

161. In this district, also, several of the large talookahs have been partitioned among the village communities, and huk talookdarree has been awarded to the talookdar.

162. The most important of these talookdahs are those of Chukhurnuggur and Sehson in the pergunnah Janibrast. The first of these talookahs had been, since

since the cession, settled with the Rajah of Chukhurnuggur as zemindar, and the latter since F. 1214 (1807), with the same Rajah as talookdar. During the settlement proceedings, claims were advanced to almost every village of both talookahs, and were at first strenuously opposed by the Rajah. An allowance of 18 per cent. on the gross assets was assigned to the Rajah in all cases where a biswadarree settlement was made. Ten villages were thus settled. Mr. Gubbins states that, subsequently to the settlement, the great difficulties the Rajah experienced in realising the revenue from the parties in actual occupancy induced him voluntarily to request that 16 other villages should be settled with the occupant parties as proprietors, subject to the same talookdarree allowance of 18 per cent.

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163. Mr. Gubbins viewed these circumstances as tending to show that the general aversion of talookdars to the settlement proceedings would gradually cease. The Commissioner, on the contrary, considered that the Rajah's latter proceeding was attributable, not to his approbation of the system, but to the severity with which he had always been urged to pay up his heavy revenue, and the difficulties he had experienced in coercing his tenantry, chiefly his near relatives; causes which led him to think that it would be for his own advantage, after his right had been acknowledged, to transfer the collection to a Government officer, and content himself with a certain and fixed income. Had his right not been conceded, the Commissioner states he has reason to know that the Rajah would not have been content; but, as the case stands, the honour of his family has been preserved, and himself acknowledged the owner, and an arrangement effected, which is advantageous to him as a proprietor, and preserves his dignity as a raees.

164. The Lieutenant-governor took the same view of the Rajah's proceedings, and stated that, had his rights not been first conceded, there is nothing in his conduct to warrant the supposition that the arrangement now in force would have met his concurrence.

165. The large talookahs of Rooroo and Sehor are also brought prominently into notice.

166. The talookdar's title in the properties in question was acquired by Government by purchase at auction, previously to the settlement, having been put up to sale for arrear of revenue. In the former talookah, that of Rooroo, the settlement officer admitted the village communities to engage as proprietors for 31 mouzahs, and the remaining 30 mouzahs, which have been declared the property of the Rooroo Raj, have been leased in farm for a period of 15 years, subject to a talookdarree allowance, for the benefit of the Rajah. In the talookah of Sehor parties establishing a title have been recognised proprietors on making payment of the proportionate share of the arrear of the talookah, and the mouzahs to which no right has been admitted, and which, it is presumed by Mr. Gubbins, will be brought to sale, have been intermediately leased in farm for different periods, according to their several conditions.

167. The Commissioner considered that these proceedings raised the question as to the nature and extent of the right acquired by Government in the purchase of talookdarree property; that, on the one hand, the Sudder Board held the talookdarree right to be not a proprietary possession in the soil, or zemindarree tenure, but only an office or lease for a term, subject to the will of the supreme power, in which view of the case the Government would have acquired no new right; and that, on the other hand, the settlement proceedings were equivalent to a distinct admission that a talookdar has a proprietary right; and the Commissioner urged that, however justly the talookdars in Etawah might have been deprived of their talookahs for default, they ought to be allowed an opportunity of recovering their position in life; and that, provided they could pay up the proportionate arrears in those villages in which no other proprietary right may have been recognised, they might be permitted to engage for such mouzahs as zemindars, notwithstanding the sale. By such concession, he represented, their families would be saved from extinction, and Government, without any infraction of principle, or any injustice to individuals, would perform a humane and popular act.

168. The Sudder Board declared their opinion, that any "land or any talookah which is not possessed by persons having an antagonist title, independent of and superior to that of the talookdar, is the talookdar's zemindarree. That the talookdarree right over the mouzahs, which are the private property of other

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parties, and the zemindarree right in the lands which have no other owner, is the property of the talookdar." Consequently, any party purchasing a talook put up to auction for arrears of revenue, under the regulations, purchases what has been above defined, viz., the talookdarree right in mouzahs, having separate and independent proprietors, and zemindarree right in those of which, there being no antagonist title, the property rests in the talookdars.

169. The Board professed their willingness to acquiesce in any measure of mercy which the Government might wish to extend to the late possessors of the talookahs in question, provided the end were not obtained "by stultifying their views;" and the Lieutenant-governor, adverting to the heavy assessment under which the district had laboured, and to the claims of the family of the Rajah of Sehor, whose entire property had been sold, subsequent to the year of drought and famine, for arrears of revenue, directed that the Rajah should be admitted to engagements for all villages in which no other proprietary right had been established, on the payment of the arrears recorded against each, and further, that he should be allowed a reasonable period for payment of the arrears. In like manner, he directed the Rajah of Rooroo to be recorded as zemindar in all unowned or new villages of the talookah.

170. The settlement officer (in reference to the pergunnah of Luckra) described the extreme poverty of the ryots; their inability to lay by anything in a season of plenty; and their consequent dependence, at a period of famine, on the forbearance of the zemindar or the Government. The Commissioner thought that such facts tended to throw doubt on the system which subdivides properties and estates into small fractional portions, under several responsibilities, of individuals without capital, and on the propriety of the measures by which the large estates or talookdarrees have been broken up.

171. The Board denied the alleged tendency of the settlement proceedings to subdivide "estates and properties into small fractional portions," alleging that the real cause of the subdivision of so many putteedarree properties has been the maintenance, in all revenue and many judicial concerns in times past, of the principle of combined joint and several responsibility.

*Etawah.*

PERGUNNAH	Number of Mouzahs.	Total Area in Acres.	Cultivated Area.	Culturable Area.	Irrigated Area.	Acre Rate on Total Area.	Acre Rate on Cultivation.	Former Jumma.	Proposed Jumma.	Decrease.
						<i>Rs. a. p.</i>	<i>Rs. a. p.</i>			
Beylah - - -	212	165,468	67,860	22,219	46,966	1 4 6	3 1 10	2,32,154	2,11,610	20,544
Phuppoond - - -	166	131,867	60,010	18,774	38,256	1 7 1	3 2 7	2,20,415	1,89,768	30,647
Luckna - - -	273	229,382	100,041	31,739	67,295	1 4 7	2 14 11	3,18,586	2,93,373	25,213
Dahley Jakhun - - -	194	135,050	70,516	17,099	53,058	1 6 4	2 10 9	2,02,526	1,88,568	13,958
Etawah - - -	155	128,544	58,485	19,651	41,036	1 4 -	2 11 11	1,90,638	1,60,541	30,097
Oreya - - -	170	149,820	83,729	14,851	19,125	1 4 9	2 5 1	2,08,695	1,94,353	14,342
Burpoora - - -	97	131,625	37,260	15,328	1,973	- 8 10	1 15 3	96,187	72,825	23,362

Average rate of assessment per acre on cultivation - - - - - *Rs. 2. 11. 11.*

Total amount of new assessment - - - - - *Rs. 13,11,038*

Amount of decrease on previous assessment - - - - - *1,58,163*



## ROHILCUND DIVISION.

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172. The proceedings relating to the settlement of this division comprise the districts named below.\*

*Bijnour District.*

173. The proceedings in relation to this district accompanied your Revenue Narrative, dated 11th April 1842. The district comprises the pergunnahs noted below †; none of them being considered fully cultivated, the settlement will, it is stated, require revision at the end of the present term, which is fixed at 20 years. The measures reported are the result of the labours of five or six different settlement officers, and extend over a period of seven years, viz., from 1835 to 1841 inclusive.

<i>Agra Revenue Narrative.</i>	
No. 2.	Apr. 11, 1842, par. 72, 73.
" 2.	May 10, 1846, " 133 to 143.
" 3.	Apr. 21, 1843, " 92.
" 2.	Apr. 11, 1842, " 80.
" 5.	Oct. 15, 1840, " 47 to 63.
" 5.	Oct. 15, 1840, " 70 to 78.
" 3.	July 28, 1841, " 64 to 66.

174. In some pergunnahs, seven or eight years have elapsed between the completion of the arrangements and the date of their submission for final sanction and confirmation.

175. Pergunnah *Thaloo* was settled by Mr. French in 1835, and subsequently revised by Mr. Simpson.

*Sherekote*, by Mr. H. Lushington in 1836.

*Nuggeenah*, by Mr. Allen in 1836.

*Bijnour*, by Mr. H. Lushington in 1836.

*Affzulghur* and *Rehur*, by Mr. Allen in 1837.

*Rehtour* and *Huldour*, by Mr. R. K. Dick in 1840.

*Chandpore*, *Azimpore Bashta*, and *Seohara*, by Mr. Dick in 1841.

176. It was generally considered that previous assessments had been too high, with reference to the actual state of cultivation; and the length of time and number of persons employed in the settlements appear to have resulted in an inequality of assessment throughout the district, which can only be remedied when the period of revision shall arrive.

177. Mr. Allen's settlement of the pergunnah of *Nuggeenah* was not recommended for sanction by the Commissioner (Mr. Conolly), in consequence of the inaccuracy and insufficiency of the data furnished. The Commissioner's disapproval of the settlement was grounded on his opinion that the assessment was insufficient with reference to the capabilities of the soil; and that the reductions granted by the settlement officer were not called for by the condition of the pergunnah. The Board, on the other hand, strongly objected to any enhancement of revenue, on the ground that Mr. Conolly appeared to have been ignorant of the degree of pressure previously endured from over-assessment and mismanagement;—evils for which they state that "the only real remedy is a much lower demand than would otherwise have been requisite for a considerable course of future years."

178. The Government finally determined not to disturb, after a lapse of five years, arrangements which the people had fairly concluded would exempt them from any further demand for 20 years.

179. Some objections were taken to the settlements of other pergunnahs; but as it was admitted that the assessments were moderate, the arrangements were not disturbed.

180. The financial result of the settlement shows an average acre rate of assessment on the area in actual cultivation of Rs. 2. 2. 10.

181. The aggregate amount of the revised jumma is 8,27,553 rupees, which gives an increase on the previous assessment of 23,503 rupees.

*Bijnour.*

\* Bijnour.  
Mooradabad.  
Budaon.  
Pilibheet.  
Bareilly.  
Shahjehanpore.

† Affzulghur.  
Rehur.  
Bijnour.  
Huldour.  
Rehtour.  
Thaloo.

Sherekote.  
Chandporè.  
Nuggeenah.  
Seohara.  
Azimpore Bashta.

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*Bijnour.*

PERGUNNAH.	Total Area in Acres.	Cultivated Area in Acres.	Rate on Total Area.	Rate on Cultivated Area.	Former Jumma.	Proposed Jumma.	Increase.	Decrease.	Remarks.
			<i>Rs. a. p.</i>	<i>Rs. a. p.</i>					
Afruighur -	35,754	10,977	- 10 2	2 1 8	21,634	22,700	1,066	-	Where the statements did not show the actual jumma of the last year of the expired settlement, the average amount of the last five years has been taken.
Rehur -	50,982	19,726	- 15 5	2 8 -	62,177	48,896	-	13,281	
Bijnour -	91,004	54,535	1 7 11	2 7 10	1,35,943	1,35,899	-	44	
Hildour -	12,076	7,550	1 12 -	2 12 10	20,413	21,145	732	-	
Rehtour -	41,488	25,591	1 8 9	2 8 10	56,583	65,261	8,678	-	
Thaloo -	13,379	8,012	1 3 4	2 2 3	14,928	17,134	2,206	-	
Sherekote -	101,358	53,470	1 5 8	2 9 -	1,26,520	1,37,133	10,613	-	
Chandpore -	103,845	53,054	1 - 3	2 - 3	94,906	1,07,410	12,504	-	
Nuggeenah -	135,620	49,747	1 - 4	2 12 4	1,59,043	1,38,331	-	20,712	
Seohara -	70,219	38,516	1 5 7	2 6 10	75,832	93,409	17,577	-	
Aximpore -	95,126	47,903	- 9 5	1 8 -	36,071	40,235	4,164	-	
Baahra -									

Average rate of assessment per acre on the cultivated area - - - - - Rs. 2. 2. 10

Total amount of new assessment - - - - - Rs. 8,27,553

Amount of increase on present assessment - - - - - 23,503

*Moradabad District.*

182. The proceedings connected with the settlement of this district were forwarded with the Revenue Narrative, dated 10th May 1846, No. 2, para. 133 to 143.

183. The district is composed of the pergunnahs named below.\* Of these the first named eleven were settled between the years 1836 and 1840; and, when reported, the Commissioner considered the details very imperfect, and returned them for correction before submitting them to the Board.

184. The settlement officer, Mr. Money, appears generally to have conducted his proceedings in strict conformity with the system laid down in the settlement circular; but he states that he was at first much impeded by the inaccuracy of the kusreh survey returns; they are represented by him to have been wholly valueless, as a means of affording data regarding the classification of soils, irrigated and unirrigated lands, and on all points of information required in fixing the assessed rates.

185. In the portion of the district which is the subject of Mr. Money's second report, the Commissioner received numerous appeals against the settlement in various pergunnahs. In the Hussimpore pergunnahs, a large number of zemindars made a special appeal, which was embodied in 67 different petitions, having reference to 253 estates. It was urged that the present assessment was much too high, and that the prospective increasing jummas (or russud) were unjust, land being put down as culturable, which was too poor to afford a fair return for labour. The Commissioner continuing to be, as he states, "overwhelmed with petitions," found it necessary to make a visit to Moradabad, to satisfy himself of the facts of the case, by a personal conference with the local officers and the parties concerned. Having done so, he took on himself to make all the arrangements properly coming within the province of the settlement officer, rather than  
of

\* Reported 15 November 1842:

Nerowlee. Kasheepore.  
Bijjoe. Moradabad.  
Seondarah. Kakoorduawah.  
Serowlee. Mozulpore.  
Koondurkee & Sirsee. Surkurah.

Reported 19 July 1843:

Sumbhul. Dhubarsee.  
Amrohoh. Sirsa.  
Hussimpore. Tighuree.  
Oojaneer. Bachaon.  
Dhukka.

of the revising authority. The plan adopted by him was to call up each petitioner to state his objections to the settlement, *virá voce*, and to form a punchayet of four or five of the principal zemindars, who were referred to in all cases of doubt or difficulty:

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186. The Commissioner explains the grounds of his having interfered in so marked a manner in the proceedings of the settlement officer. He considers him to have committed two serious errors: first, in having relied too exclusively on the data furnished by his deputy, and omitted to make personal inquiries, which would have shown how much the estimates framed from those data were exaggerated; and secondly, in not having allowed the zemindars in many districts that free and unreserved communication with himself, so essential on the part of a settlement officer, not only for the purpose of satisfying the people, but for that of arriving at a correct judgment in fixing the Government demand. Mr. Conolly admits that Mr. Money had great difficulties to contend with, from the fact that no confidence could be placed in the Survey Returns; but this, he urges, made it only the more incumbent on him to avail himself of every other source of information within his reach.

187. The result of the Commissioner's investigation was to convince him that the objections raised to the settlement were valid. The charge of over-assessment, though difficult to substantiate satisfactorily, he deemed to be well-founded; and he considered *russud jummas* totally inapplicable to lands circumstanced as those in question. He, therefore, desired Mr. Money to strike off their *russud jummas* entirely, and to limit his total increase of assessment on the Hussimpore pergunnahs to 20,000 or 25,000 rupees over the old jumma.

Mr. Money, though unconvinced that his rates were too high, proceeded to modify his assessment, in accordance with the Commissioner's wish. His revised proceedings he finally submitted, with the entire confidence that his settlement was moderate. He stated that the revised assessment commenced taking effect from 1245 F. (1838), and that from that period up to the date of his report (19 July 1843), the settlement of only one estate had broken down. In the instance in question, the immediate cause of the balances was stated by him to be that a great number of the *mokuddums* had been implicated in a case of dacoity. He represented that, in consequence of the system of granting extended reductions, large balances are allowed to accrue in a *pergunnah*, with the concurrence of the *tehsildar*, in the belief that the fact of their so accruing would lead to a reduction of jumma; and he urged that balances are not by any means necessarily a proof of over-assessment, though often erroneously so considered.

188. Some difference of opinion arose between the different authorities regarding the measures adopted in *pergunnah Kusba Amooha*, in reference to the *maafee* lands contained therein. The total amount of *maafee* land recorded in the registers was 3,851 *beegahs* (2,000 acres), which were registered as one *mehal*, in the name of three parties (*syuds*); but on investigation, no one portion was found to answer to the entry. The whole was split up into upwards of 1,000 small tenures, occupied by a number of *maafeedars* of all castes, all of whom insisted that their tenures formed part of the registered area. It being impossible to identify any one, or any number of such holdings with the registered area, the whole were summarily resumed. Mr. Money made no separate lists of the several tenures, but incorporated them, in the aggregate, with the *Khalsa* area, and assessed them all at four annas per *cutcha beegah*. Great complaints were made of this proceeding, which was appealed against. Pending the appeal, Mr. Conolly, the Commissioner, directed that the collection of the assessment on the unregistered land should be postponed. He strongly recommended that the assessment should be confined to the *Khalsa* portion, and that the resumption of the other portion should be given up. He stated that it was impossible to say by what means the *maafee* land came into possession of the persons holding it, or to account for one portion of it only having been registered, but he urged there was no reason to doubt that the whole of the tenures had been occupied by their present owners, and held rent-free from a period anterior to the British rule. He considered that the proposed assessment, light as it was, would never be realized, and that the attempt to collect it would cause much dissatisfaction and distress.

189. The Board coincided with the Commissioner in his recommendation that these resumptions should be abandoned, but the Lieutenant-governor did

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not concur in the propriety of such a course. It did not appear to him to be necessary to release the whole of the lands in question from assessment, although he was willing to release the holdings under ten beegahs, which were devoted to charitable and religious purposes. All those lands also, he decided, might be reported for the favourable consideration of Government, in which the holders might be able to show proof, amounting to reasonable probability, that they derived their title from the syuds in whose name the 3,851 beegahs alluded to were registered; but all the remainder, he decided, should remain subject to the revenue fixed on them by the settlement officer.

190. In confirming the settlement, the Lieutenant-governor expressed his conviction that the jumma, as finally fixed, was generally fair and equitable, but he animadverted strongly on the incompleteness of the settlement, and the procrastination of Mr. Money in bringing his proceedings to a close.

191. The financial result of the settlement shows an average acre rate of assessment on the area in actual cultivation of Rs. 2. 0. 3.

192. The amount of the revised jumma is 13,34,634 rupees, and exhibits an increase in the previous assessment of 1,07,270 rupees.

*Moradabad District.*

PERGUNNAH.	Total Area in Acres.	Cultivated Area in Acres.	Acre Rate on Cultivated Area.	Acre Rate on Total Area.	Highest Jumma of last Settlement.	Highest proposed Jumma.	Increase.	Decrease.
			<i>Rs. a. p.</i>	<i>Rs. a. p.</i>				
Sumbhul - -	153,287	73,756	2 - 6	- 15 8	1,16,468	1,49,302	32,834	—
Hussimpore, &c. - -	270,517	100,404	1 9 2	- 9 4	1,33,229	1,58,078	24,849	—
Amrohoh - -	83,961	41,702	1 6 8	- 13 2	54,014	69,078	15,064	—
Moradabad - -	72,783	27,428	2 6 2	- 14 4	60,357	65,473	5,116	—
Surkurah - -	105,118	54,656	2 2 5	1 1 11	1,16,465	1,17,785	1,320	—
Koondurkee and Sirsee - -	108,569	49,477	2 7 4	1 .1 11	1,15,722	1,21,689	5,967	—
Thakoodwarrah - -	166,878	104,819	2 2 3	1 5 6	2,48,312	2,24,435	- -	23,877
Kasheepore - -	105,066	25,508	1 10 11	- 7 6	51,982	49,193	- -	2,789
Bijjoe - -	100,648	46,917	1 11 9	- 12 11	75,832	81,400	5,568	—
Seondurah - -	64,650	31,416	2 8 8	1 .3 9	80,051	79,941	- -	110
Serowlee - -	48,185	25,453	1 15 11	1 - 10	50,923	50,848	- -	75
Nerowlee - -	80,381	43,588	2 2 2	1 2 6	49,165	93,118	43,953	—
Mogulpore - -	47,030	19,393	2 - 1	- 13 5	35,904	39,502	3,598	—
Jasspore - -	27,861	16,032	2 2 8	1 3 11	38,940	34,792	- -	4,148

Average rate of assessment on cultivation, per acre - - - - - Rs. 2. 0. 3.

Total amount of proposed assessment - - - - - Rs. 13,34,634 \*

Amount of increase on previous assessment - - - - - 1,07,270

*Budaon District.*

193. This district comprises 18 pergunnahs, six of which were settled at different periods, and the settlements finally confirmed during the years 1836 and 1837.

194. The papers forwarded with the Revenue Narrative, dated 21st April 1843, relate to the remaining pergunnahs, which are specified below.\* They appear to have suffered largely from previous over-assessment.

195. The

\* Bissowlee,  
Sattasee.  
Kote Salbahan.  
Rajpoora.

Oosahut, &c.  
Fyzapore.  
Oulaee.

Nidhpore.  
Soron.  
Bilzam.

195. The aggregate amount of the revised jumma of the pergunnahs included in the proceedings under review is 5,20,714 rupees, being a decrease of 25,681 rupees on the amount of the previous assessment.

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196. The pergunnah of Islamnuggur was one of six settled by Mr. Brown in 1835. It was found necessary to revise that settlement. The revision was completed by Mr. Timmins.

197. It appears that Mr. Brown increased the jumma from 73,366 rupees to 76,065 rupees; but the new assessment had never been realised, and a comparison of the rates with those of adjoining pergunnahs showed that they were too high.

198. Mr. Timmins reduced the assessment to 67,476 rupees, which was something less than the average of actual collections for the previous ten years.

*Budaon.*

PERGUNNAH.	Total Area in Acres.	Cultivated Area.	Acre Rate on Cultivated Area.	Acre Rate on Total Area.	Former Jumma.	Present Jumma.	Increase.	Decrease.
Bissowlee - -	63,092	53,467	1 3 6 $\frac{1}{2}$	14 10 $\frac{1}{2}$	54,945	58,601	3,656	—
Suttassee - -	48,838	37,746	1 3 10 $\frac{1}{2}$	12 1 $\frac{1}{2}$	35,100	37,091	1,991	—
Kote Sulbahan - -	98,595	80,381	1 4 3	13 9	78,919	84,857	5,938	—
Rajpoora - -	96,588	79,242	1 7 - $\frac{1}{2}$	12 12	70,867	73,476	2,609	—
Ossahut - -	104,364	50,904	1 5 7	10 6 $\frac{1}{2}$	82,954	68,631	- -	14,323
Fyzapore - -	47,709	36,989	1 14 5 $\frac{1}{2}$	13 11 $\frac{1}{2}$	45,905	41,694	- -	4,211
Oulace - -	32,805	12,089	1 2 3 $\frac{1}{2}$	13 13 $\frac{1}{2}$	28,913	26,752	- -	2,161
Nidhpore - -	99,346	30,128	1 14 7 $\frac{1}{2}$	9 2	73,205	57,673	- -	15,532
Soron - -	24,927	21,192	1 8 7 $\frac{1}{2}$	13 6 $\frac{1}{2}$	21,213	21,070	- -	143
Bilzam - -	61,528	54,658	1 6 9 $\frac{1}{2}$	14 10 $\frac{1}{2}$	54,374	50,869	- -	3,505

Amount of revised jumma of the above pergunnahs - - - - - Rs. 5,20,714  
Decrease as compared with previous jumma - - - - - 25,681

*Pilibheet District.*

199. The settlement of this district was reported in the Revenue Narrative, dated 11 April 1842.

200. The proceedings which were conducted by Mr. Head relate to the six pergunnahs named below.\* Of these the three first only have been settled under the system established by the Board, the three latter having been settled under a special arrangement with the Rajah Gomaunsing and his heirs.

201. The district is reported to have been formerly much over-assessed, but to have received ample relief under the present settlement.

202. The three pergunnahs settled with Rajah Gomaun Singh are those of Roodeepore, Gudderpore, Kilpooree. The two first were made over to the Rajah in zemindarree, and the latter on a farming lease.

203. In the year 1834 Rajah Gomaun Singh desired to enter into a negotiation with Government to surrender his jagheer of talookah Chacheyat in exchange for a part of these pergunnahs; such an arrangement was, however, not deemed desirable; but the pergunnahs of Roodeepore and Gudderpore were, in consideration of his high character, made over in hereditary zemindarree to the Rajah.

204. The revenue was fixed for 10 years at the moderate amount of 16,000 rupees, and certain terms were agreed upon, the main points of which were:— That the settlement should be revised at periods of 15 years; that no increase should at any time be taken which should not leave the Rajah and his heirs a clear

\* Pilibheet, Jehunabad.

Ritcha, Roodeepore.

Gudderpore and Kilpooree.

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clear surplus profit of 40 per cent. ; that the Rajah should not transfer the property out of his own family without the sanction of Government ; that certain farmers who had fulfilled their engagements should not be interfered with, but should be allowed to renew their leases on the usual terms ; and that all private rights previously existing should be maintained.

205. Subsequently, the Ilaka of Kilpoorie having fallen in, a lease of that pergunnah was granted to the Rajah, as in a farm, for 20 years, at little more than a quit-rent.

206. Under the arrangement previously noticed, Rajah Seo Raj Sing, the son of Rajah Gomaun Singh, claimed the talookah Nanikmutta, of which he stated that his family for years had hereditary possession, and that his father and grandfather had expended thousands of rupees on the talookah, and had never been in arrears ; and he complained that Mr. Robinson, the Commissioner, had upset the settlement, and had entered into arrangements with the mocuddums for a period of 30 years, and for a jumma less by 4,000 rupees than that paid by his family.

207. The Board stated that the Rajah's family had no zemindarree right whatever in the lands referred to, nor has such right ever been acknowledged as far as they could ascertain. They considered that there was no objection to the pergunnah of Kilpooree being conferred on the family on the same terms as those on which Gudderpore and Roodeepore were assigned, if Government deemed such a course advisable, and they stated that, under such arrangement, the Rajah would have a tract of country under his management not falling far short of 200,000 acres, and sufficient to employ the means and energies of his family for generations to come.

208. The settlement of the talookah claimed was made by Mr. Robinson, with a community of Tharoos, who are stated to be the only people capable of residing in that particular part of the country, on account of its extreme insalubrity. The arrangement was satisfactory to the Tharoos, and was, in the opinion of the Board, likely to conduce to clearing and populating a part of the country, which it had not only been found hitherto impossible to improve, but which had been in a state of continual deterioration ; and as the people in question, who are described as the " Native Burghers of a Desert City," and as the only persons whose lives are safe in the climate, had expressed the desire to undertake the cultivation of the tract at their own risk, and made all their arrangements for mutual assistance and self-government, the Board were of opinion that they ought not to be cramped in their undertaking by any official control.

209. Under the foregoing explanation, the Government sanctioned the proceedings of the Board in reference to the talookah of Nanikmutta, and dismissed the petition of Rajah Seo Raj Singh.

210. The financial result of the settlement of the three pergunnahs assessed by Mr. Head shows an average acre rate of assessment of Rs. 2. 0. 1. on cultivation.

211. The aggregate amount of the revised jumma is 3,75,897 rupees, which gives a decrease on the nominal amount previously borne on the record, but never realized, of 94,956 rupees.

*Pilibheet*

PERGUNNAH.	Total Area in Acres.	Cultivated Area in Acres.	Rate on Total Area.	Rate on Cultivated Area.	Former Jumma.	Proposed Jumma.	Increase.	Decrease.
			<i>Rs. a. p.</i>	<i>Rs. a. p.</i>				
Jehanabad - -	104,277	57,441	1 1 2	1 15 $\frac{1}{2}$	1,26,367	1,11,875	- -	14,492
Ritcha - - -	99,211	63,847	1 6 11 $\frac{1}{2}$	2 3 6 $\frac{1}{2}$	1,68,000	1,42,356	- -	25,644
Pilibheet - -	130,654	54,842	- 14 10	2 3 6	1,76,486	1,21,666	- -	54,820

Average rate of assessment per acre on cultivated area - - - - - *Rs. 2. 0. 1.*

Total amount of new assessment - - - - - *Rs. 3,75,897*

Amount of decrease on previous assessment - - - - - 94,956

*Bareilly District.*

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212. The settlement of this district was reported on the 15th October 1840. The proceedings were conducted and completed by Mr. Muir, and comprised the pergunnahs named below,\* which have been settled for a period of 30 years from 1837.

213. The district generally is reported to have been over-assessed, and many parts of it to have suffered severely from the drought of 1837-8.

214. The settlement made a reduction in the jumma of every pergunnah in the district, except talook Bulleeah.

215. The settlement officer stated that the condition of the majority of the people in many pergunnahs was such as to convince him that they were suffering severely from over-assessment, and though some had been able to struggle against their difficulties, many were miserably poor, and few in comfortable circumstances. Where he found the people suffering from the pressure of the existing jumma, he granted reductions to meet the exigency of their cases, and though many estates appear to be moderately and even lightly assessed, he in no case considered it fair or safe to impose any prospective increase. Where the assessment was moderate, the lightness of the rates accounted for the increase of cultivation effected since the previous settlement. To have increased the jummas prospectively from the expiration of the existing leases would have been calculated, he considered, to check improvement, and would have been an encroachment on the profits of capital expended in reliance on the permanency of the provisions of Regulation VII. of 1822.

216. The financial result of the settlement shows an average acre rate of assessment on the area in actual cultivation of Rs. 1. 15. 7.

217. The amount of the revised jumma is 10,07,062 rupees, and exhibits a decrease on the previous assessment of 67,810 rupees.

*Bareilly.*

PERGUNNAH.	Total Area in Acres.	Cultivated Area.	Acre Rate on Total Area.	Acre Rate on Cultivated Area.	Former Jumma.	Proposed Jumma.	Increase.	Decrease.
			<i>Rs. a. p.</i>	<i>Rs. a. p.</i>				
Crone - - -	209,689	121,472	- 15 4	1 10 8	2,13,900	1,98,308	- -	15,592
Newabgunge - -	132,262	84,795	1 5 10	2 2 2	1,88,776	1,75,972	- -	12,804
Agaon - - -	85,937	49,997	1 8 11	2 10 5	1,23,755	1,15,733	- -	8,022
Serowlee - - -	35,404	20,459	1 3 5	2 1 7	44,599	43,020	- -	1,579
Shohee - - -	41,444	24,913	1 3 11	2 1 2	52,715	51,672	- -	1,043
Sirsawah - - -	30,139	22,511	1 13 8	2 7 7	56,446	55,758	- -	688
Kubar - - -	33,585	22,937	1 5 6	1 15 6	50,039	45,161	- -	4,878
Chowmelah - -	47,678	26,494	- 15 2	1 11 7	51,042	44,531	- -	6,511
Busulpore - -	203,283	111,059	1 3 9	2 4 -	2,66,583	2,49,711	- -	16,872
Talookah Bulleeah -	28,310	16,142	- 15 1	1 10 11	27,017	27,196	179	-

Average rate of assessment per acre on cultivation - - - - - *Rs. 1. 15. 7.*

Total amount of new assessment - - - - - *Rs. 10,07,062*

Amount of decrease on old assessment - - - - - *67,810*

*Shahjehanpore*

\* Crone.  
Newabgunge.  
Agaon.  
Serowlee.

Shohee.  
Sirsawah.  
Kubar.

Chowmelah.  
Busulpore.  
Talookah Bulleeah.



*Shahjehanpore District.*

218. The papers connected with the settlement of the pergunnahs named below,\* were forwarded with the Revenue Narratives of the 15th October 1840, and 28th July 1841, respectively.

219. The district is reported by Mr. Bird to be very lightly assessed, and to be in a very flourishing condition, having escaped the over-assessment from which other districts had suffered in times past.

220. The latter part of this statement is not, however, borne out by the report of the settlement officer (Mr. Muir), who, on the contrary, alleges that he found all the pergunnahs labouring under the pressure of a very heavy assessment, and the great mass of the proprietors in extreme indigence.

221. The circumstances of the district are represented to differ but little, as regards their main features, from those of the district of Bareilly. The process by which Mr. Muir obtained his results is adverted to by the Board as well calculated to show the practical and beneficial working of that portion of the system of settlement which consists in calling in the aid of the people themselves, in arranging the detailed distribution of the Government demand, and in adjusting all points affecting either existing or contingent interests.

222. The financial result of the settlement gives an average acre rate on the area in actual cultivation of Rs. 1. 9.

223. The aggregate amount of the revised jumma is 10,27,075 rupees, which shows a reduction, as compared with the previous assessment, of 67,969 rupees.

224. Mr. Muir's measures appear to have given satisfaction, both to the revising authorities and the people, excepting in the instances of the Ranee of Powainee and the Rajah of Khotar.

225. The pergunnah of Powainee was found to be so inferior in the character of its soil in many parts as to render it necessary to fix the assessment far below what had been estimated as a very moderate average rate. A reduction amounting to 19,182 rupees, or nearly 11 per cent., was therefore granted in this pergunnah alone.

226. At the cession, the pergunnah was settled with Rajah Rugonauth Singh, who subsequently gave up a considerable portion of it, retaining only the most fertile and flourishing villages which still form the talookah of his widow. This individual was found recorded as the zemindar of the villages in the talookah, but Mr. Muir's inquiries led him to the conclusion that the occupant village mocuddums were the real proprietors of the land, and the Ranee only a talookdar, and that village settlements should be made with the mocuddums, and a malikanah or nankah allowance provided for the Ranee.

227. A difficulty, however, presented itself to this arrangement, viz., that the settlement of the talookah, according to Regulation VII. of 1822, made with the Ranee as zemindar, and confirmed by Government, had still some years to run. Mr. Muir was, however, of opinion that it was highly inexpedient that the management of the talookah should remain in her hands. He represented that acts of an arbitrary and oppressive character, affecting injuriously the rights of the proprietors, were exercised habitually by the parties acting as managers of the Elaqua on the Ranee's behalf, to an extent justifying special authoritative interference; and he urged strongly the impolicy of prolonging a talookdarree settlement, the effects of which had been so destructive to the rights of the people and village communities. He, therefore, submitted that, notwithstanding the Ranee's lease had got a few years to run, the talookah, until the Regulation VII. leases expire, should be taken under the Court of Wards, which would enable him to make village settlements in farm for the remaining term of the Ranee's lease, and after its expiring, to take engagements from the mocuddums as proprietors for the whole period of the pergunnah settlement.

228. Mr. Davidson, the officiating Commissioner, while confirming to the fullest extent the statement of Mr. Muir as to the injury and oppression inflicted on the village communities by the Ranee, was of opinion that the necessary protection

\* Khera Bhujeha.  
Julalpore.  
Muranpore.  
Murraowree.

Tilhur.  
Negohee.  
Mehrabad.  
Shahjehanpore.

Buragaon.  
Powainee.  
Khotar.  
Poorumpore.

protection might be afforded to the proprietors without having recourse to the measure of placing the Elaqua under the Court of Wards.

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229. The Board were of a different opinion, and, in accordance with their directions, the estates of the Ranee were put under the Court of Wards, and, with the exception of fifteen villages, proposed to be left in her management, for her personal convenience, were sub-let to the parties considered best entitled to engage with Government.

230. Mr. Rose, on whom, in consequence of Mr. Muir's death, devolved the duty of completing and reporting on the settlements, stated that the arrangements as regards the jumma and allowances of the talookdar having been made by his predecessor, he thought it right to submit them as he found them, but that it appeared to him to be open to question whether, as it was proposed to give immediate effect to the acknowledgment of the rights of the proprietary mocuddums, and thereby materially alter one part of the Regulation VII. settlement, it was quite fair to insist on the Ranee's fulfilling her part of her engagement with regard to the assessment.

231. Mr. Rose was informed, in reply, by the Commissioner, that as the only ground on which the jumma of Regulation VII. could be exacted from the Ranee was no longer tenable, after depriving her of the management, no deductions could properly be made from the Ranee's malikana on account of Regulation VII. of 1822; and that the balance remaining at the end of the year should form a reduction from the settlement, and all sums already deducted from the malikana be refunded.

232. These were the preliminary proceedings in a case very important in its principles and details, and the subject of much still incomplete litigation. It has been already noticed in our despatches noted in the margin, and will again necessarily come before us when finally decided by the courts.

No. 11.  
October 2, 1850,  
pars. 29, 30, & 32.  
No. 2.  
January 29, 1851.  
par. 41.

233. The pergunnah of Khotar had been held in farm by Rajah Khoshall Singh, but the Rajah claimed the proprietary right to the entire pergunnah. The Sudder Board stated, "It has been admitted and recorded repeatedly, that he had no right or possession by virtue of which he could claim to engage for the entire pergunnah."

234. The Rajah was represented as a person of the worst character; a protector of, and participator with, gangs of professed robbers; and as having used all his influence to retard the progress of improvement and civilization. The pergunnah consists of 380 mouzahs, nearly one-half of which are without cultivation or a single inhabitant. This state of things is mainly attributed to the mismanagement and discreditable conduct of the Rajah.

235. Mr. Muir considered that any zemindarree rights in the pergunnah belonged to a colony of Kutheree Thakoors established in Khotar for several generations; that Rajah Khoshall Singh was the head of the clan, but only a sharer in 31 or 32 mouzahs, in common with many brethren.

236. The Rajah's claim was rejected, and a punchayet was appointed to determine the rights of the Kutteeree brethren. The rights of all the sharers were first determined by genealogical descent; the villages were then apportioned among them according to such decisions; and when, from age, infirmity or other causes, the proprietors were disqualified from management, the estates were let in farm, and a malikana allowance was granted.

237. In 132 estates in the pergunnah, in which there had previously been no acknowledged proprietors, Mr. Muir bestowed on all the engagers the title of mocuddums, and gave them the privileges of proprietors. These latter persons are on the same footing as the grantees of Goruckpore, and the arrangement made with them, though different in its details, is the same in principle, engagements having been taken on a scale of moderate but gradual increase, extending over a considerable term of years.

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*Shahjehanpore.*

PERGUNNAH.	Total Area in Acres.	Cultivated Area in Acres.	Acre Rate on Cultivated Area.	Acre Rate on Total Area.	Former Jumma.	Proposed Jumma.	Increase.	Decrease.
			<i>Rs. a. p.</i>	<i>Rs. a. p.</i>				
Khura Bhujeta - -	41,939	24,351	1 7 9	- 13 9	43,524	36,145	- -	7,379
Julalpore - -	49,667	30,788	2 - 2	1 3 11	76,517	61,824	- -	14,693
Meeranpore Kutrah -	15,367	7,608	1 9 10	- 13 2	15,669	12,599	- -	3,070
Murrowree - -	15,713	9,222	1 15 8	1 2 7	21,008	18,255	- -	2,753
Tilhur - -	78,134	48,202	1 11 3	1 1 -	98,432	83,258	- -	15,174
Nogahee - -	67,684	36,082	1 11 6	- 14 8	72,057	62,026	- -	10,031
Mehrobad - -	154,853	27,881	1 8 9	- 11 7	1,39,254	1,12,684	- -	26,570
Shahjehanpore - -	253,417	152,467	1 12 -	1 - 10	2,79,880	2,66,705	- -	13,175
Burragaon - -	56,649	29,336	2 5 6	1 3 6	78,248	68,985	- -	9,263
Powainee - -	199,022	122,753	1 8 11	- 15 4	2,09,098	1,91,367	- -	17,731
Khotar - -	166,625	34,585	1 7 -	- 4 9	39,345	63,281	23,936	-
Poorumpore Sobna -	210,141	83,074	- 12 2	- 4 9	22,012	49,946	27,934	-

Average rate of assessment on cultivation, per acre - - - - - *Rs. 1. 9.*

Total Amount of new assessment - - - - - *Rs. 10,27,075*

Amount of decrease on previous assessment - - - - - 67,969

FOURTH, OR ALLAHABAD DIVISION.

238. The settlement of this division comprises the following districts:—

*Agra Revenue Narrative.*  
No. 3. Apr. 21, 1843, par. 133 to 138.

*Agra Judicial Narrative.*  
No. 8. Oct. 25, 1843, par. 13.

*Agra Revenue Narrative.*  
No. 3. July 28, 1841, par. 77 to 81.

" 4. Oct. 5, " 73.  
" 2. Apr. 11, 1842, " 106.  
" 2. Apr. 15, 1841, " 79 to 84.  
" 4. Nov. 5, 1844, " 177 to 189.  
" 1. Feb. 20, 1846, " 203 to 211.  
" 1. Feb. 20, " " 213 to 216.

1. Cawnpore.
2. Futtehpore.
3. Humeerpore and Calpee, or Northern Bundelcund.
4. Banda, or Southern Bundelcund.
5. Allahabad.

*Cawnpore District.*

239. This is reported to be a very fine and flourishing district, which, having suffered from over-assessment, has now obtained ample relief.

240. The settlement, which included the pergunnahs specified below,\* was conducted by Mr. Rose. The information furnished by him regarding the agricultural condition of the district, the rivers, the general face of the country, its produce, past administration and tenures, is ample and clear in its details.

241. In this district the Koormee tribes abound. They are a class of cultivators remarkable for industry and agricultural skill, in which they are stated to rival, if not to surpass, the Jats of the Western Doab, but to have suffered severely from over-assessment. Mr. Rose appears to have given special attention to fix the assessment within such equitable limits as would give this valuable class of cultivators the full benefit of their improvements and good conduct.

242. The financial result of the settlement gives an average acre rate of assessment on the area in actual cultivation of *Rs. 2. 1. 3.*

243. The

\* Janjmhov.  
Sulempore.  
Bithore.  
Sarh.

Ghatumpore.  
Bhojneepore.  
Deirapore.  
Ackburpore.

Russoolabad.  
Sheoly.  
Sheorajpore.  
Bilhour.

243. The amount of the revised jumma is 21,81,540 rupees, being a decrease of 1,42,461 rupees, as compared with the previous settlement. Resumed maafee lands, however, having afforded the very large revenue of 49,467 rupees, the actual loss to the treasury is only 92,994 rupees.

244. It has, it appears, been found necessary to allow of a permanent decrease in every pergunnah except two, and as eight-tenths of the whole culturable land are now under cultivation, little is to be expected in the way of enhancement of revenue at the close of the present term of settlement.

245. Appended to Mr. Rose's report are some remarks on the general tendency of the present revenue system, the evils which it is the means of correcting, and the benefits which it is calculated to secure. Among the latter he especially refers to the revised system of assessments, the alteration in reference to the period of paying instalments, the preparation of records of holdings and liabilities, and the proposed enactment legalizing the sale of component puttees.

246. The proceedings respecting the pergunnah of Sheorajpore have been matter of much discussion.

247. The effect of Mr. Rose's settlement was to establish the rights of the village mocuddums, and to declare the Rajah to be simply a superior, having a certain right, represented by a per-centage on the cultivation. Much diversity of opinion was entertained by different authorities as to the nature and extent of the rights of mocuddums. Former settlement\* officers had considered the claims of the Rajah to the proprietary right to be valid, and the mocuddums to be merely hereditary managers, possessed of the right of village occupancy and management, only to be invalidated by default. Mr. Rose, on the contrary, held that the persons called mocuddums were the representatives of the proprietors of the soil, and that all and each of the proprietors whom they represented were entitled to the acknowledgment and free exercise of all the rights of proprietorship.

248. This settlement was made in accordance with the views of Mr. Rose, but the question of the justice of the decision, as between the Rajah and the mocuddums, became merged in the consideration of the serious consequences resulting from it to the mocuddums. The proprietary right having been determined in their favour, claims were preferred against them for the recovery of decrees which had been standing against them for years, but in satisfaction of which, while they were simply in the position of farmers, the land could not be seized. They consequently found themselves likely to be ruined by the proceedings intended for their benefit, and their new-born proprietary rights likely to be annulled by the transfer of the lately-acquired property to other hands, in satisfaction of ancient claims.

249. The Lieutenant-governor regretted that any disputed accounts should have been so left by the settlement officer that, by the operation of the law as administered by the civil courts, parties whom it was intended to relieve should be made to suffer so materially in their interests. The mocuddums and other village proprietors in Sheorajpore were stated by the Lieutenant-governor, on his own personal knowledge, to have long flourished under the loose tenures prevailing in that pergunnah, ever since the commencement of the British rule, while they appeared to him now in danger of sinking under an attempt to define their rights too rigidly.

250. Such portion, therefore, of the settlement as affected the rights and tenures in pergunnah Sheorajpore he excluded from the confirmation of the proceedings, and the Sudder Adawlut was requested to cause all processes issued against the mocuddums, in consequence of any titles acquired, or alleged to have been acquired in virtue of the settlement, to be held in abeyance, and also to cause inquiry to be made into the circumstances under which the decrees against the mocuddums had been obtained.

*Cawnpore.*

\* Messrs. J. Muir and E. Reade.

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*Cawnpore.*

PERGUNNAH.	Total Area in Acres.	Cultivated Area in Acres.	Acre Rate on Total Area.	Acre Rate on Cultivated Area.	Former Jumma.	Revised Jumma.	Increase.	Decrease.
			<i>Rs. a. p.</i>	<i>Rs. a. p.</i>				
Sheorajpore - -	34,852	21,293	1 10 8	2 11 9	56,117	58,210	2,093	—
Janjnow - -	122,008	66,017	1 11 4	3 2 5	2,07,095	2,08,200	1,105	—
Bithore - - -	134,137	73,481	1 12 5	3 3 10	2,40,666	2,38,111	- -	2,555
Sarh Sulempore -	131,531	75,201	1 12 11	3 2 7	2,52,136	2,37,773	- -	14,363
Sheoly - - -	54,248	21,647	1 5 -	3 4 9	85,462	71,849	- -	14,113
Russoolabad - -	142,613	61,329	1 6 3	3 3 8	2,18,171	1,98,148	- -	20,023
Bilhour - - -	126,645	62,200	1 9 1	3 3 -	2,14,510	1,98,460	- -	16,050
Ackburpore - -	157,624	77,429	1 7 4	2 12 4	2,21,115	2,14,668	- -	6,447
Bhojneepore - -	175,602	90,158	1 1 7	2 2 4	2,16,620	1,93,496	- -	23,124
Ghatumpore - -	215,086	127,946	1 6 6	2 5 9	3,07,534	3,02,124	- -	5,410
Deirapore - -	114,094	56,562	1 5 3	2 10 11	1,61,327	1,51,828	- -	9,505
Secundra - -	89,355	49,013	1 3 7	2 3 7	1,43,243	1,09,179	- -	34,069

Average acre rate of assessment per acre on cultivation - - - - *Rs. 2. 1. 3.*

Total Amount of new assessment - - - - *Rs. 21,81,540*

Amount of decrease on previous assessment - - - - 142,461

*Futtehpore District.*

251. The proceedings connected with the settlement of this district were transmitted with the Revenue Narrative of 5th November 1844, No. 4, paras. 177 to 189.

252. These documents relate to the survey and settlement conducted by the late Mr. Timmins, and to the subsequent measures under the charge of Mr. J. Thornton, in consequence of the incompleteness of the first proceedings.

253. In his settlement report, Mr. Bird described the district as having escaped the calamity of over-assessment, and as noted for its fertility; and he considered that the settlement should be confirmed in perpetuity.

254. Mr. Timmins's report bears every indication of that officer's careful research in ascertaining the peculiarities and estimating the capabilities of the district, and the nature of the tenures under which the land is held. He made personal inquiry the basis of his proceedings. He found that the ryots, having no capital of their own, were obliged to borrow money at very high interest from the mahajuns, to obtain the means of cultivating their lands, and of paying the first instalment of their rent to the zemindars. Thus the ryot seldom realised more than a bare subsistence, while the mahajuns were the most thriving class in the district.

255. The Board approved Mr. Timmins's proceedings, and recommended his settlement for confirmation; but his report was not considered by the Lieutenant-governor to afford data sufficient to admit of final orders being passed in confirmation of the settlement, and additional information was called for, which Mr. Timmins did not live to furnish.

256. Mr. Thornton was required, on Mr. Timmins's death, to report on the measures of the settlement, and submitted his report on the 7th November 1843. The report of Mr. Timmins was dated 30th September 1840.

257. The details submitted show the amount of the previous jumma, of that fixed by the settlement in the case of each pergunnah, and the actual condition and circumstances of the several pergunnahs. Dissatisfaction appears to have been

been excited in the district by the comparative lightness of the new assessment in the contiguous zillah of Allahabad, in which most of the larger Futtehpore landholders likewise possess estates; but, without reference to this and some other causes, Mr. Thornton considered the general demand upon the zillah too high for its natural resources, the rate of the demand on the cultivated land, Rs. 2. 12. 9. per acre, being higher than in any other district of the North-Western Provinces.

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258. The amount of Mr. Timmins's revised jumma was 14,17,761 rupees, being an increase of 86,518 rupees on the average jumma of the previous five years.

259. The amount of the jumma, as modified by Mr. Thornton, was 13,97,676 rupees, which is still an increase of 66,443 rupees on the previous jumma.

260. The resumed lands formerly held Lakeraj had been registered as containing in the aggregate 17,270 beegahs, but neither their area by the new measurements, nor the jumma realised from them, can be actually stated, as some of the tenures are not to be traced at all in the measurement papers, and many of them were thrown into the khaliseh without separate jummats attached. With respect to the patches of rent-free land containing less than 10 beegahs, Mr. Thornton states that he found that those which were not registered were measured together with the mass of the land in the villages where they were situated, and no notice whatever was taken of them. The registered tenures under 10 beegahs were, with few exceptions, resumed by the investigating officer, and many of them having at the time of settlement been confounded with the khaliseh, they cannot now be distinguished.

261. Few claims to pensions came before Mr. Thornton. He states that it did not come under his notice that any dispossessed maafeedars were in a condition requiring support, and he was of opinion that the attempt to correct any errors which might have been committed in reference to maafeedars would be attended with much difficulty and inconvenience.

262. In confirming the revised settlement of Mr. Thornton, the Lieutenant-governor expressed his concurrence in the opinion that any interference which could now be exercised with regard to the maafee lands would be inadvisable, and that it would be better to grant pensions to such of the former occupants of those petty tenures as might appear to stand in need of such means of support.

*Futtehpore.*

PERGUNNAH.	Total Area in Acres.	Cultivated Area in Acres.	Average Jumma of past Five Years.	Revised Jumma.	Increase.	Decrease.	REMARKS.
Kora - - -	147,789	71,980	2,04,377	2,03,254	- -	1,123	The statements submitted by Mr. Thornton do not afford information from which the average rates of assessment on the total and cultivated areas can be readily shown, and Mr. Timmins' jumma statements are not to be relied on, as his results have been set aside by the subsequent measures.
Tuppajar - - -	66,565	36,659	1,09,019	1,12,891	3,872	—	
Bindkee - - -	52,939	30,498	95,767	94,537	- -	1,230	
Kooliah - - -	52,129	26,928	79,351	80,922	1,571	—	
Aryah Shah - - -	25,713	14,929	39,836	41,685	1,849	—	
Moetore - - -	50,283	30,580	72,158	73,039	881	—	
Ghazeepore - - -	94,568	49,831	1,07,192	1,12,838	5,646	—	
Ekdulla - - -	91,567	51,979	1,26,357	1,36,923	10,566	—	
Dhata - - -	19,964	13,113	30,665	34,802	4,137	—	
Hulgaon - - -	139,632	58,443	1,53,265	1,70,460	17,195	—	
Kotilah - - -	26,067	14,835	34,465	37,287	2,822	—	
Huswa - - -	89,420	40,834	1,08,372	1,16,423	8,051	—	
Futtehpore - - -	133,086	66,296	1,70,389	1,82,515	12,126	—	

*Humeerpore District.*

263. The proceedings relating to the settlement of Humeerpore are reported to us in paragraphs 203 to 211 of the Agra Revenue [Narrative, dated the 20th February 1847, No. 1.

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264. Of this district, the pergunnahs of Sumerpore, Moudha, Rath, Punwarree, and Khurka, were settled by Mr. Allen; and those of Calpee, Humeerpore, Khurela, and Koonch, by Mr. Muir.

265. The settlement of this district had not been reported at the time of Mr. Bird's departure from India; but as "everything was fixed," he enters at some length into the principles on which it had been conducted. He remarks on the previous over-assessment of the district, and on the causes which produced erroneous impressions of its resources and capabilities. The climate he describes as unhealthy, and the land as incapable of irrigation. The reductions which have been made in the jumma he does not consider to be excessive; and he is of opinion that no increase can be demanded at the termination of the present settlement, although a re-distribution of the jumma will be advisable.

266. The reduction of the large byachara tenures, and the establishment of individual responsibility, is a measure which calls forth the approbation of Mr. Bird, since he considers that it divests resistance to the demands of Government of combination and vigour, and ensures the co-operation of the well-disposed of the community. The late Lieutenant-governor, in his general review of the settlement, para. 17, does not admit the correctness of these premises and conclusions with respect to the reduction of the superior tenures; and the present Lieutenant-governor is of opinion that departures from established usages require great caution and judgment.

267. The respective reports of Messrs. Muir and Allen contain much information relative to the geography, agriculture, manufactures, soils, and general characteristics and capabilities of the district. Each of these gentlemen enters at very great length into the past history of the portion of the district settled by him; describes it as having been greatly over-assessed; and brings to prominent notice the causes which led to, and the results which followed, its over-assessment. These subjects, and the various points connected with them, were carefully reviewed in our despatch, dated the 24th April 1835 (No. 3), in which we took a retrospect of the affairs of the district from the time of its cession to the British Government by the Peishwa in 1803-4. The views taken in that despatch are fully borne out by the present reports, and it will therefore be unnecessary to enter into a recapitulation of them.

268. The soil of Bundelcund is described as being incapable of irrigation, from the circumstance of its opening into large fissures, in which the water is lost, and from the depth at which water lies below the surface. Cotton and al\* are the two principal articles of trade. For the growth of the former, Bundelcund is represented as peculiarly adapted; and at one period the purchases on account of Government are said to have amounted to 40, and those on account of private individuals, to 18 lacs of rupees.

269. Adverting to the wretched and impoverished state of the district, and deeming the object of the settlement to be to regain the lost confidence of the people, the settlement officers proceeded with a view to the determination of the amount of relief to be granted, rather than the amount of increase to be demanded.

270. The settlement was based on the double classification of land and villages, the latter being determined with reference to the former. After having ascertained the average rent-rates of the different soils, the settlement officers formed from them their revenue rates, with due advertence to the fiscal history of the village to which they were to be applied. By each of these gentlemen the greatest care seems to have been taken to guard against the adoption of excessive rates. They appear to have been, throughout, actuated by a desire to promote the welfare of the people, justly deeming the interests of Government to be identical with it.

271. Mr. Allen describes the soil of Punwarree as very inferior to that of the other pergunnahs settled by him. This natural disadvantage is aggravated by the intersection of the boundaries of foreign states, the Princes of which possess an influence so great, that none but their relatives can venture to takē villages; and the variations in the rates of assessment on this pergunnah are consequently very great.

272. Of the pergunnahs settled by Mr. Muir, pergunnah Koonch possesses the best natural capabilities, and is chiefly cultivated by Koormies, to whose great industry and agricultural skill allusion has been made in our review of the settlement of the Cawnpore district.

273. The

\* A fine red dye.



273. The prevailing tenure in Bundelcund is byachara, according to which an extensive brotherhood is responsible for the revenue, and their individual shares and responsibilities are determined by conventional rules. As the whole community almost invariably made common cause with individual defaulters, these tenures are liable to create difficulties in the realization of the just dues of Government, and it was therefore deemed expedient by the settlement officers to declare the separate thokes separate mebals.

274. The number of estates which had fallen into the hands of Government furnished clear and lamentable evidence of over-assessment. In consideration of this latter circumstance, the settlement officers furnished lists of estates which they recommended for restoration to their original proprietors.

	Estates.	Jumma.
Mr. Muir	51	Rs. 72,327
Mr. Allen	35	Rs. 34,979

275. The police have been provided for in money payments, in consequence of which there is an apparent, but not real, decrease in the jummas of many villages. It was not considered just to make an increased charge on that account, and therefore it often happens that estates pay the same jummas as formerly, while the Government receipts are diminished.

276. The financial results of the settlement exhibit an acre rate, on the area in actual cultivation, of two rupees in the pergunnahs settled by Mr. Muir; and Rs. 1. 10. 1. in those settled by Mr. Allen. The average acre rate of the whole district will thus be Rs. 1. 12. 8. In Mr. Muir's pergunnahs, the former jumma was 6,66,200 rupees, and the present is 6,03,784 rupees, showing a decrease of 62,416 rupees. The present jumma in Mr. Allen's pergunnahs is 6,71,833 rupees, the highest jumma of the previous settlement having been 8,01,311 rupees, and the average jumma of the last five years, 7,81,286 rupees, showing a decrease of 1,19,478 rupees on the highest, and 1,09,453 rupees on the average jumma of the previous assessment. The total decrease, therefore, is 1,81,894 rupees, or, if the average of the last five years be taken for Mr. Allen's pergunnahs, 10,025 rupees less than that sum. As the jumma is russeede, the decrease is in the first instance somewhat greater than that above shown.

277. In the resumption of maafee land, when any doubt existed of the justice or propriety of resuming it, the question has been set aside for future investigation. All patches under ten beegahs in the *bond fide* possession of needy maafeedars have been unconditionally released. Resumed maafee lands have been settled at very light rates with the maafeedars, to whom pottahs were granted, detailing all particulars.

278. In Mr. Allen's pergunnahs "no rent-rates have been recorded or thought of for land not now under cultivation," because it was thought that the proprietor should be left to make his own terms, "without being fettered in his endeavours to improve his estate by any fanciful rates recorded at the time of settlement." With regard to the waste land in Mr. Muir's pergunnahs, he deemed it "a matter of most pressing importance that strong inducements should be held out for bringing it under the plough;" and he has accordingly "prevailed on the zemindars to embody a provision in the rent-roll, specifying a low and progressive rent for reclaimed land, and binding themselves to continue possession to the reclaimer at reduced rates."

279. Great care appears to have been bestowed on the preparation of the assameewar jumma bundees, and on the revision of the kistbundee.

280. Mr. Muir proposed the transfer of six \* villages to Jalown, and also the incorporation of pergunnahs Calpee and Koonch with that district.

281. These proceedings met with the approval of the Board of Revenue, who brought to favourable notice the zeal and activity of Messrs. Muir and Allen. They concurred in the recommendations of the local officers for the reinstatement of the old zemindars. The reductions in the jumma were not deemed to be larger than the state of the district required, and it was observed that no increase could be demanded. It was noticed that no provision had been made for a road fund.

282. The

\* Pergunnah—Calpee Benowra.  
" Jelalpore Khurela.  
" Jelalpore Kotra.

Pergunnah—Jelalpore Sonehta.  
" Khurela Buroo.  
" Khurela Muhreteet.

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282. The Lieutenant-governor's attention was called to the subdivision of byachara estates. The Board were of opinion that the constituting of separate thokes separate mehals, and the separation of land and jumma on each particular puttee, had been regarded by the people as a declaration of the independence of each puttee. This, they were of opinion, was intended at the settlement, and they could not "bring themselves to consider that the orders of Government, which destroy this independence, were founded on good policy, or in accordance with the provisions at the settlement."

283. The Board add, that they "desire to notice this the more, because Government have so frequently and so seriously pressed upon them the great importance of the settlement and of Act I. of 1841, as enabling the revenue authorities to ascertain the individuals in a putteedaree estate who were in balance, and empowering them to deal with that individual default; whereas the result arrived at is, that instead of dealing with individual default, those who are not defaulters are to be made to pay or suffer the penalty of those who are."

284. The Lieutenant-governor gave his sanction to the revised jumma, and the reinstatement of the old zemindars on the 13th April 1845, reserving any further observations for another opportunity.

285. Accordingly, on the 30th of the same month, the Lieutenant-governor communicated to the Sudder Board of Revenue, that the result of a visit which he had paid to Bundelcund had increased his confidence in the soundness and moderation of the settlement. He considered that credit was due not only to Messrs. Allen and Muir, but to Messrs. Taunton and G. H. Alexander, who had subsequently taken charge of the district.

286. He thought Mr. Allen had exercised a sound discretion in forming the separate thokes into separate mehals. The properties, he remarked, were distinct, sometimes lying in one place, but more generally intermixed. Mr. Muir appeared to have made this change more extensively, although the 158th para.\* of his report might appear to leave a doubt whether the new mehals have been entirely separated from one another.

287. The Lieutenant-governor observed that there was no substitution of "individual" for joint responsibility. Both officers had stated that the new mehals contained several puttees, which implies a joint responsibility. He remarks, "the communities were before large and unwieldy, they are now small and manageable. The responsibility is now as before, primarily, individual; secondly and ultimately, joint." He did not suppose that the people conceived that their joint responsibility was dissolved. He dwells at very great length on this subject, because it appeared to him, "both from the reports of the settlement officers and the remarks of the Board, that these circumstances have not received that full consideration which their importance demands.

"The British Government has found existing in the North-Western Provinces a curious and intricate state of property, to which the people are warmly attached. The Government commenced by disregarding the peculiarities of the tenures, and soon induced a most deplorable state of confusion. Zemindarree, talookdarree, moostajurree settlements, and sales of estates for arrears of revenue, made without inquiry or consideration, produced extensive ruin and distress. The special commission, under Regulation I. of 1821, and detailed settlements under Regulation VII. of 1822, have been the appropriate and effectual remedies. The sound principle has now been asserted and acted on, that it is the duty of the Government to ascertain and protect all existing rights, those of the poor and humble villager, as well as those of the rich and influential talookdar. In so far as this is done with care and diligence will the measure be successful in placing property on a sound and healthy footing.

"There is a further process to which attention may be directed, and that is, the gradual alteration by the people themselves of those customs or usages in their communities which have arisen under a form of Government very different from that which now exists, and which are ill adapted to foster that industry which it is the tendency of the present state of things to encourage. These changes require much care and judgment. They will succeed in proportion

\* "In all cases the greater part, in some the whole, of the culturable land was completely divided; in others, even the waste land was held separately, and little more than the right of the village in common."

tion as they are understood both by the officers of Government and the people, and are fairly carried out:

“This operation should be conducted with much care in Bundelcund, where the bej burra tenures prevail. What has been done in Humeerpore appears to have been well done, and has been hitherto successful.”

288. The Board were desired to communicate to Messrs. Allen and Muir the approbation with which their exertions were regarded.

289. With respect to the road fund, the Lieutenant-governor observed that one per cent. on the Government jumma has been contributed for that purpose, a judicious management of which will, he considers, exert a most beneficial effect on the district.

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*Humeerpore.*

PERGUNNAH.	Total Area in Acres.	Cultivated Area in Acres.	Acre Rate on Total Area.	Acre Rate on Cultivated Area.	Average Jumma of the last Five Years.	Revised Jumma.	Increase.	Decrease.
			<i>Rs. a. p.</i>	<i>Rs. a. p.</i>				
Khurka - - -	40,649	16,891	- 10 10	1 10 2	33,915	27,702	-	6,213
Moudha - - -	147,231	84,093	- 15 -	1 10 2	1,47,201	1,37,969	-	9,232
Punwarree - -	271,729	128,873	- 10 9	1 6 9	2,11,369	1,83,350	-	28,019
Rath - - -	203,406	107,877	- 14 4	1 11 -	2,25,132	1,82,464	-	42,668
Someerpore - -	153,910	74,474	- 14 7	1 14 2	1,63,669	1,40,348	-	23,321
<b>TOTAL - - -</b>	<b>816,925</b>	<b>412,208</b>	<b>- 13 2</b>	<b>1 10 1</b>	<b>7,81,286</b>	<b>6,71,833</b>		<b>1,09,453</b>

Average rate per acre - - - - - *Rs. 1. 10. 1.*

Amount of new assessment - - - - - *Rs. 6,71,833*

Amount of decrease - - - - - *1,09,453*

PERGUNNAH.	Total Area in Acres.	Cultivated Area in Acres.	Acre Rate on Total Area.	Acre Rate on Cultivated Area.	Former Jumma.	Revised Jumma.	Increase.	Decrease.	Remarks.
			<i>Rs. a. p.</i>	<i>Rs. a. p.</i>					
Calpea - - -		35,885	- 11 3 $\frac{1}{4}$	2 1 11	93,423	78,410	-	15,013	The total area in acres is not to be found in the report of Mr. Muir.
Humeerpore - -		39,029	- 14 1	1 13 2	77,600	71,433	-	6,167	
Jelalpore Khurela - -		153,493	- 12 7	1 10 1	2,75,800	2,51,143	-	24,657	
Koonch - - -		70,555	2 1 10	2 13 3	2,19,377	2,02,798	-	16,579	
<b>TOTAL - - -</b>		<b>298,931</b>	<b>- 15 11</b>	<b>2 - -</b>	<b>6,66,200</b>	<b>6,03,784</b>		<b>62,416</b>	

Average rate per acre - - - - - *Rs. 2. 0. 0.*

Amount of new assessment - - - - - *Rs. 6,03,784*

Amount of decrease - - - - - *62,416*

*Banda District.*

290. With paragraphs 213 to 216 of the Agra Revenue Narrative, dated 20th February 1846 (No. 1), were transmitted to us certain proceedings relating to the settlement of the district of Banda.

291. The visit of the Lieutenant-governor to Banda, as communicated to the Board of Revenue in his letter, dated the 12th April 1845, was not attended with the satisfactory results which followed that to the district of Humeerpore. The settlement which had been effected by Mr. Wright had failed. The failure had been variously attributed to over-assessment, bad seasons, or defective record of rights. But though original over-assessment had acted as injuriously in Banda

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as in Humeerpore, the recent assessment did not appear to be more heavy in the former than in the latter; neither did the last three seasons appear to have been particularly unfavourable; but the failure was chiefly ascribable to two causes: 1st. The hostility between the collector, Mr. Masson, and the settlement officer, Mr. Wright. 2d. The erroneous record of rights arising from Mr. Wright's imperfect knowledge of the bej burrar tenure, which prevails largely in Banda. The note on this subject recorded by the Lieutenant-governor for the guidance of the local officers contains some valuable information on the varieties of this peculiar tenure.

292. The settlement proceedings have been made over to Mr. Rose, who has been invested with full powers of revision. Instructions have been issued for his guidance, and the Board have been requested to afford him every assistance in the shape of additional establishments.

293. Some more recent proceedings with respect to this district will be noticed in our concluding remarks.

*Allahabad District.*

294. The proceedings connected with this district were reported in the Revenue Narrative, dated 15th April 1841, paras. 79 to 84. The district is considered to be in a very flourishing and prosperous state, and does not appear to have suffered much heretofore from over-assessment. It comprises the 15 pergunnahs named below,\* the two latter of which were settled by Mr. Speirs in F. 1239-40 (A. D. 1832-33); the remainder have been settled by Mr. Montgomery.

295. The settlement is characterised by two facts worthy of notice, namely, that an unusually large increase has been obtained on the revision, amounting to nearly two lacs of rupees; and that the measures of the settlement officer were carried on and completed with a remarkable degree of expedition.

296. At the same time, the proceedings justify the belief that the settlement is fair and equitable; and it is reported to have given general satisfaction. When the arrangements had, moreover, been in force for a whole year, the revenue is stated to have been collected easily and without arrear, and without any coercive measures.

297. The district appears, from its position and peculiarities, to possess advantages singularly calculated to ensure its agricultural prosperity, being always secure of an extensive demand for its produce during the continuance of the annual fair. In ordinary times, the price of grain at Allahabad is stated to be high; but it appears that prices are never liable to the great fluctuations which occur elsewhere; and that even in the year of the famine, so disastrous to other districts, the home market was amply supplied, and the variation from other years by no means great.

298. Mr. Montgomery had, apparently, the advantage of having for the scene of his operations a district remarkable for the enjoyment of a more than ordinary amount of agricultural and financial prosperity; and in not being obstructed and thwarted in the conduct of measures, always from their nature unpopular, by the existence of distress or discontent among those whose interests were confided to his care.

299. The survey was commenced in February 1838, and finished in February 1839. The preparations of the papers for settlement were commenced in June 1838, and the assessment was completed by the end of April 1839.

300. Mr.

\* Atherbun.  
Arail.  
Johnsee.  
Chail.  
Secundra.

Soran.  
Keraree.  
Kurrah.  
Hundeeah.  
Mirzapore Chowharee.

Muh.  
Newabgunge.  
Khyraghur.  
Burroh.  
Chowkundra.

300. Mr. Montgomery's operations appear to have been carried on on a very extensive scale; the principal part of his system being, that instead of having, as was formerly the case, only one establishment at work, he had ten, whose duties were quite separate and independent of each other, and whose work it was his duty to superintend.

301. Mr. Montgomery states, that he found no difficulty in superintending these several establishments; that he was able to do so in addition to his other duties; that they all worked on one system, which the superintendents were conversant with, before they were entrusted with the duties; and that the whole was effected with much less trouble than the preparation of one pergunnah under the old system.

302. In one portion of the district, special circumstances rendered Mr. Montgomery's adjudication unusually difficult, viz., the pergunnah of Kyraghur. It is of great extent, having an area of 675 square miles, and yielding a jumma of 3,38,726 rupees. During a period of nearly two centuries it had been held by a family of Ghurwar Rajpoots, the head of whom, at the time of the settlement, was Rajah Lal Chutpal Singh.

303. Mr. Montgomery represents that nothing could exceed the misery and wretchedness of the inhabitants of the pergunnah, who have been entirely under the control of the Rajah, and exposed to the greatest tyranny and hardship. The villages are described as depopulated to the extent of nearly half their inhabitants; and the soil is only cultivated to the extent of half its capability. Notwithstanding so much misery and misrule, however, the old village communities have, it appears, in most instances clung tenaciously to their estates. In some villages these communities have uninterruptedly held their estates in farm from the Rajah; others have only so held them occasionally, and some have never so held them at all. A stranger, when he has in any case been put over their heads, has generally underlet the estate to them.

304. The Board's principle of making the settlement with the mocuddums or village communities in all talookdarree estates, when such a state of things is found to exist, is noticed by Mr. Montgomery as having been "most wisely, for the happiness of many," recognised by Government. The existence of proprietary communities, with a right of management and occupancy, is found in this pergunnah, he states, in a more or less perfect state, according as the several communities had more or less power to withstand the Rajah's influence, he being considered the head, or talookdar, and as such, of course, entitled to his talookdarree allowance, and nothing more.

305. Mr. Montgomery reports that he accordingly made the settlement with the village communities where they were found to exist; and where no communities were in existence, the settlement was made with the Rajah. In mocuddumnee estates, an allowance of 18 per cent. was granted to the Rajah, the gross amount of whose talookdarree allowance is 47,823 rupees.

306. The assessment of the amount of the Government demand in this pergunnah appears to have been somewhat difficult, in consequence of the ruined condition in which many of the villages were found.

307. The settlement of pergunnahs Barraah and Chowkundra, which was completed by Mr. Speirs under Regulation VII. of 1822, expires in F. 1254 (1847); but Mr. Montgomery has extended the term till the end of F. 1276, making it to correspond in period with the general settlement of the district.

308. The financial result of the settlement shows an average acre rate of assessment on the area in actual cultivation of Rs. 2. 2. 6.

309. The aggregate amount of the revised jumma is 21,89,957 rupees, being an increase of 2,64,800 on the amount of the previous assessment.

## Allahabad.

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PERGUNNAH.	Total Area in Acres.	Cultivated Area in Acres.	Acre Rate		Former Jumma.	Revised Jumma.	Increase.	Decrease.
			on Total Area.	on Cultivated Area.				
			Rs. a. p.	Rs. a. p.				
Atherbun - - -	71,168	44,685	1 7 1	2 4 9	96,731	1,02,806	6,075	
Arail - - -	164,770	104,057	1 6 7	2 3 5	2,09,946	2,30,181	20,235	
Jhonree - - -	70,808	48,955	1 6 7	2 - 8	96,217	99,892	3,675	
Chail - - -	209,011	118,138	1 1 -	1 14 1	1,95,518	2,22,259	26,741	
Secundra - - -	104,905	51,546	1 4 2	2 9 1	1,24,153	1,32,106	7,953	
Sooram - - -	90,289	48,093	1 5 9	2 8 10	1,17,299	1,22,681	5,382	
Keraree - - -	93,276	53,452	1 - -	1 11 11	83,557	93,477	9,920	
Kurrah - - -	145,895	73,560	1 2 5	2 4 -	1,61,888	2,01,112	39,224	
Hundeeah - - -	87,953	51,871	1 11 9	2 15 2	1,49,184	1,52,905	3,721	
Mirzapore Chowbarce	12,314	5,866	1 8 3	3 3 4	18,037	19,042	1,005	
Moh - - -	94,605	56,758	1 7 10	2 3 6	1,35,502	1,39,298	3,796	
Newabgunge - - -	59,878	37,982	1 8 10	2 7 3	84,950	93,226	8,276	
Khyraghur - - -	426,386	215,029	- 14 3	1 12 2	3,38,725	3,83,718	44,993	
Burroh - - -	155,749	86,389	1 4 4	2 5 -	1,10,700	1,93,915	83,215	
Chowkundra - - -	3,237	1,127	1 - -	2 15 3	2,750	3,339	589	

Average acre rate of assessment per acre on cultivation - - - - - Rs. 2. 2. 6.

Total amount of new assessment - - - - - Rs. 21,89,957

Amount of increase on previous assessment - - - - - 2,64,800

## FIFTH, OR BENARES DIVISION.

310. The settlement proceedings in the Benares division have been reported to us at long intervals.

## Agra Revenue Narrative.

No 1.	Feb. 8, 1838,	par. 81.
" 3.	Aug. 12, 1839,	" 79.
" 5.	Oct. 15, 1840,	" 102 to 110.
" 2.	Apr. 11, 1842,	" 116 to 118.
" 3.	Apr. 21, 1843,	" 150.
" 2.	Apr. 1, 1844,	" 152 to 155.
" 7.	Dec. 11, 1843,	" 161, 162.
" 2.	May 10, 1846,	" 222 to 235.
" 2.	May 10, "	" 239 to 248.
" 4.	Nov. 5, 1844,	" 205, 206.
" 1.	Feb. 20, 1846,	" 222.
" 1.	Mar. 15, 1847,	" 215.
" 2.	May 12, "	" 164.
" 2.	May 30, 1848,	" 212 to 214.
" 5.	Oct. 15, 1840,	" 102 to 109.
" 2.	Apr. 11, 1842,	" 116 to 118.
" 3.	Apr. 21, 1843,	" 150.

311. This division comprises the following districts:—

1. Gorruckpore.
2. Azimghur.
3. Ghazeepore.
4. Jounpore.
5. Benares.
6. Mirzapore.

## Gorruckpore District.

312. The proceedings connected with the revision and settlement of this district have been transmitted with the Revenue Narratives of the dates noted in the margin.

313. Mr. Bird, in his report, describes the district as very fertile, and most advantageously circumstanced; and he expects that, after the lapse of the present term, it will yield a large additional revenue, which may be expected to arise from the assessment of the increased area brought under cultivation, and from an enhanced rate on the lands assessed at the present time.

314. The striking characteristic of this settlement is the extraordinary increase obtained in the amount of the Government jumma, the revenue being raised from seven lacs to twenty lacs. The increase, which is observable in all the pergunnahs, arises partly from the enhancement of the Government demand in villages considered to have been formerly too lightly assessed, and partly from the large quantities of additional land brought under assessment, on the results of the professional survey.

315. The

315. The demand now fixed is stated to have been evenly distributed over the whole district, to be "moderate to a degree unexampled in other districts," and to have been collected without difficulty.

316. With the exception of jungle grants, which are to run for 50 years, the duration of settlement has been fixed at 20 instead of 30 years; the Sudder Board being of opinion that at the expiration of the shorter period, a jumma averaging Rs. 1. 8. per cultivated acre may fairly be fixed, by which an aggregate revenue of 30 lacs would be obtained without injury to the prosperity of the district, and without causing any difficulty in collection.

317. The released nankar villages in the possession of the Rajah of Bansee, pergunnah Russoolpore Ghans, were the subject of much discussion. The lands in question were released in perpetuity by the special deputy collector employed on the trial of maafee cases; but the Sudder Board, believing that the facts did not warrant the decision, and that nankar is not an hereditary tenure, directed an appeal from so much of the decision as ordered a perpetual release; leaving the lands to the Rajah for life.

318. The appeal was decided in favour of Government by the Sudder Commissioner at Patna. Mr. Reade, the settlement officer, appealed to the Lieutenant-governor in favour of the Rajah, whom he described as deserving of every indulgence and liberal consideration, on the score of his poverty and pecuniary embarrassment, as well as of the great antiquity and respectability of a family at one time the most influential in the district.

319. The Rajah's income was derived from his nankar villages, and from a nankar money allowance. The villages were given 400 years ago, as a mark of favour by the Emperor of Delhi, to the family, who had enjoyed them uninterruptedly ever since, and whose title had been repeatedly acknowledged. The allowance had been enjoyed only since F. 1186 (A. D. 1779), and was in its nature temporary and variable. The settlement officer recommended that the money allowance, which had been suspended from the date of the demise of the late Rajah, should cease altogether, but he strongly urged that the nankar villages, 87 in number, should be confirmed to the present Rajah and his heirs in perpetuity.

320. The Lieutenant-governor did not consider it expedient to give up entirely the benefits secured by the decision of the special Commissioner at Patna, nor to abandon the principle laid down by the Sudder Board, that such lands, granted nankar, are fairly resumable by the state. But in the specific case, he did not deem it desirable to enforce the total resumption. He directed that the present Rajah should be continued in possession for his life, without the right to alienate or dispose of any portion of the grant. That on the death of the incumbent Rajah, the name of his successor should be reported to Government, who would make an extension of the grant in his favour, such renewal to be necessary on every lapse.

321. The money allowance was declared to have lapsed.

322. The pergunnah of Tilpore is the subject of a report by the settlement officer, in whose opinion the proprietary right of the entire pergunnah belonged to the family of the ex-Rajah of Bootwul.

323. On the assumption of the management of the territory in 1804, an allowance of 4,000 rupees per annum was sanctioned by Government as a subsistence for the Rajah's family. This allowance was from time to time increased as an equivalent for what was taken from the family, and, at the period of the settlement, amounted to 700 rupees per month. The actual occupants of the land were then allowed to engage with Government free from the payment of malikana. The settlement officer recommended that the Rajah's stipend should be fixed definitively at 1,000 rupees per month, in lieu of all claims, especially considering that his zemindarree right has been acknowledged, and that the rent-free tenures originally assigned to him as part of his maintenance had been resumed.

324. The Board were not satisfied as to the existence of any well founded proprietary right on the part of the family. They were of opinion that the titular Rajah of Bootwul had never held possession of Tilpore "within the memory of man, or within a period traceable by history, or by authentic tradition."

325. At the same time, in maintaining what they considered an important principle, that a title which had become obsolete in the course of events is not to be pleaded as property, or as giving any claim to compensation, they dis-



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claimed all desire to stand between the ex-Rajah and the liberality of Government.

326. The Lieutenant-governor deemed Mr. Reade's observations in support of the Rajah of Tilpore's claims so far worthy of consideration, as to induce him to confirm the proposition for the assignment to the Rajah and his lawful heir of an allowance of 1,000 rupees per mensem.

*Gorruckpore.*

PERGUNNAH.	Total Area in Acres.	Cultivated Area in Acres.	Acre Rate on Total Area.	Acre Rate on Cultivated Area.	Former Jumma.	Proposed Jumma.	Increase.	Decrease.	Remarks.
			<i>Rs. a. p.</i>	<i>Rs. a. p.</i>					
Sa'empore Majhowlee -	362,349	211,884	- 10 -	1 1 -	61,481	1,35,339	73,858	-	The statements connected with the financial results in this district are not sufficiently complete to admit of any totals being furnished, on the accuracy of which the necessary reliance could be placed.
Aurangabad Nuggur -	130,324	76,250	- 9 5	1 - 2	51,463	72,928	25,465	-	
Mhowlee - - -	242,833	117,677	- 8 11	- 12 4 $\frac{1}{2}$	61,481	1,35,339	73,858	-	
Sylhet - - -	176,025	55,050	- 5 2	- 15 6	16,873	58,204	41,331	-	
Sidhora-Jobna - -	592,816	221,540	- 6 10	1 2 4	83,706	2,53,535	1,69,829	-	
Munsoonuggur Busta -	173,419	91,452	- 10 -	1 1 7	42,559	1,00,619	57,558	-	
Milghur Buckra - -	350,313	167,964	- 8 8	1 2 -	61,579	1,89,671	1,28,092	-	
Russoolpore Ghans -	200,598	121,995	- 10 4	1 - 10	1,28,385	62,356	66,029	-	
Bhewapore - - -	89,181	35,631	- 7 4	1 2 3	17,270	40,759	23,489	-	
Amorha - - -	170,665	106,755	- 12 6	1 4 -	1,13,052	1,33,848	20,796	-	
Tilpore - - -	187,032	45,895	- 5 -	- 14 5	11,523	37,924	26,401	-	
Beruckpore - - -	123,412	12,937	- - -	- - -	2,121	7,862	5,741	-	
Havelee - - -	920,167	262,569	- - -	- 14 5	79,859	2,38,247	1,58,348	-	
Ruttunpore Bansee -	524,596	217,381	- 8 7	1 1 2	83,663	2,33,880	1,50,217	-	

*Azimghur District.*

327. This district comprises the pergunnahs noted below.\* The settlements were completed by Mr. Thomason, with the assistance of Mr. Montgomery; reported in the Agra Revenue Narratives, dated 8th February 1838 (No. 1), para. 81, and 12th August 1839 (No. 3), para. 79, and briefly noticed in our despatch, dated 31st March 1841 (No. 4).

328. Mr. Bird represents this to be "a most fertile, productive, well-irrigated and well-cultivated district, possessing every element of agricultural prosperity." He considers the pergunnahs of Deogaon, Mahomedabad, and Nizamabad, to be fully cultivated and assessed; but with regard to the latter, he is of opinion that, as it was "the theatre of the first attempts at settlement before the present system was formed, the vile corpus of fiscal experiment," it was not so satisfactorily done as the rest, and should, therefore, be revised at the expiration of the present settlement, with a view to the equalization, but not to the enhancement, of the Government demand. He considers that the rates in the other pergunnahs ought not to be enhanced, but that the revenue "may fairly yield an enhancement proportioned to the increase of cultivation."

329. In addition to the several reports of Messrs. Thomason and Montgomery, on the last ten of the pergunnahs now under notice, Mr. Thomason drew up a report on the completion of the settlement, embracing the whole district. This document possesses more than ordinary interest, involving a careful record of the principles and details of the settlement, and a scientific and discriminating inquiry into the diverse and intricate landed tenures prevailing in Azimghur. He describes the different persons in whom the proprietary right rests, illustrating by historical instances the mode in which it has been acquired, and defines

\* Nizamabad.  
Churreekote.  
Khurreeah Mittoo.  
Bilkabuns.  
Deogaon.

Mahowmut Brinjum.  
Mahal.  
Mahomedabad.  
Atrowba Zilheneah.  
Kowreah.

Gopalporc.  
Sugree.  
Ghoosee.  
Nuthoopore.

defines the various holdings, and the rights and liabilities of different classes and individuals.

330. The country is represented by him to be well-irrigated and fertile. Its principal products are sugar, indigo, and opium. The former is the staple produce, for the cultivation of which the soil appears to be peculiarly adapted. It yields a very high rent, generally 12 or 15 rupees per acre; and in pergunnah Muhal, where the finest sugar land (which is stated to yield as abundantly as some of the old West India lands) is situated, it ranges as high as 30 or 40 rupees per acre. It has been calculated that the district annually produces 288,916 cwt. of sugar of the first, and 115,989 cwt. of sugar of the second quality; all the raw produce being manufactured within the district, and exported in the refined state.

331. With regard to indigo and opium, neither the climate nor the soil is peculiarly favourable to the former. The jealousy of the zemindars, on account of the receipt by the koormies, who are the chief cultivators of the poppy, of advances from the Opium Department, retards the cultivation of the latter; and the high price of, and great demand for, sugar, operates as a check on both. Mr. Thomason is of opinion that the cultivation of the poppy plant might be greatly extended, as the eastern portion of the district is peculiarly adapted for its production.

332. The principles by which the settlement officers were guided appear to differ materially, in respect to the basis of assessment, from those which were observed in other districts; there was also an increase of jumma in every pergunnah. As the former assessment was light, less caution was considered necessary in fixing the Government demand than in over-assessed districts. Mr. Thomason states that, although the rates are high, it must be borne in mind that sugar, opium and indigo are the most remunerative crops; and that these crops were, in 1833-4, at which time the rates were assumed, in small demand, and the market much deranged. The few cases of recusancy, and the collection without balance of the revenue in those pergunnahs in which the new settlement had, at the time of Mr. Thomason's report, come into operation, furnished evidence of its moderation and equality.

333. Throughout the whole of this district the greatest perplexities were occasioned by the intermixture of lands and villages; and in many instances transfers were found necessary to clear them up; the adjustment of boundary disputes, and the determination of the relations subsisting between different persons and classes of persons, were therefore matters of very great difficulty. Arbitration was generally resorted to for these purposes; but the venality of the arbitrators, which became matter of notoriety, demonstrated its inexpediency. Although Mr. Thomason does not contemplate this portion of the settlement with satisfaction, he is of opinion that the good which has been effected preponderates over the evil; and that the errors thus produced cannot be revised except in a civil court.

334. Great labour and attention appear to have been bestowed on the adjustment of the rights of co-parceners, and of the rates payable by them and by non-proprietary cultivators; and this measure has given universal satisfaction.

335. In the formation of his revenue rates, Mr. Thomason being of opinion that many objections existed against adopting the nature of the soil as the basis for the classification of the land, and deeming the better recognised method of distinction between the rates per mihai mittoo (according as the land is situated near to, or distant from, the village site) to be uncertain, divided the land into rubbee and kurreef: meaning by the former, land capable of producing sugarcane and the higher crops, and by the latter, rice land. These denominations of land were again divided under subordinate heads; and this plan was stated to be of great assistance in judging of the capabilities of the land, and the resources and management of the cultivation.

336. One of the most remarkable features of the present settlement is the great quantity of resumed rent-free land. In the three pergunnahs of Deogaon, Muhal and Mahomedabad alone, it amounts to 45,424 acres, bearing a jumma of 42,841 rupees; while in the same pergunnahs there are but two cases of release in perpetuity. All claims to hold land rent-free have been investigated and disposed of. An uniform principle was observed in the settlement of this class of tenures, which, it appears, has been made with the person legally in possession of the zemindarree right, protection being given to under-tenants against encroachments.

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	Acres.
Deogaon	- 3,361
Muhal	- 21,057
Mahomedabad	21,006
Total	- 45,424
	Rupees.
Deogaon	- 3,334
Muhal	- 19,714
Mahomedabad	18,793
Total	- 42,841

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337. The organization of an efficient police, and the introduction of an improved system of keeping the records and accounts, received the careful attention of the settlement officers.

338. The financial result of the settlement shows an acre rate of one rupee on the whole area, and Rs. 2. 2. 6. on the area in actual cultivation. The previous assessment was 10,38,958 rupees, and the present assessment is 13,57,419 rupees, which gives an increase of 3,18,457 rupees.

339. The proceedings of the settlement officers met with the unqualified approbation of the Commissioner, Mr. Currie, the Sudder Board, and the Lieutenant-governor. The Sudder Board noticed, in a marked and prominent manner, their sense of obligation to Mr. Thomason, who had heartily entered into their views, perfectly comprehended their plans, and carried them into execution with great skill and judgment. The exertions of Mr. Currie and Mr. Montgomery were also favourably noticed, as well by the Lieutenant-governor as by the Board.

340. The only individual case which appears to demand observation is that of talookah Zuhur, pergunnah Kowreah, which furnishes an example of the refusal of a purchaser to engage with Government for the payment of the revenue. This talookah had long been a source of annoyance to the revenue authorities, and although lightly assessed, the revenue had been collected with difficulty. It was settled by Mr. Bird in F. S. 1238. The estate was sold by public auction to Girdharee Loll, and purchased from him, by private sale, by Baboo Note Singh. The son of the latter, Shurhundial, refused to have anything to do with the settlement, and it was let in farm to the old zemindars.

341. Much discussion took place respecting this estate. The Commissioner, with whom the Board concurred, proposed a revision of the settlement, with a view to the reduction of the assessment, which he thought too high, and a formal purchase of the estate from Shurhundial.

342. The Lieutenant-governor stated that he would be prepared to take the subject into future consideration; but that any reduction in the Government demand must be preceded by some arrangement, under which the old zemindars might be restored to their possessions, and reap the benefit of the reduction.

343. The principles of the settlement in this district involve some points of great importance, with reference, especially, to the divisions and subdivisions of rubbee and khureef lands, as the basis of the assessment.

*Azingurh.*

PERGUNNAH.	Total Area	Cultivated	Acre Rate	Acre Rate	Previous	Revised	Increase.	Remarks.
	in Acres.	Area in Acres.	on Total Area.	on Cultivated Area.				
Nizamabad - -	281,667	126,110	Rs. a. p. 1 1 2	Rs. a. p. 2 2 8	2,02,727	3,03,022	1,00,295	
Chureakote - -	47,074	23,959	- 14 10	1 13 1	30,110	43,604	13,494	
Khurreah Mittoo - -	14,800	6,472	- 11 2	2 3 4	10,347	14,288	3,941	
Bilkabuns - -	38,829	19,982	- 13 9	2 - -	33,274	39,937	6,663	
Deogaon - -	124,828	57,210	- 15 6	2 1 10	1,12,271	1,21,085	8,814	
Mahowmut Brinjum	14,304	4,886	- 13 1	2 6 5	9,686	11,727	2,041	
Mahal - -	167,045	79,571	1 5 5	2 12 11	1,71,627	2,23,485	51,858	
Mahomedabad - -	197,406	81,061	- 13 12	2 2 1	1,33,524	1,72,533	39,011	
Ahowla Zilheneah - -	74,498	43,867	1 1 6	1 14 -	76,511	81,471	4,960	
Kowreah - -	38,611	20,924	- 15 5	1 13 -	33,326	37,917	4,591	
Gopalpore - -	30,703	16,467	- 14 4	1 10 9	20,583	27,550	6,967	
Sugree - -	146,913	64,867	- 13 10	1 15 6	98,345	1,27,493	29,148	
Ghoosee - -	105,194	45,211	- 14 -	2 1 6	63,987	94,651	30,664	
Nuthoopore - -	75,707	38,647	- 11 1	1 8 3	42,640	58,650	16,010	
	1,357,579	629,234	1 - -	2 2 6	10,38,958	13,57,415	3,18,457	

*Ghazepore District.*

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344. The settlement of this district, not having been completed before Mr. Bird withdrew from the superintendence of the revenue arrangements in the North-Western Provinces, is not reviewed in his report. The settlement proceedings were forwarded with the Revenue Narrative, dated 1 April 1844.

345. Ghazepore being one of the districts permanently settled by Mr. Duncan in 1790, the proceedings of the settlement officers had of course less reference to the assessment than to other arrangements which the plan of settlement was framed for the purpose of carrying out.

346. The larger portion of the district appears to have been allotted to Mr. Raikes, who was considered by the revising authorities to have conducted his proceedings with judgment and ability, and to have been peculiarly successful in removing the objections, and dispelling the apprehensions of those who viewed the Government measure as only preliminary to the abolition of the permanent settlement.

347. Although the generality of the estates in Ghazepore had been permanently assessed, there were several which, from various causes, had not been so. In these a moderate assessment was made, which, it was proposed, should be permanent, and which was fixed at the rate of the assessment on the surrounding permanently settled villages.

348. Our attention has been drawn to the measures adopted in the pergunnah of Burreehabad, from the peculiar circumstances attending its past history.

349. It appears that the lands in question, estimated to yield 25,000 rupees annually, were many years since alienated from the Benares zemindarree, and conferred in rent-free tenure on Bence Ram Pundit, a native of rank and influence, high in the confidence and esteem of the Governor-general (Mr. Hastings), as a suitable provision for himself and his family, and in reward for good service performed towards the Government.

350. The document making the above assignment is dated in May 1783, but whether the court's sanction was ever obtained to the measure is stated by the settlement officer to be doubtful; still the property is designated in Mr. Duncan's settlement as "Bence Ram's jagheer." At his death, in 1792, it passed to his brother, and at the demise of the latter in 1810, it reverted to his widow, and her title to succeed was recognised by the local Government. In the year 1820 doubts arose as to the validity of the tenure, and an investigation was ordered, the result of which was considered to establish that the grant was only a life tenure, and that the incumbent's title was invalid. Under the circumstances, however, the local Government determined, as an act of special grace, to continue the grant for the life of the widow. On her death, in 1837, measures were adopted for bringing the pergunnah under assessment. A perpetual settlement, commencing with the year 1839, was accordingly made at 42,099 rupees.

351. In our despatch under date the 23d August 1837, No. 10, we directed that the grand nephews of the original grantees should have the option of engaging with Government for the estate whenever it might be resumed.

352. The Lieutenant-governor considering these orders, and thinking it evident that the Government of the day intended to make a permanent provision for the descendants of the person on whom the grant was bestowed, in acknowledgment of valuable service to the state, refused to ratify the settlement until the orders in question should have been distinctly carried out, and the persons pointed out by us should have been given the option of engaging for the estate.

*Jounpore District.*

353. The papers relating to the settlement of this zillah were forwarded with the Revenue Narrative, dated 11th December 1843, No. 7.

354. The district is described as differing little in tenures, climate, or any peculiar characteristic from Ghazepore. It was included in Mr. Duncan's settlement of 1790. The principal objects of the recent proceedings were the assessment of such tracts as had been declared liable to the payment of revenue, and the obtaining an accurate record of the village institutions.

355. The revision of the settlement has extended to about one-fifth of the

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whole district. In the remaining four-fifths the settlement officer was not authorized to interfere to the same extent as in the mehals which were open to settlement.

356. The survey met with some opposition at first, but when the intentions of Government became better known to the zemindars, and their apprehensions of the subversion of the permanent settlement were allayed, they became satisfied with the proceedings, and a large majority of them, even in the permanently settled estates, came forward willingly to file their administration papers and statements of liabilities and shares, and in most instances bound themselves, of their own accord, to contribute to the one per cent. road fund.

357. The assessment of the district exhibits an increase on the amount of the jumma of 1790 of 88,383 rupees; being an increase of 20,925 rupees on the actual jumma of the district, with the addition of 67,458 rupees, by the transfer of villages from zillahs Azimgurh and Benares.

358. The only case which attracts special notice is that of talookah Budlapore in pergunnah Paree, in which the arrangement effected by the settlement officer has been ultimately reversed by the Court of Sudder Dewanny Adawlut.

359. The talookdar in the instance in question was set aside by Mr. Chester, with a money allowance, and the alleged zemindars were admitted to direct engagements as Sudder malgoozars.

360. It appears, however, that the Sudder Board did not feel warranted in authorizing such a measure, and took on themselves to modify Mr. Chester's proceedings.

361. In this case, as in most other similar cases which have come under our notice, the purpose of the settlement officer was to protect from oppression those under the sway of the party dispossessed.

362. The Board, however, directed that the talookdar should be offered the option of resuming charge of the talookah on the following terms, viz.: that the village zemindars should continue to pay the jumma to the talookdar, as they had done previously to the settlement; and that, so long as they continued to pay it punctually, it should not be in the power of the talookdar to dispossess them; that the tenures of the village zemindars should be heritable and transferable as hitherto, and continue to be annually shown in the putwarree's accounts as heretofore. The talookdar to have the option, on default, to proceed by distraint or summary suit against the individual zemindars.

363. The terms thus offered were rejected by the talookdar, who claimed to be replaced in the position in which he stood previously to Mr. Chester's settlement, and denied that the individuals who had been treated by that officer as village zemindars really possessed that character. The suit accordingly proceeded, and was decided against the talookdar by the Principal Sudder Ameen before whom it was tried.

364. The same terms were again offered to, and again rejected by, the talookdar, who instituted an appeal to the Court of Sudder Dewanny Adawlut. That court reversed the decision of the Principal Sudder Ameen, and directed the appellant to be replaced in the position of talookdar, as before the settlement; thus quashing, in the opinion of the Lieutenant-governor, all the arrangements, both fiscal and judicial, which had been made by Mr. Chester. The talookdar has accordingly been replaced in possession of the talookah as an undivided muhal, subject to the payment of the original mocrurree jumma.

365. We observe that some suits are still pending in which the talookdar seeks to obtain possession of villages which, during her exclusion, had been sold on account of arrears of revenue incurred by parties installed by the Government; and it is apparent to the Government that, whatever the decision on these suits may be, some embarrassment must be encountered; that, on the one hand, if the sales should be cancelled, the auction purchasers will set up a claim to compensation and refund of purchase-money; and, on the other, if they should be upheld, the talookdar will be deprived of a portion of her estate, and may demand a reduction of the jumma which she now pays.

Jounpore.

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PERGUNNAH.	Total Area in Acres.	Cultivated Area in Acres.	Acre Rate on Total Area.	Acre Rate on Cultivated Area.	Former Jumma.	Proposed Jumma.	Increase.	Decrease.	Remarks.
			<i>Rs. a. p.</i>	<i>Rs. a. p.</i>					
Becalsee - -	80,627	21,315	1 8 2	2 2 9	45,419	46,269	850	-	
Ghiswa - - -	75,063	41,489	1 1 5	1 15 6	75,572	81,744	6,172	-	
Ghurwarah - -	88,035	54,477	1 7 -	2 5 3	1,24,607	1,26,763	2,156	-	
Haveylee Jounpore -	119,487	80,157	1 5 7	2 - 2	1,47,121	1,61,515	14,394	-	
Kurakut - - -	90,177	57,394	- 15 7	1 8 6	83,916	88,033	4,117	-	
Kurreeat Dost - -	18,821	13,369	1 2 4	1 9 10	20,177	21,555	1,378	-	
Kurreeat Mundah -	12,526	9,227	- 12 9	1 1 3	10,039	9,966	-	73	
Moongra - - -	56,951	29,848	1 5 -	2 8 -	78,843	74,660	-	4,183	
Murreeshoo, &c. -	212,489	132,659	1 9 2	2 8 5	3,35,331	3,35,656	325	-	
Paree with Budlapore	67,572	46,728	1 6 4	2 - 4	90,839	94,657	3,818	-	
Singra Mow - - -	21,73 7	13,274	- 15 9	1 9 9	21,556	21,381	-	175	
Uglee Mahoul - -	170,500	90,502	- 15 -	1 12 4	92,873	1,60,169	67,296	-	
Zafrabad - - -	4,985	3,476	1 12 9	2 9 3	16,656	8,964	-	7,692	

Of the amount here shown as the increase on the previous assessment of 1197 F. S., the sum of 67,458 rupees is obtained by transfer of villages from sillahs Atinghur and Benares.

Average acre rate of assessment on the cultivated area - - - - - *Rs. 2. 1. 0.*

Total amount of new assessment - - - - - *Rs. 12,31,332*

Increase on previous assessment - - - - - *88,383*

Benares District.

366. The proceedings relating to the settlement of this district had not been completed at the period of Mr. Bird's departure from India. They were forwarded with the Revenue Narrative, dated 10th May 1846, No. 2, paras. 239 to 248.

367. The settlement arrangements were originally divided between two officers, viz., Messrs. Chester and Wylly, the former having the revision of the pergunnahs to the north, and the latter of those to the south, of the Ganges; but Mr. Wylly having been compelled by ill-health to relinquish his duties, Mr. Chester had to complete the settlement of the whole district. It comprises the pergunnahs named below.\*

368. In most of the pergunnahs which underwent revision, there were very few estates open to re-assessment, the greater number having been included in Mr. Duncan's permanent settlement.

369. The jealousy and suspicion of the zemindars were excited in this as in other permanently settled districts, and were not so easily removed. They appear to have dreaded some covert design of interfering with their permanently assessed jummas. This is partly attributed by the officiating Commissioner (Mr. Morrieson) to the haste with which the arrangements were conducted. Had the settlement been conducted more leisurely and deliberately, so that "what was going on in one part might be thoroughly understood before another was touched," he considers that the whole might have been carried out, not only without opposition, but with the perfect concurrence of the people.

370. With respect to the soil, the produce and the condition of the people, there are considerable variations in the different pergunnahs. In those close to the

\* Atgawan.  
Dehat Amonut.  
Goozerat.  
Jalhoopore.  
Kote Astah.  
Kusawar.

Kuttebur.  
Lohta.  
Pundroha.  
Sheopore.  
Jooltaneepore.  
Dhudwul.

Burrah.  
Dhoos.  
Moroyer.  
Mahooanee.  
Nurwun.  
Ruthapooree.

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the city of Benares and to the Sudder station, the soil is rich and well cultivated; while in others it is poor, and the people far from prosperous.

371. The report of the settlement officer is little more than a brief abstract of his proceedings. The officiating Commissioner, therefore, reviewed minutely the circumstances of the entire district. The zemindars of the permanently settled mehals were invited to file their own statements of shares and liabilities, and to record their internal village arrangements, if they thought proper to do so. In those cases in which they declined, their estates were allowed to remain *in statu quo*. Generally speaking, the zemindars, it is said, became ultimately satisfied of the advantage of defining and recording their rights, and the majority consented to give one per cent. over the Government jumma for the road fund. In all estates open to a revision of settlement, those parties who could prove a title to the zemindarree were admitted. In all cases in which it was found that the jumma of the permanent settlement had been set aside, and an excess taken, the Government demand was made to revert to the standard of F. 1197.

372. In a financial point of view, the result of the settlement is not, in the opinion of Mr. Chester, at all favourable. As compared with the assessment of F. 1197, there is an increase of 22,498 rupees; as compared with the demand of the year preceding the revision, an increase of 2,673 rupees. It is not, therefore, he observes, from the increased receipts that the Government should look for a return for the expense entailed by the settlement operations; but he expresses a hope that, when the irritation and uncertainty which has attended the unpopular measures of settlement shall have been removed, the people may be led to acknowledge that their rights, instead of being infringed, have been secured and confirmed.

373. The Rajah of Benares advanced the following claims in relation to the pergunnah of Kote Astah:—

1st. To the zemindarree of the whole pergunnah. His pretensions to this had been long since set aside, and various decisions of the civil courts on the subject had been recorded against him or his predecessors.

2d. To the rights of istumrardar and mocrurreedar of the pergunnah. The preceding Rajah had held both these titles, but the allowances had been decided to be for life only, and had ceased under the Board's orders in 1837.

3d. To the jagheer of Pindra: likewise possessed by the preceding Rajah, but not included in the Board's orders.

374. This claim also was declared invalid; but the Lieutenant-governor directed that, as a favour, the grant of the jagheer should remain unimpaired to the Rajah during his life.

375. In the talookah Kernadary, pergunnah Kuswa, questions arose relative to the claims of the resident malgoozars of the talookah to be allowed to enter into direct engagements with Government for the revenue as zemindars.

376. At the settlement, F. 1197, a clause of the regulations provided for the maintenance in possession of the malgoozars, who were not to be dispossessed by the Rajah without the sanction of the officers of Government. It is stated, however, that the Rajahs contrived, without authority, and in contravention of the above regulation, to turn out of their tenures nearly all the old malgoozars. In the suits instituted by the malgoozars against the Rajah, the civil courts decided in favour of the latter, on the ground of his having been in possession beyond twelve years.

377. It appears that for some years the Benares courts were of opinion that the suits brought by the malgoozars were not properly cognizable by them; and that afterwards, when that opinion was overruled, and fresh suits were instituted, it was contended that the period for hearing them was past, and they were finally rejected.

378. With reference to the above facts, the senior member of the Board considered that the Government was pledged to maintain the settlement, and that the talookah should be brought under the operation of section 3, Regulation IX. of 1825.

379. On the other hand, the junior member (Mr. Boulderson) considered that there was no plea for the direct interference of Government in these claims.

380. The Lieutenant-governor was of opinion that the greatest injustice had been inflicted on the malgoozars; first, by the Rajahs, who for 25 years had disregarded and defeated an enactment specially passed at the permanent settlement for the protection of the malgoozars; and, secondly, by the decisions which have debarred



debarred them from remedy, because they failed to sue in a court which was closed to them. He further declared, that Mr. Boulderson entirely mistook the nature of the question; the Rajah's tenure not being talookdarree, as assumed by him, but the whole proprietary right having been declared to vest in the village zemindars, with whom the former Government had made a permanent settlement. The Rajah, he held, was merely tehsildar, and took advantage of his position, from the remissness of the local authorities, to usurp a right for which there was no foundation in previous custom or in law.

381. The financial result of the settlement shows an average acre rate of assessment on the area in actual cultivation of Rs. 1. 15. 5.

382. The aggregate amount of the revised jumma is Rs. 8,17,067. 9., being an increase in the jumma of F. 1197 settlement of 20,005 rupees; and on the jumma of the year preceding the present settlement of 1,681 rupees.

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*Mirzapore District.*

383. This district had not been reported on at the period of Mr. Bird's resignation of his duties connected with the revenue settlement.

384. The proceedings were forwarded with the Revenue Narrative, dated 10th May 1846, No. 2, paras. 222 to 235. They relate to the settlement of the pergunnahs noted below.\*

385. The settlement was conducted by Mr. Raikes and Mr. Wynyard.

386. The proceedings form the subject of four different reports, viz., two by Mr. Raikes, and two by Mr. Wynyard.

387. Mr. Raikes's first report has reference, exclusively, to talookah Mujwa. The proceedings were not attended with any difficulty in the adjustment, and met with no opposition, or expression of dissatisfaction, from those whose interests were affected by them. The talookah is situated in Kuswur, a pergunnah belonging to the Benares division, though fiscally subordinate to zillah Mirzapore.

388. In the zemindarree estates, Mr. Raikes abstained from all interference with the demand of Government for revenue, or of zemindars on assamees for rent. His object being merely to record, and not to alter, the state of things, he confined his measures to the survey and demarcation of boundaries and such other detail arrangements as the form of settlement rendered necessary. In all other estates in the talookah, Mr. Raikes's measures showed an increase of 851 rupees on such lands as, in F. 1197, were held amanee, and nankar, and maafee. Owing to the superior quality of the soil, the revenue was stated to be collected without difficulty.

389. Mr. Raikes's second report relates to the pergunnah of Kuntit, which is a very extensive one, consisting of five tuppahs, and covering an area of 806,791 acres, of which about one-third was under cultivation.

390. The case of the Rajah of Kuntit has some points of importance.

391. It appears that after a lengthened possession of the estates, the old Ghurwar Rajahs of Kuntit were expelled, about seventy-five years since, by the family of the Rajah of Benares. At the commencement of the British rule over the territory, Mr. Hastings gave the Kuntit Rajah, then returning from exile, "a jagheer or malikana, to the estimated value of 37,500 rupees," being 10 per cent. on the land revenues of the pergunnah. In lieu of pecuniary payment, the talookah of Bijeypore was given as an equivalent to the Rajah, who, however, never ceased to urge his claim to the whole zemindarree.

392. It is stated that he would have been restored by Mr. Duncan to all his rights at the time of the permanent settlement, but from the fear of exciting the jealousy of the Rajah of Benares.

393. At the demise of the person to whom the malikana had been granted it was resumed, and talookah Bijeypore settled in zemindarree with his son, at a permanent jumma of 10,000 rupees. In making the present settlement, Mr. Raikes admitted the Rajah to zemindarree engagement in all cases of lapsed farms, or where others had been unable to establish a prior claim. There was still a question

\* Kuswar,  
Kuntit,  
Ahrowrah,  
Bhaguret.

Houslee Chunar.  
Barhur.  
Agooree.  
Singrowlee.

Bhoelee.  
Bejey Gush.  
Kurreet Sukkur.

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question as to the permanent character of the assessment of 10,000 rupees. The Commissioner was decidedly of opinion that the settlement should be considered as fixed, and the Sudder Board also viewed it as perpetual, but it was stated that no confirmation of it had been received from us, such confirmation being necessary in a case in which the jumma, instead of being regulated by the assets, is in a shape which renders it virtually a jagheer.

394. Mr. Raikes drew attention to the fact, that in the part of Mirzapore which had been subject to his revision, the actual assessment of land had occupied but a small portion of his time and attention, the general moderation of the Government demand having rendered the work of assessment very easy. His principal labours had been the investigation and settlement of zemindarree and puttedarree claims, and all questions of disputed rent or succession, all of which he seems to have adjusted to the satisfaction of the revising authorities.

395. Mr. Wynyard's two reports on the remaining portion of the district enter with much minuteness into the history of the pergunnahs which came under his revision. Much of the country is described as barren, wild, and unhealthy; with a population devoid of civilization or knowledge of husbandry. He encountered much difficulty in fixing the Government demand, from the fact that, in many parts, he found the system of making payments in kind very prevalent, as likewise an almost insuperable objection, on all sides, to the introduction of money payments. He took the opportunity of recording the opinion, which his researches in the district had led him to form, that a permanent settlement is unfair alike to the Government and the proprietors. He adds, that the general statement will support his assertion, by exhibiting some villages where the Government jumma presses very severely; and others, in which the Government demand might be doubled or trebled, and an ample profit be still left to the zemindars.

396. The result of the settlement shows an average acre rate of assessment on the area in actual cultivation of Rs. 1. 0. 2.

397. The aggregate amount of the revised jumma is 6,70,680 rupees, which gives a decrease on the jumma of the preceding year of Rs. 1,600. 15. 4½., but an increase over the jumma of F. 1197 of 61,851 rupees.

*Mirzapore.*

PERGUNNAH.	Total Area in Acres.	Cultivated Area in Acres.	Acre Rate		Jumma of F. 1197.	Proposed Jumma.	Increase.	Decrease.
			on Total Area.	on Cultivated Area.				
			Rs. a. p.	Rs. a. p.				
Tappah Opronah -	370,276	129,910	- 2 2 ¾	- 6 4 ¾	49,867	51,760	1,893	—
Ditto Chowassa -	370,276	129,910	- 7 7 ¾	1 2 —	90,923	98,751	7,828	—
Ditto Chanway -	267,642	87,869	- 13 3	1 9 6	64,489	80,381	15,892	—
Suktay's Gush -	96,767	52,092	- 2 8 ¼	- 8 4 ¾	14,722	13,918	-	804
Tappah Kone -	110,699	26,838	1 13 2 ½	2 7 1 ¾	39,059	39,067	8	—
Meyhwa -	21,407	15,992	1 13 —	2 11 11 ¼	48,200	49,052	852	—
Orowra -	47,612	10,446	- 5 5 ¾	1 10 — ¼	12,820	16,980	4,160	—
Bhugwut -	85,270	28,163	- 6 7 ¾	1 5 10 ½	31,931	38,397	6,466	—
Houslee Chunar -	29,800	22,118	2 — 4 ¼	2 10 11 ½	42,381	54,380	11,999	—
Barhur -	296,649	107,932	- 2 11 ½	- 8 — ½	52,216	49,196	-	3,020
Agooree -	42,026	26,072	- 6 10 ¼	- 8 6 ¾	1,001	—	—	—
Singrowlee -	63,762	33,918	-	-	701	—	—	—
Bhoelee -	55,753	41,614	1 15 8	2 10 2 ¼	97,183	1,06,764	9,581	—
Bejey Gush -	120,166	43,981	- 1 11	- 5 2 ¾	11,059	14,348	3,289	—
Kurreet Sukkur -	27,404	19,114	2 — 3	3 3 3	53,979	57,686	3,707	—

Average acre rate of assessment on the cultivated area - - - - - Rs. 1. 0. 2.

Total amount of new assessment - - - - - Rs. 6,70,680

Increase on assessment of F. 1197 - - - - - 61,851

## DELHI DIVISION.

398. The proceedings relating to the settlement of the Delhi division, which comprises the districts noted below,\* were submitted to us with paragraphs 79 to 92 of Agra Revenue Narrative, 10th May 1846 (No. 2), with the exception of those which had reference to the pergunnahs of Rewaree, Boruh, Shahjehanpore, Ferozepore and Poonahana, in the district of Goorgaon, which we received with the paragraphs marginally noted.

<i>Agra Revenue Narrative.</i>	
No. 3.	May 28, 1840, par. 63.
" 4.	Sept. 2, " " 35 to 39.
" 3.	July 28, 1841, " 37, 38.
" 4.	Oct. 5, " " 29.
" 2.	Mar 10, 1846, " 79 to 92.

399. Mr. Bird states that over-assessment, mismanagement and a neglect of sound administrative principles have prevailed in this division. He reviews the distinct conditions of the irrigated and unirrigated land. The first he describes as flourishing and populous, and he anticipates that the condition of the cultivators will steadily improve, since the pressure of over-assessment has been removed. He does not consider that there is any prospect of increasing the irrigated area.

400. With regard to that portion which depends altogether on the seasons, and which, consequently, yields a very precarious return to the husbandman, he states that extreme moderation is, and for a long time will be necessary, as it is of "more importance to give the people a taste for accumulation and the arts of life, by leaving a large proportion of the produce raised in their own hands, and forming them to habits of regularity and punctuality by the punctual collection of a very low revenue, than to attempt to obtain from this tract any increase of resources for the state;" and he therefore considers that no increase can be demanded on a revision of settlement, unless Government should hereafter open a canal, fed from some other stream than the Jumna, in some other quarter.

*Zillah Paneeput.*

401. This district comprises the pergunnahs of Paneeput Bunyur and Paneeput Khadir, and Soonput Bunyur and Soonput Khadir. The pergunnah of Paneeput had been settled by Mr. A. Fraser; but as the work was considered to have been unsatisfactorily performed, the completion of the settlement was entrusted to Mr. Mill, and on the occasion of his illness transferred to Mr. Edmonstone.

402. Adverting to the importance of an accurate record of measurement in a district like Paneeput, where, the tenure being exclusively byachara, the minutest subdivisions of land exist; and having satisfied himself of the total uselessness of the previous record, and the inefficiency of the measures taken by Mr. Mill to remedy this defect, Mr. Edmonstone applied for and received permission to remeasure the whole district. Mr. Edmonstone appears to have bestowed more than ordinary pains on the survey; and on the completion of his operations he was convinced that he had "secured as correct a record of measurement, and as accurate a detail of the extent of each biswadar's possession and rights," as it was possible to prepare.

403. Between the results of Mr. Fraser's and Mr. Edmonstone's measurement of the cultivated area of pergunnah Paneeput there was a great discrepancy, the former making it 22,129 acres less than the latter. The solution of this discrepancy was not to be found either in general agricultural disaster, drought, or mal-administration. Nor had there been any recent excavation of canals, by which a powerful impulse could have been imparted to agriculture. Cultivation had been temporarily abandoned on the commencement of Mr. Fraser's settlement, but not to a sufficient extent to account for so great a difference as 22,129 acres. Mr. Edmonstone was therefore of opinion that one of the two measurements must have been incorrect; and taking into consideration the precautions which he had adopted to ensure accuracy, and the great improbability of proprietors receiving, without remonstrance or appeal, a record so adverse to their interests as his would have been, if incorrect, he did not consider it possible that an error of this nature could have been committed by him.

404. The benefits of irrigation are extensively bestowed on this district by the Jumna, canals and wells; and with such numerous and diffused means of counteracting drought, a general failure of crops is not to be apprehended. In determining the amount of assessment to be borne by irrigated land, advertence was

\* Paneeput. Hurreeanah. Delhi. Rohtuc. Goorgaon.

was always made to the mode in which it received its supply of water, and its contiguity to, or distance from, the sources of irrigation; because in seasons of drought, when irrigation is most needed, those lands which are remote from the canals may find their supply entirely cut off; besides which, the expense of keeping the channels in an efficient state is increased proportionally to their increased length.

405. The mode in which the assessment on irrigated land was determined involves a principle of some importance. Mr. Edmonstone states his impression, that land "which lies within the possible limits of canal irrigation, and has at any one time been admitted to its benefits, rather than the area which was actually under irrigation at the time of measurement, has been described." This course he considers to be exempt from any risk of error, and the only one that could with propriety have been pursued, because "land which even in case of emergency commands a sufficient supply of water may fairly be rated as irrigated, whether at the time of survey it be so actually or not." In order to obviate the severity which might result from this system, a table of the quantity of land irrigated in each village for five years from 1836-37 to 1840-41, was procured; and a reference to this and to the amount of each crop found in the village at the time of measurement were deemed to afford efficient checks.

406. The Jat tribes, who are distinguished for their agricultural skill, and for the punctuality with which they make their revenue payments, abound in this district, and their orderly and industrious conduct exercises a beneficial influence over their predatory and indolent neighbours, the Goojurs. But this is only perceptible in those parts of the country which are within the range of canal irrigation. The construction of wells is attended with so much labour that it deters them from exertion, and the vicinity of the Jumna contributes to the success of their predatory pursuits.

407. Previously to the commencement of Mr. Edmonstone's settlement, 25 estates had been let in farm, but he did not find it necessary, from recusancy or any other cause, to augment their number; of these, 23 were held by the heirs of Colonel Skinner. Some of the estates in question, in which a proprietary right was universally acknowledged, were continued to the heirs for the whole period of settlement, at the especial request of the biswadars. In some instances there were still traces of a proprietary body, whose claims were, however, rejected. Most of these villages had been greatly improved by Colonel Skinner; and Mr. Edmonstone, while he was of opinion that "reasonable expectations and partially acknowledged rights in some\* of these villages would seem to call for some concessions," concurred in the equity of the principle which "rejected their claim to reap the benefits resulting from the exertions of another, and referred them to the civil court for redress from their supposed grievances."

408. In this district there are no fixed rates. The prescribed method of forming them was not found practicable on account of deficiency of data. Mr. Edmonstone made personal inspection the basis of his assessment, bearing in mind the fiscal history of each mouzah. Lands irrigated from wells were more lightly assessed than those irrigated from canals, the expense of constructing and the labour of working the former being much greater.

409. All claims to hold land rent-free had been investigated and determined four or five years anterior to the date of Mr. Edmonstone's report; but small patches under 10 beegahs were again brought under revision in his settlement, and were finally disposed of, apparently with a spirit of liberality and indulgence.

410. While the divisions of Paneeput and Soonput Bangur had rapidly advanced, the two Khadir divisions had made very little progress in the development of their agricultural resources. This Mr. Edmonstone attributes to the former being cultivated by the Jats and other industrious classes; while the latter were held by unskilful and indolent communities. Other causes are to be found in the inadequacy of the agricultural population, who are continually emigrating from the Khadir to the Bangur divisions; and to the comparatively high assessment in the two latter pergunnahs, which had tended to deteriorate their

\* Jatoul.  
Sithanah.

Khareenagnal.  
Mahomedpore.

Birejaul, &c.

their condition, and to encourage the desertion, not only of cultivators, but even of proprietors and co-parceners.

411. In remarking on the formation of a record of shares and liabilities, Mr. Edmonstone brought to notice a peculiar tax, denominated the "Kumeenee Ba'ach," levied on all non-agricultural residents (with the exception of artificers and a few others), who are considered unprofitable members of the community, in an agricultural point of view, as a consideration for the land occupied by their houses, the grazing of their cattle on the waste lands, and other privileges.

412. The financial results of the settlement exhibit an average acre rate of Rs. 1. 4. 11. on the total area, and of Rs. 2. 8. on the area in actual cultivation. In the three pergunnahs of Soonput Bangur, Paneput Khadir and Soonput Khadir, it was found necessary to grant reductions, amounting in the aggregate to 52,542 rupees, but as an increase of 20,594 rupees has been obtained in Paneput Bangur, the total decrease on the previous assessment is reduced to 32,668 rupees.

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*Paneeput District.*

PERGUNNAH.	Total Area in Acres.	Cultivated Area in Acres.	Acre Rate on Total Area.	Acre Rate on Cultivated Area.	Previous Jumma.	Revised Jumma.	Increase.	Decrease.
			<i>Rs. a. p.</i>	<i>Rs. a. p.</i>				
Paneeput Bangur -	2,33,306	1,12,296	1 3 1	2 7 9	2,58,420	2,79,014	20,594	
Soonput Bangur -	1,37,650	1,00,400	1 13 -	2 7 9	2,52,130	2,49,526		2,604
Paneeput Khadir -	1,37,659	65,518	1 3 11	2 9 9	2,02,105	1,71,009		31,096
Soonput Khadir -	1,08,125	44,772	1 - -	2 6 8	1,27,801	1,08,239		19,562
	6,16,740	3,22,986	1 4 11	2 8 -	8,40,456	8,07,788	20,594	53,262

Average acre rate on cultivated area - *Rs. 2. 8. 0.*

Total amount of new assessment - *Rs. 8,07,788*

Decrease on previous assessment - *32,668*

*Hurreeanah or Hissar District.*

413. The settlement of the pergunnahs noted below \* was effected by Mr. S. S. Brown, and includes the whole district, with the exception of 27 mouzahs of pergunnah Futtiabad, pergunnahs Ruttee and Tohana, and five mouzahs of the Futtiabad, and 10 of the Berwala pergunnah, lately recovered from the Sikh states.

414. Pergunnahs Mehin and Behwannee, formerly attached to the Rohtuc district, have been annexed to Hissar; but certain alterations in their jummas were contemplated, which had not been effected at the date of Mr. S. S. Brown's report.

415. Those pergunnahs of this district now under notice were reported on by Mr. Brown *seriatim*, and their geographical and local peculiarities, and their agricultural resources, as well as those differences which were deemed of sufficient importance to influence the settlement, were duly noticed. In addition to these pergunnah reports, he recorded some general observations on the settlement of the whole district.

416. It appears that a revision of the settlement of this district as a whole was undertaken and effected by Mr. Brown in 1839; but it was not maintained. In the year 1840-41, having had the advantage of a personal interview with the senior member of the Board of Revenue, he was empowered to revise the settlement of the previous year.

417. A reference

\* Hansi.  
Toshaun.  
Sewanie.

Burhul.  
Burwala.  
Hissar.

Agrohar.  
Futtiabad.

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417. A reference to the record of past years showed that, for a series of years, rather more than one-fourth of the Government demand had been remitted, and these remissions were ascribed principally to unfavourable seasons. Mr. Brown felt firmly convinced of the impolicy of a system of revenue, "which makes a balance on account of casualties the rule, and a steady enforcement of the Government demand almost the exception." Experience had demonstrated to him the injurious effects of these remissions on industry and improvement. Besides, such remissions opened a wide door to mal-practices between the people and the officers of the collectorate.

418. Taking into consideration these various circumstances, the only efficacious remedy appeared to Mr. Brown to be a reduction sufficient to meet the variations of season, so far as they can be subjected to ordinary calculation; and the substitution of an average of profit and loss both for the state and the people, instead of nominal demands and irregular remissions. The average collections of the last ten years appeared to present a fair and equitable basis for the formation of an estimate of this nature.

419. All the villages in this district had, up to F. 1247, been classified and assessed as "barranee," and consequently Government had not participated in the fiscal advantages arising from irrigation. In the present settlement, therefore, they come for the first time under consideration, as affording to Government the right of an enhanced demand, on account of advantages independent of, and extraneous to, the natural fertility of the soil.

420. Care appears to have been taken to form a just estimate of the quantity of land receiving the benefits of irrigation, and the numerous advantages accruing therefrom appear to have been allowed their due weight in determining the Government demand. In the assessment of individual villages, the facilities for, and mode of, their irrigation were taken into consideration; and as some could command the means of irrigation for all, and some only for particular crops, Mr. Brown was of opinion that it would obviously have been unfair to have applied an uniform rate to these villages indiscriminately.

421. The village "Ba'ach" appears to have been formerly determined here according to the usual consideration of the extent of rukbah and grazing land, and of the number of cattle; but, as numerous assamees had deserted agricultural for pastoral pursuits, the "Ba'ach" fell very heavily on the remaining inhabitants. With a view to the equal distribution of the rate among all the members of the community, whether cultivators or not, Mr. Fraser, in the first 10 years' settlement, had introduced very generally the "choulucha\*" system. This change was considered to be entirely in favour of the cultivators; and it was expected that a great impulse would have been imparted to agriculture; but the reverse appears to have been the case. The result is stated to have disconnected the cultivators from their former holdings; and to have given general dissatisfaction, except to those biswahdars in the more populous villages, whose "Ba'ach" the measure had lightened, or who had availed themselves of the opportunities it afforded of misappropriating the village funds.

422. Mr. Brown accordingly prohibited the "choulucha," and limited the "kumméenee" tax to the rate prevailing elsewhere. The arrangement of details was left entirely to the decision of the communities; and in every instance the majority were in favour of a return to the original method of internal assessment, which was ultimately effected.

423. The settlement of "zemindarree estates" is separately commented on by Mr. Brown, by which term he implies "the mouzahs acquired by non-resident proprietors by virtue of prior occupation and continued possession, and to which their title has now been regularly declared and recognized." These villages, of which Colonel Skinner was the principal holder, are managed by means of agents; and Mr. Brown considering that it would be unfair to assess them on an equal scale with the mouzahs occupied by the resident Khood Khosht Biswahdars (the payment of malgoozaree having been undertaken when the district was almost a waste), a third was struck off the jumabundees at the first revision of the settlement, and a further reduction allowed at the second, proportioned to that granted in the pergunnahs in which the lands were situated.

424. Although

\* "A levy proportioned to the Government demand on each field, head of cattle, hearth and poll of the cultivators, with a similar levy, at fixed rates, on the hearths and polls of the non-cultivators."

424. Although Mr. Brown felt persuaded that the force of habit would lead the people to expect, and to endeavour by every artifice, to obtain remissions, notwithstanding the great reduction that had been made, he was of opinion that a steady enforcement of the Government demand from year to year would lead to its satisfactory realization, excepting in seasons of general failure and famine, when it might still be necessary to grant remissions; but that the reduction would cover all partial failures.

425. The acre rate on the total area in this district is Rs. 0. 3. 7½., and that on the cultivated area, Rs. 0. 8. 9.; and the total reduction on the former jumma is 1,08,479 rupees.

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*Hurreanah or Hissar District.*

PERGUNNAH.	Total Area in Acres.	Cultivated Area in Acres.	Acre Rate on Total Area.	Acre Rate on Cultivated Area.	Former Jumma.	Revised Jumma.	Increase.	Decrease.
			<i>Rs. a. p.</i>	<i>Rs. a. p.</i>				
Hansi - - -	46,096	148,131	- 5 8	- 15 6	1,77,998	1,63,974	- -	14,024
Toshann - - -	257,612	152,254	- 3 3	- 5 3	88,153	52,285	- -	35,868
Sewanie - - -	109,596	59,406	- 2 10	- 5 -	35,299	19,398	- -	15,901
Burhul - - -	28,917	17,291	- 2 9	- 4 7	8,605	5,000	- -	3,605
Burwala - - -	172,774	41,318	- 2 8	- 9 2	30,190	23,650	- -	6,540
Hissar - - -	368,938	187,694	- 3 5	- 6 2	1,14,026	79,623	- -	34,403
Agrohar - - -	167,516	44,104	- 2 7	- 6 11	18,865	20,175	1,310	-
Futtiabad - - -	112,326	45,949	- 2 7	- 5 4	15,543	16,095	552	-
	1,677,975	696,147	- 3 7½	- 8 9	4,88,679	3,80,200	1,862	1,10,341

Acre rate on cultivated area - - - - - Rs. 0. 8. 9;

Total amount of new assessment - - - Rs. 3,80,200

Total decrease on former assessment - - - 1,08,479

*Delhi District.*

426. This district was originally settled by Mr. Taylor, but in consequence of his appearing to have over-estimated its capabilities, it was made over to Mr. M. R. Gubbins, and it appears to have been reported on by him in May 1843; but as several alterations were made, and as some villages had lapsed, the statements revised and corrected were submitted by his successor, Mr. Lawrence, in a report dated in August 1844.

427. The soil of this district is represented to be of a decidedly inferior quality. Upwards of one-third of its area is uncultivated, and to a great extent unculturable from the existence of rocky hills, wide ravines, and the débris of ancient habitations in the southern pergunnah, and from the lands in the northern pergunnah being strongly impregnated with reh. In facilities for irrigation, and in the industry and skill of the population, the northern possesses great advantages over the southern pergunnah.

428. Government having sanctioned advances for the repair of the hydraulic works at Chutterpore and Kirkee in the southern pergunnah, much benefit was expected to accrue from the measure: it was anticipated that not only would a large tract of land, till then arid and uncultivated, be thoroughly irrigated and brought to bear rubbee crops, but that great encouragement would be held out to the landholders to undertake works of a similar nature.

429. In the southern pergunnah, the large tract of dehir land is entirely dependent on the flooding of the Nujuf-gherr Jheel, whose chief channel of supply is the great Sahibee Nuddee, the waters of which have of late years been remarkably deficient. The drainage of the Jheel was undertaken in 1837, completed in 1839, and the expense of the work, and the advantages that would accrue from it, were variously estimated. Captain De Bude in 1833 anticipated



the redemption of 40,000 beegahs of land, yielding a revenue of 1,20,000, rupees, by an outlay of 40,000 rupees.

430. Although there were not sufficient data to determine with precision the amount of money actually expended on this work, yet as the Treasury accounts showed an advance of 58,154 rupees to the executive officers on this account, Mr. Lawrence concluded that this was the amount actually expended on the drainage. The only doubt in the minds of those who framed the estimates of the work appears to have been whether it was practicable to drain the Jheel sufficiently to admit of cultivation before the season for sowing had passed away. But experience had so far shown, that deficiency rather than superabundance of water had prevented any considerable extension of cultivation.

431. Mr. Lawrence found on personal inspection, that rubbee crops were only grown along the banks of the watercourse, or cut, which carries off the water on a strip of land about 100 yards broad; that on the high land on either side, at the distance of a quarter of a mile, inferior crops were grown, and that the intervening space was fallow; and it was only in very rainy seasons that the full benefit of the Government outlay could be realized.

432. It appears from Mr. Lawrence's report, that the amount of land recovered was only 9,863 beegahs, and that only 8,136 rupees had been added to the revenue, but that even with this comparatively unfavourable result of more sanguine expectations, the outlay would be repaid in five years; and in addition to the actual gain must be considered the prevention of loss which had occurred in seasons of heavy rain by the inundation of the undrained Jheel.

433. There are 346 Government villages in this district, but only 320 bearing a jumma of 3,57,852 rupees were reported for sanction; the remaining 26, bearing an assessment of 15,709 rupees, remaining liable to alterations of assessment. Besides these, there are 66 jagheer villages, with an area of 51,683 acres, of which 27 are for life, and 39 in perpetuity.

434. The system of farming appears to have prevailed very largely in this district, 132 of the Government villages having been settled with farmers. Mr. Lawrence remarks that, when once this system has been thoroughly introduced, it requires a long course of years of attention to supersede it, the ignorance and supineness of the villagers so involving them in debt as to render them unable, even when willing, to resume the management of their lands. He objects to the farming system, that the farmers think only of working out a profitable speculation, without regard to the general improvement of the country.

435. Rather more than one-third of the tenures\* in this district are zemindarree, the remainder being byachara; the great proportion of the former is, in Mr. Lawrence's opinion, ascribable to these circumstances:—

1st. The seat of Government having been formerly in the vicinity, and the means consequently given to persons of influence to bust the ancient proprietors, and appropriate their lands.

2d. The extensive system of farming.

3d. The occupation of deserted land by influential persons.

436. He contrasts the advantages of the zemindarree and byachara systems of tenure, and while he admits that the circumstances attending large byachara communities render them difficult to manage, he considers them to be well adapted to the disposition and habits of the people.

437. Mr. Lawrence confidently recommended his settlement for confirmation; adducing in proof of its moderation the fact that land had greatly risen in value since its completion.

438. The financial result of the settlement gives an acre rate of Rs. 2. 0. 6. on the cultivated area. There is an increase in the northern pergunnah of 4,351 rupees, and a decrease in the southern of 12,560 rupees, making a total decrease of 8,209 rupees. Mr. Lawrence was of opinion, that independently of the injurious effects produced by over-assessment, the reductions that had been made in Paneeput, Rohtuc and Goorgaon, rendered this decrease unavoidable. He observes, "an assessment, moderate in itself, will become severe, if disproportioned to that paid in adjoining zillahs."

Delhi

*Delhi District.*

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PERGUNNAH.	Total Area.	Cultivated Area.	Acre Rate on Total Area.	Acre Rate on Cultivated Area.	Former Jumma.	Revised Jumma.	Increase.	Decrease.
Northern Delhi	145,036	92,354	Rs. a. p. 1 7 11	Rs. a. p. 2 5 5	2,11,697	2,16,048	4,351	—
Southern Delhi	155,628	82,280	14 7	1 11 7	1,54,461	1,41,901	- -	12,560
	301,764	174,634	1 3 -	2 - 6	3,66,158	3,57,949	4,351	12,560

Average acre rate on cultivated area - - - - - Rs. 2. 0. 6.

Total amount of new assessment - - - - - Rs. 3,57,949

Decrease on previous assessment - - - - - 8,209

*Rohtuc District.*

439. The pergunnahs\* comprising this district were settled, and severally reported on, by Mr. M. R. Gubbins, Mr. C. Gubbins, and Mr. J. B. Mill. The dates of the reports of these three officers embrace a period of nearly four years.

440. The reports of the settlement officers appear to be carefully drawn up, and contain full information respecting the resources and peculiarities of the district.

441. The clustering of villages and tuppahs appears to prevail throughout nearly the whole district. According to this practice, a number of villages are united into a body corporate, under the controlling power of one tuppadarree village, and all villages around it are generally included in the tuppah, without reference to caste. It is supposed that these unions had their origin in those disturbed times when connexions of this nature were necessary to the safety and protection even of large communities. Their influence over the people is still in a great measure retained, and in cases of feud the cause of one village is generally espoused by the whole community. The tuppahs of Mokra and Chunda, in Rohtuc Behree, appear to be very large, the former containing 27 villages, and the latter 22.

442. No rent-rates have been assumed, nor, indeed, does it appear that any exist in this district. The methods by which the revenue rates were calculated are detailed by each of the settlement officers. The usual considerations of the nature of the soil and the habits of the people, together with the information gained by personal inspection, appear to have formed the basis on which they were determined.

443. The only points requiring special notice relate to the assessment of irrigated land. Pergunnah Mehun Behwancee is entirely destitute of irrigation, to the introduction of which its physical features appear to present great obstacles. The ordinary practice of taking into consideration the nature of soil, and the facilities for irrigation, appears to have been observed in determining the amount of assessment to be borne by irrigated land in the pergunnahs of Rohtuc, Behree and Gohana. But in pergunnah Khurkunda Mandouttee, an uniform rate has been laid on all irrigated land. Personal observation in the pergunnah had led Mr. C. Gubbins to consider this the best plan.

444. The grounds on which Mr. Gubbins formed this opinion are briefly these:—

Irrigation tends greatly to equalize the productive powers of the various denominations of soils, the light soils being very much better adapted to it than the clayey. Indeed, Mr. Gubbins observes that he has seen the finest wheat, and even sugar-cane, growing on land classed as "bhoor."

445. There

\* Rohtuc Behree.  
Gohana.

Khurkunda Mandouttee.  
Mehun Behwancee.

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445. There are two modes of irrigation, "tor" and "dal." Irrigation by the former mode, which is only practicable in low lands, is effected by merely breaking the doul, and allowing the water to drain into the fields. The latter mode, which is used in the higher lands, consists in throwing water with the small leathern bucket into the field from a lower lever. The superiority of "tor" irrigation, under ordinary circumstances, is obvious; but no variation in the rates of assessment was deemed necessary by Mr. Gubbins on this account, because as the level of the water of the canal is not uniform, those villages which are ordinarily watered by "tor" may, in seasons of deficiency, be obliged to resort to "dal."

446. And, in conclusion, he observes: "Again, villages which are distant from the canal incur much greater expense in digging and keeping in repair their watercourses, from their greater length, besides that every fall in the level of the canal causes great difference in the quantity of water which can reach their village, and occasionally the supply is stopped altogether."

447. The assumption appears to be, not that all irrigated land is equal in productive power, but that it is difficult, if not impossible, to make minute distinctions, applicable to the character and circumstances of different soils.

448. The average rate per acre on the total area of the district is Rs. 0. 11. 11., and that on the cultivated area is Rs. 1. 5. 2.; the low rate prevailing in Mehun Behwanee (Rs. 0. 12. 6.) is ascribable to the absence of irrigation. In every pergunnah, a reduction of jumma has been granted, exhibiting an aggregate decrease of 1,38,617 rupees.

*District of Rohtuc.*

PERGUNNAH.	Total Area in Acres.	Cultivated Area in Acres.	Acre Rate on Total Area.	Acre Rate on Cultivated Area.	Former Jumma.	Revised Jumma.	Increase.	Decrease.
Rohtuc Behree -	286,810	178,911	Rs. a. p. - 10 1	Rs. a. p. 1 - 2	2,51,830	1,80,520	- -	71,310
Khurkunda Mandoutee	157,906	111,023	1 3 5	1 12 1	1,92,160	1,73,194	- -	18,966
Gohana - -	206,876	116,545	1 1 2	1 14 5	2,33,011	2,21,597	- -	11,414
Mehun Behwanee -	193,077	67,986	- 4 5	- 12 6	89,932	53,005	- -	36,927
	844,666	474,465	- 11 11	1 5 2	7,66,933	6,28,316	- -	1,38,617

Average rate per acre on the cultivated area - - - - - Rs. 1. 5. 2.  
Total amount of new assessment - - - - - Rs. 6,28,316  
Total decrease on former assessment - - - - - 1,38,617

*Goorgaon District.*

449. This district comprises the pergunnahs noted below.\*

450. The pergunnahs of Rewarree, Borah, Shahjehanpore, and Jharsa, were settled by Mr. Lawrence. The remainder were settled by various persons; but the final arrangements were effected, and reports drawn up, by Mr. G. C. Barnes.

451. General satisfaction appears to have been given to the native community, and unqualified approbation received from the superior authorities, by the settlement of Rewarree, Borah, and Shahjehanpore. The pergunnahs of Ferozepore and Poonahana were settled and reported on by Mr. Gubbins in 1838. Great difficulties appear to have presented themselves to his operations. Numerous checks were imposed on the aumeens, in order to ensure accuracy in the kusreh measurement; but attempts had been made to falsify the kusrehs, and instances occurred of the aumeens being compelled, where these attempts had

* Rewarree.	Jharsa.	Palee Pakul.
Borah.	Hutteen.	Pulwul.
Shahjehanpore.	Noh.	Hosdul.
Ferozepore.	Sonut.	Tooroo.
Poonahana.		

had not been successful, to refund the bribes which they had received from the village communities. Great pains appear to have been taken by Mr. Gubbins in the classification of the soils, and in the endeavour to ascertain the rent-rates, that his revenue rates might be deduced from them in accordance with the recommendation contained in the Board's circular; but he was ultimately compelled to relinquish the attempt.

452. In the formation of his revenue rates, he, therefore, adopted as the basis of his calculations the rates of collection that had formerly prevailed, the rates prevailing in adjoining pergunnahs, and his own experience and observation. According to this process the average acre rate on the uncultivated area in Ferozepore was three rupees, and that in Poonahana, two rupees per acre, and an increase of jumma was obtained, amounting in the aggregate to 6,334 rupees.

Ferozepore	-	-	1,707	Decrease.
Poonahana	-	-	8,039	Increase.
Total	-	-	6,334	Increase.

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453. But experience soon demonstrated that the capabilities of these pergunnahs had been over-estimated; Mr. Gubbins was therefore induced to revise his proceedings in 1841. He found these pergunnahs over-assessed to an extent for which he was quite unprepared, and both pergunnahs had undergone a manifest deterioration since the settlement. In estimating the natural advantages and the artificial means of increasing them, possessed by Ferozepore, sufficient allowance had not been made for casualties of season. It was found necessary to make a reduction of 30,675 rupees, which, however, left the average acre rate\* still higher than the rates in the conterminous pergunnahs. In making this reduction, a reduction was also made in the assessment of Poonahana of 17,691 rupees.

454. Although Mr. Gubbins frankly acknowledges that the assessment originally determined on was under any circumstances too high, yet the calamitous drought of F. 1245, and other natural causes, appear to have greatly contributed to its severity.

455. Pergunnah Pulwul furnishes another example of over-assessment. The first settlement of this pergunnah, under Regulation IX. of 1833, was made by Mr. J. Lawrence, and, as it was that officer's first attempt, the Board of Revenue purposely withheld it from the notice of Government until time should have enabled them to pass a correct judgment on it. The necessity of some reduction in the Government demand soon became evident, and the work of revision was entrusted to Mr. G. C. Barnes. He states that Mr. Lawrence's settlement, which had been based on the most sanguine expectations, had been unfortunately preceded by a year† of great drought, which operated very severely on this district, from its limited means of irrigation. The two succeeding years, far from having been calculated to abate the evil, are stated to have been very unfavourable, and to have baffled all efforts towards improvement. Under such circumstances the pressure of high taxation had completely overwhelmed all classes, except the industrious Jats, whose preponderance in this pergunnah has been mainly conducive to the collection of the revenue. The impoverished condition of the pergunnah left Mr. Barnes no alternative but a summary reduction, subject to future modification, and he, accordingly, reduced the jumma by 41,069 rupees.

Former jumma	-	-	2,27,364
Revised jumma	-	-	1,86,295
			<u>41,069</u>

456. In their letter, submitting the correspondence to the Lieutenant-governor, the Board observed,—“The unhappy system of high and always increasing nominal assessments, with constant, capricious, ill-considered remissions, has so fixed itself on the minds of the district officers, that they have in most cases shrunk from proposing such an amount of reduction as is necessary to form an assessment which the people can regularly pay and prosper; while from the general want of record of all past proceedings, the Board have hitherto been unable on any good grounds to do more than offer general exhortation to moderation.”

457. In a subsequent revision of the settlement of this pergunnah, it was found necessary to reduce the Government demand to 1,72,737 rupees, which exhibits a total decrease on the assessment formerly paid of 62,136 rupees. This relief the Board did not consider greater than the impoverished condition of the people demanded, and it was hoped that it would prove sufficient to enable them to recover

Former jumma	-	-	2,34,873
Present jumma	-	-	1,72,737
			<u>62,136</u>

from

\* Rs. 2. 7. 3. per cultivated acre.

† 1245 F. s.

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from their distress. The efforts of the Jats to stand up against the pressure of heavy taxation were most praiseworthy, and they are stated to have paid their revenue "from the hire of their carts, their personal labour, and every source from which they could derive any aid."

458. Pergunnah Jharsa was formerly contained in the jagheer of the Begum Sombre. An increase of 3,343 rupees was made in its assessment; still the actual burden on the people was lessened. Under the administration of the begum they were subject to extortions by the aumils, by whom the estate was managed. Large contributions were also received by the headmen under the plea of village expenses. "The consequence is," says Mr. Lawrence, "that in lapsed jagheers, the headmen regret, but the community rejoice, at the change of administration."

459. The district contains very fine salt beds, in the assessment of which some discrepancy appears to exist. In pergunnah Jharsa, the manufacture of salt is considerable, and it is calculated might yield an annual revenue of 7,000 or 8,000 rupees; but the Government demand has been relinquished. On the other hand, in pergunnah Noh, Mr. Barnes states, that although salt lands were never avowedly assessed, yet they paid their revenue at a higher standard than other lands, and that he had therefore fixed on them a rate of assessment amounting to about Rs. 3. 8. per acre.

460. The average rate per acre in this district is on the total area, 15 annas, and on the cultivated area, Rs. 1. 11. The present jumma is 10,88,485 rupees, and the former, 12,27,748 rupees, showing a total decrease of 1,39,263 rupees.

*Zillah Goorgaon.*

PERGUNNAH.	Total Area in Acres.	Cultivated Area in Acres.	Acre Rate on Total Area.	Acre Rate on Cultivated Area.	Former Jumma.	Revised Jumma.	Increase.	Decrease.
			<i>Rs. a. p.</i>	<i>Rs. a. p.</i>				
Rewarree	194,403	117,080	10 6 2	1 10 2	1,92,353	1,91,597	-	756
Borah	28,814	18,747	15 4 2	1 7 7 1/2	24,892	27,676	2,784	-
Shahjehanpore	10,747	6,897	13 9 1/2	1 5 6 1/2	8,931	9,287	356	-
Ferozepore	101,039	51,524	1 4 -	2 7 3	1,58,745	1,26,375	-	32,370
Poonahana	74,551	38,035	12 7	1 8 8	68,890	58,533	-	10,357
Jharsa	97,814	63,889	11 8	1 1 9	67,538	70,881	3,343	-
Hutteen	115,008	69,112	12 -	1 5 5	1,23,051	92,283	-	30,768
Noh	70,941	43,810	1 - 4	1 10 5	91,698	72,417	-	19,281
Sonut	156,198	68,902	10 9	1 7 10	1,33,261	1,68,672	35,411	-
Palee Pakul	29,690	13,384	13 8	1 14 3	30,684	25,304	-	5,380
Pulwul	192,296	101,241	14 3	1 11 4	2,34,873	1,72,737	-	62,136
Hoodul	60,667	34,392	14 10	1 10 2	70,857	56,265	-	14,592
Tooro	25,533	17,555	10 4	15 -	21,975	16,458	-	5,517
<b>TOTAL</b>	<b>1,157,701</b>	<b>644,568</b>	<b>15 -</b>	<b>1 11 -</b>	<b>12,27,748</b>	<b>10,88,485</b>	<b>41,894</b>	<b>1,81,157</b>

461. In submitting these proceedings to the Lieutenant-governor, the Board remarked that they completed the settlement of the whole division, with a few exceptions; and that it would be quite unnecessary for them to furnish in this the same detailed explanation that they had been in the habit of rendering in other divisions. They observed, that after long-continued and diligent personal researches, and appeals to all accessible sources of information, they considered these settlements moderate and equitable; and confidently recommend them for confirmation. The soil they described as naturally sterile, and the population as emigrant, poor and miserable. They made a few general observations respecting this division, and briefly noticed the arrangements that had been made in each district; but their remarks can be viewed as little more than a confirmation

confirmation or recapitulation of those that are to be found in the report of Mr. Bird, or in the pergunnah reports of the settlement officers. The services of Mr. S. S. Brown, Mr. G. F. Edmonstone, Mr. J. Lawrence, Mr. G. C. Barnes and Mr. M. R. Gubbins, were brought to the favourable notice of Government.

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462. The Lieutenant-governor, after having personally visited every district in this division, except Bhuttee, which was about to be separated from it, was persuaded that the new-formed settlements were, with few exceptions, light and equitable, and such as might, in ordinary seasons, be collected, leaving a fair profit to the malgoozars. In some of the baranee villages, he observed, "seasons of drought and scarcity, especially if continuing for successive years, will cause distress, and need consideration; but again, in good years, the profit from these villages is very large; and it may be fair, except in great calamities, to realize, in good years, what may have been suspended in bad years."

463. Adverting to the former existence of the want of method in the administration of the territory, and acknowledging the efforts of the Board to introduce greater regularity, the Lieutenant-governor was of opinion that the time had arrived when a further step might be taken in advance, and some amendment be made in the rules introduced by the Board into the Delhi territory on the 20th January 1837, especially in those which related to the collection of the revenue. The Board were called on to report specially on this subject.

464. The opinions entertained by the Lieutenant-governor of the soil and the people were very opposite to those expressed by the Board. The soil, he thought, was fertile, if it could by any means be irrigated; the villages substantial and well built; and the inhabitants "as fine a body of well-clothed, independent, manly peasantry, as any country can produce."

465. The Lieutenant-governor recorded some observations on the settlement of each district.

466. The fairness of the assessment of the canal villages, he observed, was entirely contingent on the maintenance of a supply of water in the canal, equal to that which existed at the time when the Government demand was fixed. This had not hitherto been the case, and all the effects of drought had been experienced. Balances had occurred in some villages, which he proposed to meet by remissions, until it should be ascertained by experience whether the efforts that were being made to keep up a constant supply in the canal would make the realization of the Government demand easy and fair, or whether there was a permanent error in the settlement.

467. In noticing the settlement of the Rohtuc district, he recorded some interesting remarks on co-parcenary communities.

468. He deemed the report of Mr. Edmonstone on the Paneeput district to be complete as far as it went, and creditable to his intelligence and judgment, but incomplete, in so far as it had omitted to notice the large istumrree tenures of the Kurnaul Mundals, which were given by Lord Lake in exchange for a jagheer in Moozuffurnuggur. He considered that it was the duty of the Government to maintain in their integrity the rights of the proprietary community. Captain Abbott was accordingly deputed to survey the istumrree holdings, with a view of determining the amount payable by each member of the community.

469. The remaining observations relate to irrigation by means of bunds, and the regulation of the waters of the Badshapore nullah.

470. We have now reviewed the settlement proceedings in the six divisions of Meerut, Agra, Rohilcund, Allahabad, Benares and Delhi, which are all that are separately reported on by Mr. Bird; we shall reserve for future notice the two remaining divisions of Saugor and Kumaon.

471. To our concluding remarks on the settlement proceedings, which have formed the subject of the preceding examination, we shall prefix the following statements of the results of the settlements, compiled down to the date of the last received administration reports:—

Concluding  
Remarks.

## SELECTION OF PAPERS RELATING TO THE

## NORTH-WESTERN PROVINCES.—REVENUE ADMINISTRATION REPORTS.

## Land Revenue, No. 1.

YEAR.	Demands.			Collections.			Balances.			Nominal.			Particulars of Balances.—Real.								
	Rs.	a.	p.	Rs.	a.	p.	Rs.	a.	p.	Rs.	a.	p.	In train of Liquidation.		Doubtful.		Irrecoverable.				
	Rs.	a.	p.	Rs.	a.	p.	Rs.	a.	p.	Rs.	a.	p.	Rs.	a.	p.	Rs.	a.	p.	Rs.	a.	p.
1838-39	4,55,48,990	14	9	3,63,02,151	6	9	69,44,863	2	3												
1839-40	4,12,06,686	-	-	3,56,52,810	-	-	49,94,192	-	-												
1840-41	3,76,42,610	-	-	3,47,04,023	-	-	29,38,587	-	-												
1841-42*	4,16,19,038	7	9 $\frac{1}{4}$	3,88,33,573	13	3 $\frac{1}{4}$	27,85,464	10	5 $\frac{1}{2}$												
1842-43	4,39,18,901	5	1 $\frac{1}{4}$	4,04,88,126	12	5 $\frac{3}{4}$	34,30,774	8	7 $\frac{1}{2}$	23,34,748	2	10 $\frac{3}{4}$	4,97,869	11	4 $\frac{1}{2}$	58,695	9	- $\frac{1}{2}$	5,39,461	1	3
1843-44	4,34,94,154	6	11 $\frac{1}{2}$	4,11,05,143	11	8 $\frac{1}{2}$	23,89,010	11	3	14,01,631	7	- $\frac{1}{2}$	4,60,981	5	5 $\frac{3}{4}$	1,21,274	6	5 $\frac{3}{4}$	4,05,123	14	8
1844-45	4,34,58,828	6	5 $\frac{1}{2}$	4,12,87,443	1	5 $\frac{1}{2}$	21,71,385	5	-	13,65,523	13	1 $\frac{3}{4}$	3,05,766	13	3	1,63,295	4	1 $\frac{1}{2}$	3,36,799	6	5
1845-46	4,30,18,371	2	5 $\frac{1}{4}$	4,20,03,415	7	4 $\frac{3}{4}$	10,14,955	11	- $\frac{1}{2}$	4,86,770	-	- $\frac{3}{4}$	1,67,778	4	5 $\frac{3}{4}$	56,510	12	1	3,03,896	10	5
1846-47	4,30,77,005	13	10 $\frac{1}{4}$	4,23,21,220	13	9 $\frac{3}{4}$	7,55,785	-	- $\frac{1}{2}$	5,23,909	9	5 $\frac{1}{2}$	1,04,471	5	-	57,156	5	5	70,247	12	2
1847-48	4,29,21,668	3	2 $\frac{1}{4}$	4,24,85,823	15	5 $\frac{3}{4}$	4,35,844	3	8 $\frac{1}{2}$	2,24,457	6	-	95,291	4	7	53,952	8	2	62,143	-	11

\* Complete with the exception of the Sangor Division, the reports from which the Board thought it needless to wait for, as the officers are newly appointed, and cannot be expected to furnish them.—Report, dated 24 March 1843.

## REVENUE ADMINISTRATION REPORTS.

## Land Revenue, No. 2.

YEARS.	Sales.		Farms.		Transfers.		Kham Holdings.			Dustucks.
	Mehals.	Jumma.	Mehals.	Jumma.	Puttees.	Jumma.	Number.	Demand.	Balance.	
1838-39.										
1839-40.										
1840-41.										
1841-42.†										
1842-43	226	2,06,140	341	2,59,686	365 & 203 shares.	68,966	295	3,59,445	91,241	4,01,151
1843-44	221	1,26,718	266	2,50,655	271 & 28 shares.	75,365	190	2,62,389	58,088	3,78,597
1844-45	121	1,14,504	214	1,77,066	375 & 39 shares.	67,500	184	2,01,287	58,272	3,48,790
1845-46	97	70,744	127	1,26,609	347	73,304	136	1,48,863	24,746	2,92,682
1846-47	115	93,601	129	1,03,420	238	47,025	162	1,40,739	20,126	2,58,235
1847-48	52	55,246	41	40,616	108	26,366	149	97,145	15,013	2,35,127

† This statement is left blank in the revenue proceedings.



472. The results presented by these statements are highly satisfactory. Making allowance for the large amount of nominal balances included in the jummas and balances of the earlier years of the series, and excepting the years 1839-40 and 1840-41, respecting which we should be glad to receive explanation, the revenue appears by the statement, No. 1, to have progressively increased; and that this increase has been realised without undue pressure on the people, appears demonstrated in the statement, No. 2, by the progressive and great diminution in all the forms of proceeding for enforcing the payment of arrears.

473. We shall now consider, under the several heads of the objects proposed by the settlement, how far, according to the results of the preceding review, those objects may be deemed to have been successfully accomplished.

474. The results under this head must be regarded as generally satisfactory. The jumma has, in most instances, been carefully and considerably adjusted to the capabilities of the soil and the resources of the cultivators. When this has not been done in the first instance, it has for the most part been accomplished by another revision. In some instances, further measures of concession appear to be necessary—in Banda especially. In relation to this district some very important observations are recorded by the Lieutenant-governor in the Revenue Narrative for the fourth quarter of 1848. The difficulty of restoring prosperity to a district which has suffered so greatly by over-assessment, and by the consequent continual change of proprietors, induces us to look with approbation on the reductions of jumma noticed in those observations; and which, we trust, will be sufficient for their end. But, we think, as a special principle in the management of this district, the Government demand should be carefully kept somewhat below what would be its fair amount on the ordinary rules of assessment. The greatest possible moderation appears to us essentially necessary to give encouragement to the agricultural community, and counteract the effect of the long process of deterioration which resulted from the opposite course.

475. In Bhutheana, also, where the collections almost invariably fall very far short of the jumma, leaving a large annual balance to be written off as irrecoverable, we think the settlement should be revised, and the jumma brought within the limits of the annual realisation.

476. The introduction of the system of realising the revenue by four instalments in the year appears to have been eminently beneficial to the minor zemindars and the inferior classes of cultivators. The fixing of these instalments, so as to admit of the produce being sold before the revenue should be demanded, was intended to have, and to a great extent unquestionably has had, the effect of liberating the ryot from the hands of money lenders.

477. This, so far as it has gone, appears to have been well performed by the European officers to whom it was entrusted, and to have been attended with the best results, both to the Government and to the village communities.

478. This portion of the measures proposed may be considered to have been well carried out.

479. This measure, which at first excited opposition in many places, appears to have been finally acquiesced in, and if not always, yet generally approved.

480. This measure was, at first, evidently unpopular. We are disposed to hope that, with careful supervision, it may be found satisfactory to the people.

481. It was always our desire that this measure should be carried out with great lenity and forbearance. In many instances it has been so; in others, the results have been attended with much hardship, especially when the settlements have not been made with the ex-maafedars. But the solicitude of the several Lieutenant-governors, and especially of the present,\* has been carefully directed to remedying the evil in question, by money provisions of more or less duration. We think this the best method of disposing of such cases; it provides for the incumbents and their families, and secures the ultimate rights of Government.

482. Under

VII.  
Settlement of the  
North-Western  
Provinces.

1. Revision of  
assessment.

2. Better division  
of kists.

3. Demarcation of  
boundaries.

4. Correction and  
arrangement of  
tehsildarree ac-  
counts and records.

5. Road fund.

6. Provisions for  
village police.

7. Resumption of  
rent-free tenures.

\* Mr. Thomason.

8. Recasting, or reduction of large tenures.

482. Under this head have been found the greatest differences of opinion, and the greatest practical embarrassments to the Government. Numerous suits have been instituted by ousted talookdars in the civil courts, of which some have been decided against the Government, some in its favour, and many are still pending. This class of suits will necessarily cease under the operation of Act XIII. of 1848, which limits the time after settlement within which they can be instituted.

9. Demarcation of component portions of villages, and record of rights therein.

483. This, which is usually called the Khusreh Survey, is, in so far as its execution has been brought under notice, the most questionable portion of the entire series of measures; yet it was a work eminently necessary, and most especially so under the system of separate responsibility.

484. And this brings us to a question of great importance, and most difficult of solution, that of joint and separate responsibility in co-parcenary mehals. Separate responsibility, which is authorized by law to be granted whenever demanded, has been regarded as a great boon conferred on the industrious and meritorious members of village communities. The distinct sale of the shares of defaulting putteedars unquestionably has that tendency. And the option of pre-emption given to the shareholders would have great influence in maintaining the integrity of the community; but this well-intended provision has been, in a great measure, neutralized by mortgages for fictitious values, against which there appears to be no remedy but a valuation on fixed principles, at which the right of pre-emption shall be given to the community.

485. There are great differences in the extent to which separate responsibility prevails. In some districts it is universal; in some, the instances are numerous; in some, few; in others, none.

486. The late Lord Metcalfe, Mr. Robertson, and Mr. Thomason, have all been strongly impressed with the superior advantages to the communities themselves of the system of joint responsibility; it saves them from the intrusion of strangers, and from the liability to litigation on shares; it leaves to them the entire management of their own internal concerns, subject to one common responsibility to Government.

487. The subject is admirably discussed in Mr. Thomason's Minute of 25th September 1848; he does not propose an alteration of the law. To this we should be decidedly opposed; but he thinks that every means should be employed to induce the village communities to adopt voluntarily the system of joint responsibility; and in this view we fully concur.

488. Another question is, whether the completion of a settlement should be postponed till the completion of partitions. We are of opinion that, when there are sufficient data to determine the aggregate assessment of a village, the settlement officer may record it, and the revenue officers may subsequently carry the partitions into effect. It is very desirable, however, that mischief should not be allowed to result from long-intervening delays.

489. Another question of importance is, whether an agriculturist, on the renewal of a settlement, should be allowed the full benefit of his improvements, or whether the Government should be held entitled to a share of the additional value which his capital and industry, aided by other circumstances, have added to the land. We are of opinion that the only satisfactory principle on which all future renewals of settlements can be made will be, that reference must be had to the value of the land at the time, a liberal consideration being given for the improvements attributable only to the efforts of the tenant himself, and especially with regard to such as are of a comparatively recent date, and with regard to which he has reaped the advantage only for a short period under the old settlement.

490. Another question of importance is, what will be the position at the next settlement of the talookdars, who waived the question of their right to engagements, and received a malikana, generally of 18 per cent. on the jumma, for the life of the first incumbent, to be, except in peculiar cases, prospectively reduced, and finally fixed at 10 per cent. We desire to be more fully informed respecting the nature, extent, and duration, of the agreement with these talookdars, and whether

whether the arrangement with them was made for the term of the settlement, or whether it was intended to be permanent.

VII.  
Settlement of the  
North-Western  
Provinces.

491. We cannot conclude this despatch without stating the impression which the review of the settlement proceedings has left on our minds, of the high honour reflected on the civil service by the zeal, industry, ability and good feeling of the several officers employed, necessarily with differences in degree, but with so little room for exception, that it would be invidious to particularize where there is such ample ground for general satisfaction.

492. We feel bound, however, to make an exception in favour of Mr. R. M. Bird. In planning the operations which have been, on the whole, so well concluded; in so superintending their progress as to ensure the cordial co-operation of all the officers employed in them; and in thus contributing so largely to their successful accomplishment, we may consider him as having a part in them altogether peculiar and distinct, and as being eminently entitled to our marked and special approbation.

We are, &c.

(signed)

*John Shepherd.*

*J. W. Hogg.*

*W. Wigram.*

*John Loch.*

*J. L. Lushington.*

*John Cotton.*

*W. L. Melville.*

*H. T. Prinsep.*

*Wm. Dent.*

*W. H. C. Plowden.*

*J. H. Astell.*

*H. Shank.*

*Wm. J. Eastwick.*

*J. Caulfeild.*

*Henry Willock.*

London, 13 August 1851.

## VIII.

VIII.  
Talookdaree  
Allowances.

MINUTE by *J. Thomason, Esq.*, Lieutenant-Governor of the North-Western Provinces, dated 24 October 1851, on TALOOKDAREE ALLOWANCES.

THE Honourable Court of Directors, in their despatch (No. 9), in the Revenue Department, dated 13th August 1851, have discussed the several questions arising out of the settlement of the North-Western Provinces, and have expressed in gratifying terms their approbation of the proceedings in general.

One point only remains undecided, and to it the Most Noble the Governor-general has called my attention. It is thus stated in para. 490 of the despatch:—

“ Another question of importance is, what will be the position at the next settlement of the talookdars, who waived the question of their right to engagements, and receive a malikana, generally of 18 per cent. on the jumma, for the life of the first incumbent, to be, except in peculiar cases, prospectively reduced, and finally fixed at 10 per cent. We desire to be more fully informed respecting the nature, extent and duration of the agreement with these talookdars, and whether the arrangement with them was made for the term of the settlement, or whether it was intended to be permanent.”

I am fully sensible of the importance of this question, and am most desirous that it be brought to a final close. Knowing the difference of opinion that existed on the subject, I took up the question as soon as possible after assuming charge of the Government of these provinces. The resolution of the Agra Government, contained in a letter to the Sudder Board of Revenue, dated 17th January 1844, prescribes the course to be followed in such cases, and defines the rights vesting in all parties concerned. The arguments on which this resolution was based were further enforced in a despatch to the Right honourable the Governor-general, dated 31st January 1844. To this despatch I have received no final reply. The resolution then formed has been uniformly acted upon since.

In the course of the last year, the gentlemen who then constituted the Sudder Board of Revenue, Mr. H. S. Boulderson and Mr. F. H. Robinson, expressed doubts regarding the propriety of the course I had laid down, though on grounds considerably differing the one from the other. They advocated the right of the talookdar or his heirs to the entire allowance of 22½ per cent. on the Government jumma for the whole period of the settlement. I could see nothing in their statements to shake my conviction of the justice and sound policy of the rules which had been prescribed. Mr. Thornton's letter of 21st May 1850 contains a full explanation of my views. The whole of this correspondence has been forwarded to the Honourable Court in the usual narrative of the occurrences during the quarter, and must by this time be in their hands.

Having thus carefully considered and fully discussed this subject on former occasions, it seems unnecessary now to enter upon it at large. It will be sufficient briefly to notice the main points of the case, and especially those adverted to in the Honourable Court's despatch, to which reference is made above.

The course pursued in the settlement of talooka Moorsawn, zillah Allyghur, is that which has been followed in the settlement of other talookas in the provinces. Wherever subordinate village proprietors were found to exist, engagements for the land revenue have been taken from them, and an allowance made to the talookdar, equal to 22½ per cent. of the jumma or net sum received by the Government. This allowance was given only for the life of the talookdar, and it was left open for future decision what course was to be pursued on his death. I determined that of the 22½ per cent., 10 per cent. should be considered a heritable and transferable property; and the remaining 12½ per cent. should revert to the Government on the demise of the talookdar. This course appears to me to be warranted by the most liberal interpretation of the law, to be opposed

opposed to no pledge or contract with the talookdar, and to be consistent with a due regard to the rights of the people on the one hand, and to the interests of the Government on the other hand.

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At the same time, the question is entirely one for the consideration of the Honourable Court of Directors. The talookdars never have advanced, nor can they advance a legal claim to more than 10 per cent. on the Government demand. But if the highest authority in the state thinks fit to alienate in their favour 22½ per cent. of the Government revenue for the remainder of the settlement, or in perpetuity, it can of course be done. I can see no obligation to such an act of liberality, nor advantage in it. I have shown that the assumption of 22½ per cent. as an allowance to the talookdar for his lifetime, in the first instance, was a mere accident, or, if I may use the term, a blunder, for it was originally fixed at that amount in order to support him in a position of much cost and risk as the responsible collector from the biswahdars, and not to maintain him in a mere sinecure as the pensioner of the Government.

At the next settlement, the biswahdars must undoubtedly be admitted, as now, to engagements with the Government, and the talookdars will receive their allowance, whatever it may be, either 22½ per cent. on the Government jumma, if the persons originally excluded from settlement are alive, or 10 per cent. if their heirs are in possession. In process of time it is reasonable to expect that the rights of the talookdar and biswahdar will merge into one another; either the biswahdar will buy out the talookdar, or the talookdar will possess himself in some way or other of the biswahdar's rights. Both processes are now going on all over the country, and they will advance more rapidly as property becomes more settled, and as soon as it is known that this question is finally set at rest.

As the question is more one of policy and expediency than of justice, it may be satisfactory to the Honourable Court to know the magnitude of the sum at stake. The second of the two statements which accompany this minute shows that the ultimate saving to the Government by the reduction of the talookdaree allowance to 10 per cent. will be 85,779 rupees per annum. The statement, No. 1, shows that in the years which have intervened from 1844-45, when my views were first enforced, to the close of 1849-50, 71,647 rupees had been saved to the state. If it is determined to continue to the talookdars their whole allowance, this sum will have to be refunded, and the future increased saving renounced.

I would most strongly urge upon the Honourable Court the speedy decision of this question. Its prolonged agitation causes doubt and uncertainty to attach to the tenure, on which a large amount of property is held. I have made every effort to bring to a close this as well as all other questions touching the title to landed property, from a conviction that any uncertainty regarding them must materially affect the prosperity of the country. In treating this question, I have endeavoured to follow a moderate and equitable course, and am ever ready, as in the case of the talookdar of Mynpooree, to seek authority from the Supreme Government to mitigate the effect of the rule, when it appears to fall too severely in particular cases. But this is a question which can never be terminated but by the declaration of the highest authority in the state. The law does not touch it, nor is it easy to understand how the decision of a legal tribunal can be brought to bear upon it. If the Honourable Court approve and confirm the course laid down in Mr. Thornton's letter of 17th January 1844, to the Sudder Board of Revenue, there is no further question on the subject. If that course is disapproved, I hope that the one prescribed in its place may be speedily determined.

(signed) J. Thomason.

Simla, 24 October 1851.

## IX.

IX.  
Talookdaree  
Allowances.

DESPATCH from the Court of Directors to the Government of India in the Revenue Department, dated 2 August (No. 13) 1853, on TALOOKDAREE ALLOWANCES.

*North-Western Provinces.  
Talookdaree Allowances.*

India Revenue Letter, 10th April (No. 8) 1848.  
Governor-general's Revenue Letter, 9th December (No. 5) 1851.  
Governor-general's Revenue Letter, 9th December (No. 6) 1851.  
Agra Revenue Narrative, 3d Quarter of 1850, p. 196, 197.  
Agra Revenue Narrative, 2d Quarter of 1851, p. 165-167.  
Agra Revenue Narrative, 3d Quarter of 1851, p. 208.

## Our Governor-general of India in Council.

Para. 1. We shall now give our opinion on the proceedings noted in the margin, in the course of which the Lieutenant-governor of the North-Western Provinces refers\* for our decision the question of the amount of huq talookdaree to be permanently assigned to the successors of the talookdars who waived their claims to engage for the revenue at the settlement under Regulation IX. of 1833.

2. We could not give an earlier reply to the Lieutenant-governor's reference, in consequence of the absence of an essential document, to which we have only recently obtained access, the original circular instructions under which the settlements were made. On this deficiency in the records, we shall address you separately.

3. These instructions, modified from time to time, were printed in four parts, under the dates of 9th April 1839, 3d January 1840, 28th August 1840, and 4th May 1841, and must be considered as embodying the views with which the settlement proceedings were conducted from the commencement.

4. In the circular, No. 4, under the head "Talookdarees" (section 24), we find the following passage: "Para. 175. The amount which should be allowed on a fairly-assumed jumabundee in proprietary villages under a talookdar has been fixed at 38 per cent., of which 20 should be allowed to the proprietary body, and 18 be assigned in compensation for loss of management to the talookdar."

5. These instructions were modified in 1844, as follows: "Para. 30. . . . The Government and the talookdar are entitled to share in the collections in the proportion of 62 to 18, or, in other words . . . out of every 100 rupees collected, 22½ should be paid to the talookdar. This seems fairly to accord with the nature of the arrangement, and the expressions of the Board, as they were laid before Government when sanction was given to the payment of the allowance."

"32. . . . The allowance to the talookdar is of a compound nature, consisting of a fixed minimum sum, claimable under all circumstances, and a variable sum, claimable at a certain rate whenever the amount of the collections admits of it. The former is the compensation for the mere 'title of management' mentioned in the Regulations; the latter is the amount over and above his equitable right, which has been given him by the Government as of grace during his lifetime, and is open to revision on his death."

"33. The arrangement was evidently intended by the Government to be a liberal one, and this object will be fully attained if the minimum be fixed at the highest amount of malikana, claimable under clause 2, section 5, Regulation VII. 1822, which is 10 per cent. on the total demand.† In this case, the present huq talookdaree being 22½ per cent. on the Government demand from the biswadars, 10 of this must be considered as fixed malikanah, and the remaining 12½ as variable, and open to revision on the demise of the incumbent."

6. It is stated in the Sudder Board's letter, reporting the settlement of Moor-saun (para. 15), that the assessment was somewhat higher than it would have been without the huq. . . . "Government give up something, as, without the Rajah's allowance, a larger revenue might have been obtained; and the people

G. O. 17th  
January 1844,  
No. 222.

VII. 22, V. 2.

Coll. V. 2, p. 339.

\* Minute dated 24th October 1851.

† The words are, "on the net amount realized."

people give up something, as they engage on worse terms than other village proprietors where no talookdar exists."

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7. Whenever the 18 per cent. is mentioned, it is calculated on the muhasil or jumabundee, as in the passage above cited from the instructions of 1841. But in the orders of January 1844, the huq is stated at 22½ per cent. on the jumma (which is the equivalent of 18 per cent. on the muhasil, the jumma being the net payment by the malgoozars, after deducting their 20 per cent.), and the proposed reduction is to 10 per cent. on the jumma, which would be 8 per cent. on the muhasil.

8. The question referred is, in fact, whether the orders of 1844 shall or shall not have a retrospective effect. The Lieutenant-governor maintains that neither justice nor expediency require the sacrifice of revenue which would be made by deciding in favour of the talookdars, and which he states at 85,000 rupees per annum for the time, by which the term of settlements may exceed the life of the first talookdars.

9. That the maintenance of public faith is more important than the acquisition of revenue, the Lieutenant-governor would fully admit; but he thinks that the public faith is not pledged on this matter. We differ from him with reluctance; but after the most deliberate consideration, it appears to us that public faith does require implicit adherence to the terms in which the settlements were individually and in each instance confirmed. The case of Moorsau, in which reduction on the death of the Rajah was expressly provided for, may have been intended as a general precedent; but it never was declared to be so; and the principles of that settlement can only be applicable to Moorsau, and to such estates as may have been settled with the same exception.

10. All talookdaree arrangements concluded before 1844 must be determined by reference to the specific arrangements made with the talookdars, as recorded in the proceedings of settlement, modified or finally ratified by the terms of confirmation. Whenever neither the settlement proceedings nor the terms of confirmation specify reduction on the demise of the first incumbent, the entire arrangements must be considered to have been concluded for the term of the settlement.

11. We feel ourselves, therefore, under the necessity of deciding, that where the reduction is not thus specified, the allowance shall remain fixed at 18 per cent. on the muhasil for the term of settlement.

12. It is to be presumed that the orders of 1844 will have been kept in view in all settlements of subsequent date, and that the settlement contracts will have been formed accordingly. In these cases those orders will, of course, be operative.

13. After the term of settlement, the huq may, in pursuance of the instructions of 1844, and under Regulation VII. of 1822, be fixed in perpetuity at 10 per cent. on the jumma, or net demand of the Government, after deducting the 20 per cent. allowed to the malgoozars.

We are, &c.

(signed) *Russell Ellice*

*J. Oliphant*

London, 2 August 1853.

&c. &c.



## X.

X  
Revenue Survey  
and Assessment  
under the Bombay  
Presidency.

**OFFICIAL CORRESPONDENCE** on the system of **REVENUE SURVEY** and **ASSESSMENT** best adapted for, and more or less completely carried into effect in the Collectorates of *Poona, Sholapoor, Ahmednuggur, Belgaon* and *Dharwar*, in the **BOMBAY PRESIDENCY**; with an Appendix, consisting of a prior Correspondence, in which the Plan of Operations then in force, which did not materially differ from the above, is discussed with reference to that followed in the North-Western Provinces.

[*Note.*—In this Paper the Figures in the margin, within brackets, thus, [1] [2], refer to the pages of the “Original printed Correspondence,” and those within parenthesis, thus, (1) (2), to the pages of the Appendix to that document.]

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By Order of the Right Honourable the Governor in Council,

Bombay Castle, 5 March 1850.

(signed) *H. E. Goldsmid,*  
Secretary to Government.

I N D E X T O T H E R E P O R T.

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- [1] From *H. E. Goldsmid*, Esquire, Captain *G. Wingate*, and Captain *D. Davidson*, Superintendents of Survey, to *E. H. Townsend*, Esquire, Revenue Commissioner, Southern Division.

Sir,

Kirkee, 2 August 1847.

Dated 10th April  
1847, No. 864.

IN obedience to instructions from Government, conveyed in the letter noted in the margin, we have assembled at Poonah for the purpose of taking into consideration "the best means for bringing the somewhat diversified operations of the several revenue surveys of this Presidency into conformity, as far as practicable," and also "for ensuring the results of the surveys being turned to the best account, and maintained in their original integrity in the future management of the districts;" upon which points we do ourselves the honour to submit, for the consideration of the Honourable the Governor in Council, the following report.

2. Descriptions, more or less complete, of the modes of operation in use on the three surveys have been at different times already submitted to Government; but subsequent to the dates on which these were written, modifications of the then existing practices have been from time to time introduced, so that the descriptions referred to now present an imperfect, and, from the circumstances which called them forth, an unconnected view of the several systems. But, in preference to entering into a minute detail of the methods of procedure followed at present on the several surveys, we shall proceed to describe, in compliance with the intentions of Government, the principles of that system of survey, which, on a full consideration of the merits and peculiarities of the existing practices, we deem best suited for general adoption, and to be considered the standard for future operations, in so far as local peculiarities may admit.

3. A full consideration of the points mooted by Government would seem to require, in addition to the description of the system of survey and assessment, some notice of the objects to be accomplished by it, as it is only by a full comprehension of the end to be attained that we can judge of the merits of the means employed. We propose, therefore, before proceeding to describe the plan of survey we have to recommend, to submit a few observations, illustrative of the system of revenue administration to which our operations are subservient.

4. The chief design of a revenue survey may be defined to be the regulation of the customary land tax, so that it shall at once secure an adequate revenue to Government, the progressive development of the agricultural resources of the country, and the preservation of all proprietary and other rights connected with the soil. In the districts hitherto surveyed, or under survey by us, the whole land, as generally throughout India, appertains to villages; and the lands of each village are divided into fields or estates, held upon various tenures, or unoccupied, but which, in respect of taxation, may be classed under the three heads of *rent-free*, *partially assessed*, and *subject to the standard assessment*.

5. Under our Government, the revenue management of the districts alluded to has generally been ryotwur, but without joint responsibility, each cultivator being liable only for the land he cultivates, and renewing his engagement with Government from year to year. In some districts, each field, or subdivision of the village lands, had its particular assessment, which was either fixed, or settled from time to time, and the cultivators had, or were supposed to have, the right of relinquishing, when so disposed, any of the fields contained in their holdings, and obtaining a reduction of their liabilities, equivalent to the assessment of the lands so relinquished; in others, the assessment was laid upon the entire holding of the cultivator, instead of its component fields; but in both cases, the practical exercise of the right of the cultivator to relinquish any part of his farm at the expiration of his annual engagement was greatly restricted by the injudicious interference of our native revenue servants, through their anxiety to keep up the cultivation and revenue of the villages or districts over which they had control.
- 2] of

6. The superior advantages of the field assessment over that by which the assessment is placed on the whole lands of a village, or the entire holdings of individuals or co-parceners, whether proprietors or occupants, have been already so fully stated by two of our number, in their joint report quoted in the margin, and are so generally admitted by the revenue officers of this Presidency, that we deem

From Messrs.  
Goldsmid and  
Wingate, to sole  
Rev. Commissioner,  
No. 1, dated 27th  
October 1840.

deem it unnecessary to enter upon any very detailed exposition of them here. It may be permitted us to remark, however, that one manifest advantage of breaking up the assessment of a village into portions so minute is the facility it affords to the cultivators of contracting or enlarging their farms from year to year, according to the fluctuating amount of agricultural capital and stock at their disposal; which is of incalculable importance to farmers possessed of so limited resources as those of the cultivating classes throughout India.

7. The loss of a few bullocks by disease, or other causes, may quite incapacitate a ryot from cultivating profitably the extent of land he had previously in tillage; and without the privilege of contracting the extent of his farm, and consequent liabilities on occasion of such losses, his ruin would be very shortly consummated. It is for this reason that there would be no advantage, but the contrary, in binding down the cultivators by long leases, as has often been recommended. The only advantage of a long lease to a farmer is the security it affords against any increase of rent or assessment during its continuance; while, on the other hand, it has the disadvantage of increasing his risks and liabilities, in proportion to the length of the period for which it makes him responsible for the rent or assessment. The longer the lease, the greater scope for the employment of capital, but the greater the liabilities of the farmer, and risk of failure. With farmers of large capital, the security of tenure will overbalance the risk; but with farmers of small capital, the case will be reversed; and for the latter class of men in any country, it may safely be predicated that long leases, binding them to pay an invariable rent for a long series of years, are quite unsuitable.

8. To all classes of farmers, however, whether rich or poor, the tenure which affords the greatest security against increase of rent, with the least extent of liability and risk of loss, is undoubtedly that most favourable to the interests of the agricultural classes, and to the progressive increase of farming capital; and it is evident that this can only be effected by shifting the risk from the tenant to the landlord, and securing to the former all the advantages and security of a long lease, without its attendant liabilities. In countries where the land is divided into properties of limited extent, landlords could not be expected to incur this risk, when it is so easy to shift it on their tenants, and secure their own rents; but the case is altogether different when the whole or a large portion of the land-rent is levied by Government. In the latter case, the interests of the rent-payer and rent-receiver are identical. With a Government, the question is not the certainty and amount of rent derivable from one estate, without reference to aught beyond its boundaries, but from the country at large. The land-tax is obtained, not from a few individual farmers, but from the whole agricultural community; and its amount will fluctuate with the circumstances of the latter. With every diminution of the total amount of capital employed in agriculture, the land revenue will decline; with every increase, it will improve. The maximum of farming capital and land revenue will be the same, as will also be their fluctuations. It appears, therefore, that in opposition to the case of an ordinary landowner, Government incurs neither risk of loss, nor additional liabilities, by giving the cultivator all the advantages of a long lease, and at the same time relieving him of its attendant disadvantages.

9. The important end here pointed out we believe to be fully attained by the fixed field assessment of our surveys, administered by annual leases. The cultivator's title to the occupation of his fields is indestructible, while he continues to discharge the assessment laid upon them, though his engagement for each be annually renewed; and by placing the assessment upon each field, instead of on his whole holding, he is enabled, when circumstances make the course desirable, to relinquish any of the former, or take up others which may be unoccupied, so as to accommodate the extent of his liabilities to his means to meet them. The fixed field assessment for the term of 30 years, introduced by our surveys, thus secures to the cultivator the full advantages of a 30 years' lease, without burdening him with any condition beyond that of discharging the assessment for the single year to which his engagement extends. He has thus all the security of tenure which the longest lease could confer, without the attendant liabilities and risk which his limited capital and precarious circumstances would be quite inadequate to meet.

10. The main objects, then, of our surveys is the imposition of a field assessment, and we are now to consider the most suitable means for accomplishing this.

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11. The first question presenting itself for consideration is the definition of the field. In every village, as already stated, there are recognized subdivisions of the village lands, which, for the most part, have distinctive appellations, and have existed from time immemorial; many of these, however, known as Thuls, Tickas, Daghs, and by other denominations, are of large size, and in the possession of several individuals. Their external boundaries may be considered permanent, but the limits of their interior portions in the possession of distinct parties are subject to change, through the operation of sales, transfers, annexations, partitions, and so forth. Occasionally, also, an old subdivision, though of large size, may be held by a single individual of larger means than usual; another, again, though not beyond, and even within the average size, may be partitioned very minutely amongst a numerous co-parcenary, especially in the case of Meeras lands, which are inherited by the Hindoo common law of equal partition among the male descendants, on the death of the common ancestor. Such minor subdivisions are continually subject to change, from the causes just mentioned, and others; and finally, large tracts of waste, and even cultivated lands, in which all trace of the original subdivisions has been lost, are not uncommon.

12. To secure the advantages of the field assessment described in our preceding observations, it is obviously requisite that the fields upon which the assessment is distributed should be of a size suitable to the circumstances of the cultivators, so as to admit of their being readily cultivated by ryots of limited means. This could not be accomplished by constituting the ancient thuls and daghs into fields, as these would be generally too large for our purpose; while, on the other hand, to make a field of every one of their interior subdivisions, as they exist at the time of survey, would greatly increase the labour and expense of the operation, without an adequate object; for such holdings are subject to frequent change, as already explained, and no advantage that we are aware of is to be gained by making permanent a state of things which, though representing at the time of survey the distribution of the village lands amongst the members of the community, would not continue to do so after the lapse of a very few years.

13. In the division of the village lands into fields, the chief points to be kept in view appear to be,—

1st. That the fields, or at least a majority of them, should not be larger than may be cultivated by ryots of limited means.

[4] 2d. That they should not be made smaller than is necessary for the above object, without an adequate reason.

The former of these points may readily be determined by the extent of land capable of being cultivated by a pair of bullocks, as farming cannot be prosecuted at all with a less number than this. When a ryot has only a single bullock, he must enter into partnership with a neighbour, or obtain a second by some means or other, in order to be able to cultivate at all.

14. The extent of land capable of being cultivated with a pair of bullocks will vary according to climate, soil, description of cultivation and methods of husbandry. In very dry climates, as the Deccan, where the soil is kept free of grass and weeds with comparative ease, the extent of the land will be greater than in moister districts, where vegetation is more vigorous, other circumstances connected with the cultivation being the same. A larger breadth of light, friable soils may of course be kept in tillage, with the same labour, than of heavier descriptions. In districts where manure is generally applied to the soils, the area capable of being cultivated will be much less than when no manure is applied. The difference between dry crop and irrigated lands will be still greater.

15. The actual extent of the several descriptions of land capable of being cultivated as above may, however, be easily ascertained in the case of any district about to be surveyed. Let us suppose, for the sake of illustration, the following to be the number of acres cultivable by a pair of bullocks in a particular district:

20	acres of light dry crop soil.
15	„ medium „
12	„ heavy „
4	„ rice land „

These areas would, we are of opinion, form the most convenient size of fields, as a general rule; but other circumstances require consideration.

16. It is of much importance that the existing state of things in any village should be as little interfered with as conveniently practicable, and consequently that the holdings of different proprietors and cultivators, and land held upon different tenures, should not, when avoidable, be included in the same field; and though cultivators, possessing only a pair of bullocks, are numerous, those with a greater number are more numerous still, so that fields of double the size of the standard we have proposed might be cultivated, and made the subject of transfer, &c., without difficulty.

17. On taking into account these and various other circumstances affecting the question, but which could not be clearly explained without entering into a greater detail than would be suitable in a report such as this, we are led to propose the following general rules for the division of village lands into fields :

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1st. The number of acres for each description of soil and culture, capable of cultivation by a single pair of bulls, having been determined, the size of the fields should be so regulated as to contain from this to double this number of acres.

2d. The preceding rule does not apply to tracts of land incapable of cultivation, or unsuited for it in their present state, from the presence of dense jungle, or other obstructions, which should be divided into as large portions as may be convenient.

3d. Land held upon different tenures, as Meeras, Gutkool, Enam, Joodee; &c., should be measured separately, and not together, in the same field, even when of smaller area than required by Rule 1.

4th. Different kinds of culture, as dry crop, rice, garden, &c., when in conformity with the usage of the district, should, as far as conveniently practicable, be measured into distinct fields. [5]

5th. Every holding,\* falling within the limits prescribed in Rule 1, should be constituted a survey field.

6th. Every holding in excess of these dimensions should be divided into two or more fields, so as to bring the area of each within them.

7th. When a holding is of less area than the limit laid down in Rule 1, and there are other holdings on the same tenure contiguous to it, and also of less area than the rule prescribes, so many of these are to be clubbed together to form a new field as may be requisite to bring the acres of the latter within the limit, but no more.

8th. When a holding of less area than required by Rule 1, does not adjoin another holding, similarly circumstanced, it should be made a separate field, notwithstanding its deficient size.

18. These rules would preserve the existing divisions of the land to as great an extent as seems necessary or desirable; for the subdivision of any large holding, under Rule 1, into fields of a convenient size for cultivation, will in no way affect the existing rights of the occupant, as the external boundaries, and extent of his land, will remain unchanged. The only other case in which existing usage could at all be interfered with is, that of two or more inconveniently minute holdings being thrown into one survey field, under the provisions of Rule 6; but such instances would be of rare occurrence, and the field thus formed so small, that there would be no difficulty whatever in arranging for the payment of its assessment by the several shareholders.

19. The size of the holdings having been determined, the next question that suggests itself is the best mode of defining their limits, and of securing the preservation of the boundaries, when defined.

20. A continuous ridge or mound of earth encompassing the field is doubtless the best boundary; but such was found on trial to be too expensive, and a system of partial ridging at the angles, and at intervals along the sides, with stones sunk at the corners and bends, has proved sufficient for practical purposes.

21. The number and size of these marks must be regulated by local circumstances, and we do not, therefore, propose any specific rule on the subject, farther than

\* By "holding" we mean any field, estate or occupancy, contained within a continuous line of boundary, and in the possession of one person or co-parcenary.

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than that they ought to be of size and in number sufficient to define distinctly the limits of the fields on the completion of the survey. These marks, whatever may be the labour and cost of their construction, we consider essential to the usefulness and permanency of the survey operations. Their due preservation and improvement will form one of the most important points connected with the future administration of the survey settlements, and will receive our attention when treating of the latter subject in the sequel of this report.

[6] 22. The division of the village lands being subsidiary to the allotment of the entire area of a district into villages, the determination and definition of village boundaries becomes a most desirable preliminary to the former operation. This measure is urgently called for, not merely with respect to its bearing on the survey, though this is most important, but in order to put a period to the numerous cases of disputed boundaries, which have not only been fruitful causes of ill-feeling and contention between the disputing parties, but have also entailed a serious loss of revenue to Government, by preventing the cultivation of extensive and often valuable tracts of land.

23. The existence of an unworkable enactment (Régulation X. of 1827) for the settlement of these disputes, and the failure of several attempts to obtain a more efficient law, added to the increasing obstruction to the survey operations caused by the frequency of such disputes in particular districts, compelled the officers in charge to resort to some practicable mode of settlement, and these attempts proved, that the main hinderance to their settlement before had been the undue importance attached to them, and that no insurmountable or even serious obstacles stood in the way of their adjustment; while the recent law (No. III. of 1846) for the construction and preservation of boundary marks, affords ample security against the revival of any disputes once settled by the survey department.

24. All the more important of these disputes are of long standing, and, in the majority of cases, the land has been waste from time immemorial, and rendered of little value to any party, by having been converted into a contested grazing ground for the cattle of the several villages claiming any part of it. There is generally no evidence whatever in proof of the original limits, beyond a few vague entries in some of the old village papers, which, even if we could depend upon their authenticity, cannot be relied on as affording a true statement of the extent of the dispute at the time they were written: since it was frequently the interest and practice of the village accountant to enter the dispute as larger than it really was, in order to obtain from Government a corresponding deduction from the rental due from the village.

25. Such being the case, it seems aiming at impossibilities to attempt to restore with exactness the original boundaries; and any expensive or elaborate investigations having this object in view would prove labour in vain, and would, by investing the case with undue importance, be found to strengthen the animosity of the contending parties, and to excite on both sides a renewed desire for victory; so that the very elaborateness of the means taken to secure a just decision, instead of promoting that end, would seem to raise an additional barrier in the way of a satisfactory settlement. The less importance, therefore, attached by the authorities to these disputes, the more readily will their adjudication be effected and acquiesced in. Moreover, the partition of the disputed land, however made, can hardly fail to confer a benefit on all the parties interested, by enabling them to bring their assigned portions under cultivation, and to obtain a certain and often valuable return, in place of a contested pasturage shared by all, and conferring little benefit on any.

26. We shall now propose some general rules applicable to the settlement of such disputes; and in framing these, we have kept in view the importance of such a mode of settlement as may best facilitate the survey operations, and so prove least expensive to Government. The occurrence of cases of disputed boundaries in the course of the detailed survey of the village has caused more interruption to the work than perhaps all other sources of delay combined, and it would, therefore, be of the utmost advantage to make the definition of village limits and settlement of disputes, wherever practicable, preliminary to the operations of the regular establishment, which is also the plan followed in the North-Western Provinces.



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- 1st. Before proceeding to the regular survey of a district, a few experienced surveyors should be deputed to define, through the co-operation of the villagers, and aid of the local revenue officers, the limits of each village, and secure their preservation by proper land-marks, and the preparation of a descriptive record or map for the use of the regular surveyor.
- 2d. Before proceeding to define the limits of any village, previous notice should be given, to secure the attendance of the parties interested; and in the absence of any dispute, the boundaries should be marked off as pointed out by them. [7]
- 3d. In event of the occurrence of a dispute, where the land is cultivated by both parties, the line of boundary is laid down according to actual possession.
- 4th. Trivial disputes, not noticed in the village papers, to the extent of a few feet on either side of the possible line of boundary, to be settled summarily on the spot by the surveyor.
- 5th. In any case of a dispute, when the parties consent to abide by the award of one or more arbitrators, an agreement to that effect to be taken from them in writing, and the boundaries laid down accordingly.
- 6th. In cases where the surveyor cannot obtain the consent of the parties to refer the disputes to arbitration, the aid of the mamlutdar or other local officer should be called in, who should use all his influence to effect an amicable settlement; but failing this, and in event of the dispute being of recent origin, and not noticed in the village papers, he should himself inquire into and decide upon the line of boundary, which should immediately be marked off by the surveyor.
- 7th. Disputes of old standing, recorded in the village papers, of which the local officer may fail to effect a settlement, should be left over for adjudication by the survey officers, who, after a careful consideration of the evidence adduced by the contending parties, should decide upon the line of boundary, and have the marks laid down accordingly.
- 8th. The settlement of disputes between Government and alienated villages, which the parties will not consent to submit to arbitration (or where this course may be unadvisable, from an apprehension of collusion), should be made by the survey officers as in the preceding rule; but, previous to the boundaries being laid down, their awards should be confirmed by the superintendent, in accordance with the plan already sanctioned by Government for the survey of the Southern Maratha country, in Mr. Secretary Townsend's letter of 13th December 1844, No. 4475.
- 9th. All awards made under the preceding rules should be in writing.

27. The enforcement of these rules, which are similar in principle to those of the survey of the North-Western Provinces, we feel convinced, would accomplish the satisfactory settlement of all disputes brought to light in the prosecution of our surveys, and that all trace of them, in the course of a few years, would disappear.

28. It will be observed, that we have confined the formal investigation and settlement of disputes by the survey officers to such as have been already recognized in the Government records, and this we feel to be absolutely necessary, as the prosecution of the survey would be quite impracticable were we to extend the same form of procedure to every case, trivial or otherwise, which the villagers may choose to bring forward. The number of such recent disputes will always be found to multiply in proportion to the readiness with which complaints are entertained; and it must be borne in mind, that the true boundary in such instances is perfectly well known to the contending parties, whose only reason for not pointing it out is the hope of obtaining some undue advantage by the dispute; while, on the other hand, when no encouragement is afforded to the prosecution of such idle claims, the villagers soon come to an understanding amongst themselves, and find the advantage of at once pointing out the true boundaries.

29. The plans for the definition of the limits of villages and fields having now been laid before you, the next question for consideration is, the most suitable mode of accomplishing a sufficiently accurate survey of the land, and recording

[8] the results of the operation. It seems unnecessary to attempt any detailed description of the various possible methods of field surveying, and we shall therefore confine our attention to that which experience has led us to adopt in the surveys under our control.

30. The measurements of the former Deccan survey were confined to the ascertainment of the area of the different fields into which the village is divided, and the preparation of a descriptive record of their names, tenures and boundaries.

31. The present Deccan surveys were commenced with the same objects, and on the same plan of measurement; but, as the work proceeded, the imperfections of any kind of descriptive record of boundaries, especially in the case of irregularly-shaped fields, became apparent, and led to the super-addition of a rough sketch map, framed for the purpose of exhibiting the position and shape of the fields, but without aiming at any degree of accuracy with respect to area. This was a great improvement on the original descriptive record; but it was subsequently found that the ordinary plan of measuring with the cross-staff and chain was compatible with the accurate protraction of its results upon paper, and that without the aid of theodolites or other instruments for measuring angles, or any new processes of survey, field and village maps, possessing a degree of correctness sufficient for all practical purposes, could be constructed.

32. The want of an accurate village map had been noticed by the Government of India as a marked defect of the revenue surveys of this Presidency, and the advantages of such a document, whether as regards revenue, or generally administrative purposes, are so unquestionable, that the present plan, by which we are enabled to furnish it, cannot but be regarded as a marked improvement on the former method. It was not at first anticipated that these maps would prove sufficiently correct for topographical purposes; but our expectations upon this head have been more than realized, and the village maps are found to possess a degree of accuracy sufficient to admit of their being united, so as to form a general map of a district or collectorate, without any further aid than is derivable from Major Jopp's maps, on which the positions of the principal places are correctly given; or, failing this, from a triangulation subordinate to that of the grand trigonometrical survey.

33. Thus, while the village map affords the most minute information as to the position, size and limits of fields, roads, watercourses, &c. comprised within the village limits, the district map may be made to exhibit, with equal accuracy, the relative positions and extent of villages, topographical features of the country, and a variety of other information calculated to be useful to the local revenue and judicial authorities. These maps do not add materially to the cost of the survey; and as their protraction leads inevitably to the detection of any serious errors in the measurements, they afford an important security against inaccuracy, and may be considered to be among the most valuable documents connected with our operations.

34. We are of opinion, then, that the system of measurement should embrace the construction of accurate field, village and district maps, even where local difficulties may cause the expense of the measure to be much greater than it has hitherto proved. The ordinary measurements by the chain and cross-staff, from which the maps are usually constructed, are inapplicable to the survey of mountainous and difficult tracts of country, where the theodolite would require to be resorted to; but as the two modes of survey may be easily combined, and there is no difficulty in instructing the more expert of the native surveyors in the use of the theodolite, we do not consider that any serious obstacles exist to the extension of the plan of operations we have recommended to all parts of the country where a revenue survey may be considered desirable.

[9] 35. We do not deem it necessary to enter into technical details regarding the construction of these maps, further than to express our opinion that those for the villages should be on a scale large enough to define clearly the limits of fields, so as to admit of the maps being used for ordinary revenue purposes, as well as for renewing any boundaries wilfully or accidentally obliterated; and for this purpose we recommend the adoption of a scale of from 20 to 40 goonta chains (of 33 feet each) to the inch, according to the size of the divisions, unless

unless these happen to be unusually minute, when it will be necessary to give a separate map of such portions on a larger scale. For the district maps a scale of two miles to an inch would generally be sufficient to exhibit clearly the limits of villages, and the topographical features of the country, without making the entire map inconveniently large. To multiply copies of these maps in the most economical and accurate manner, as well as to guard against any future fraudulent attempt at alteration, we think it highly desirable that they should be lithographed.

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36. As regards the accuracy to be considered necessary in the measurement, errors to the extent of five per cent. would not affect the utility of the operation for revenue purposes; but, as a much higher degree of accuracy than this can be attained without any sacrifice of labour and time, we think that in a plain country the average error ought not to exceed one per cent., and not more than two per cent. in any district sufficiently level to admit of its being measured by the chain and cross-staff.

37. In the preceding remarks upon the measurements, it will have been observed that we have confined ourselves to the results, without entering into a detail of the various processes by which they should be obtained; and we have done so, because these results are of an absolute and invariable character, capable of being arrived at with equal certainty by many modes, each of which may have its peculiar advantages under particular local circumstances. It seems, therefore, unnecessary, and would in many instances be hurtful, to fetter the superintending officers with specific rules, which could hardly be so framed as to be suitable in all cases.

38. In treating, however, of the classification of the land, which next demands our attention, we shall adopt a different course, because the results of this operation are of a much less determinate character than those of the measurement, and do not admit of being ascertained with anything approaching to mathematical exactness. The method of procedure becomes greatly more important in the former than the latter case, as upon it will necessarily depend the uniformity and accuracy of the work.

39. The object sought to be attained by our system of classification is the determination of the relative values of the fields into which the land is divided during the process of measurement. The circumstances affecting the values of fields within the limits of the same village, where the climate may be considered uniform, are, their natural productive capabilities, their position with respect to the village, as affording facilities or otherwise for agricultural operations, and, in the case of garden and rice lands, the supply of water for irrigation. In estimating the relative values of fields, the whole of these might be considered together, and the resulting estimate of their capabilities recorded by the assessor; or the latter might record his estimate of each particular by itself. The former system, by requiring a judgment to be given on a consideration of so many distinct and varying particulars, is evidently dependent for the accuracy of its results on the ability, experience and integrity of the assessor, and to secure anything approaching to uniformity would require a very high standard of qualifications in the agency employed.

40. Such an agency, however, is unobtainable; for it is not possible to collect men of sufficient ability and experience; and even if it were, we could not depend on their integrity; so that it becomes a matter of necessity to frame a system of operations sufficiently clear and definite to admit of men being trained for the duty, and to enable us to keep up an effective check upon their proceedings. To accomplish this object, we have been led to separate and define, as far as possible, the various elements which combine to make up the value of a field, and from these to frame such a system of classification as will leave little to the uncontrolled judgment of the classer. With this view, we have found it desirable to estimate, separately, the intrinsic capabilities of the soil, all extrinsic circumstances affecting its value, and the facilities it may possess for irrigation. [10]

41. With respect to the first of these points, in the plan of operations we have to recommend, we have retained the practice of referring every variety of

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soil to one of nine classes, which experience has proved to afford a sufficiently minute classification for all practical purposes. But, in preference to trusting entirely to the judgment of the classer for determining to what class any particular soil should be referred, we have framed a set of rules for the purpose of determining the soils which should fall into each class. The fertility of a soil in this country, or at least in all parts of it to which our operations have yet extended, being chiefly dependent on its power of imbibing and retaining moisture, and as this quality is mainly affected by depth, we have chosen the latter peculiarity as the principal regulating influence in the formation of our scale of values.

42. There are numerous varieties of soil, known amongst cultivators by peculiar characteristics and distinguishing names; but as many of these differ little, if at all, in fertility, and our classification has reference to the latter consideration alone, it would be out of place to notice in it anything beyond the mere question of value. If all soils of the same depth were of uniform fertility, the depth alone would suffice to determine their class, but this is not the case. There are pure soils, that is to say, of uniform texture, and free from any admixture of deteriorating ingredients, which, although of one uniform depth, yet vary in fertility. Such soils are not numerous, however, and we deem it sufficient for the purpose of valuation to range them all under three orders, which again are distributed among the nine classes of our scale, on a consideration of their depth, as will be readily understood from the following Table:—

CLASS.	Relative Value of Class in Annas or 16ths of a Rupee.	SOILS OF THE		
		FIRST ORDER.	SECOND ORDER.	THIRD ORDER.
		Of a fine uniform texture, varying in colour from deep black to dark brown.	Of uniform but coarser texture than the preceding, and lighter also in colour, which is generally red.	Of coarse, gravelly, or loose friable texture, and colour varying from light brown to grey.
		<i>Depth in Cubits.</i>	<i>Depth in Cubits.</i>	<i>Depth in Cubits.</i>
1.	16	1 $\frac{3}{4}$	—	—
2.	14	1 $\frac{1}{2}$	1 $\frac{3}{4}$	—
3.	12	1 $\frac{1}{4}$	1 $\frac{1}{2}$	—
4.	10	1	1 $\frac{1}{4}$	—
5.	8	—	1	—
6.	6	— $\frac{1}{2}$	— $\frac{3}{4}$	1
7.	4 $\frac{1}{2}$	— $\frac{1}{4}$	— $\frac{1}{2}$	— $\frac{3}{4}$
8.	3	—	— $\frac{1}{4}$	— $\frac{1}{2}$
9.	2	—	—	— $\frac{1}{4}$

43. The first column of this Table contains the nine classes of our scale; the second, the relative values of these, estimating the highest at 16 annas, or one rupee, which is the mode of valuation most familiar to natives. We have found by experience that a greater depth than 1  $\frac{3}{4}$  cubits, or about three feet, does not affect, to an appreciable extent, the fertility of soils, and we have therefore adopted this as the maximum in the case of the first and second orders. Soils of the third order are rarely found of a greater depth than one cubit, which we have made the maximum, as any occasional depth beyond this adds nothing to their value.

[11] 44. The depths entered in the Table determine the classes to which the several orders of soils belong, wherever they are found free from an admixture of particular substances, or unattended by other circumstances which diminish their fertility. These deteriorating influences, when of sufficient importance to require a soil to be entered in a lower class than indicated by its depth, we denominate faults. Those of ordinary occurrence we propose to distinguish by the

the following conventional marks, as a short and convenient method of recording them in the classer's field-book :—

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- ∴ Denotes a mixture of minute fragments or nodules of limestone.
- v " " sand.
- / " " sloping surface.
- x " " want of cohesion amongst the constituent particles of the soil.
- ^ " a peculiar mixture, more or less impervious to water.
- ... " liability to be swept over by running water.
- " " an excess of moisture from surface springs.

45. These comprise all the important faults we have hitherto met with, and one such lowers the soil in which it is found a single class; two lower it two classes; three, three classes; and so on, as will be shown in a subsequent example.

46. Extrinsic circumstances affecting the value of a field, but not its fertility, as distance from drinking-water, &c. should be noted by the classer in his field-book.

47. For the purpose of effecting the classification of a field, the classer, with the aid of the village map, enters an outline of its shape in his field-book, which he divides by intersecting lines into a number of equal compartments, sufficiently numerous to give a fair average valuation of the soil by an examination of its depth and quality in each compartment. These particulars, and the class into which the soil falls, are noted within each compartment of the classer's sketch of the field, as shown in the following example :

*East.*

7 3 ...	4 1½ ...	3 1½ ...	1 1½ ...	2 1½ ...
6 1 ...	5 1 ..	4 1½ ..	3 1½ ..	3 1½ ..

The figure in the left hand lower corner of each square indicates the depth of the soil, and the number of dots under it the order of soils to which it belongs; one dot signifying the first; two, the second; and three, the third order. The conventional marks in the right upper corner show the faults, each of which degrades the soil one class; from the order of soil, the depth, and the faults, is determined the class of relative value to which the compartment belongs, as indicated by the figure in the left-hand upper corner. To take the instance of the lower compartment on the right of the field, the depth is entered at 1½ cubits, and the soil is of the first order, as shown by the single dot immediately below. This order and depth indicate the first class of relative value, according to the Table; but the presence of two faults (a mixture of sand and a sloping surface), indicated by the signs v/ requires the soil to be entered in the third class, as denoted by the figure 3 in the upper left-hand corner of the compartment. It will also be seen from the example, that a particular fault is occasionally entered twice in the same compartment, which means that it exists in so great a degree as to require the value to be lowered two classes in consequence.

48. When the classification of every compartment is completed, the classer enters in his field-book, below the sketch, an abstract, giving the number of compartments or shares of each class, together with their aggregate value in annas, according to the Table; and the sum of these annas, divided by the total number

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number of shares, gives, of course, the average relative value of the field in the annas of our scale. This abstract for the field, given in the above example, would be entered as follows:—

Class.	Number of Compartments or Shares.	Value of Shares in Annas of the Scale.
1	1	16
2	1	14
3	3	36
4	2	20
5	1	8
6	1	6
7	1	4½
	10	104½

Average value - - - 10-5

The average value of the field in this case is thus shown to be 10 annas and 5 pies of the classification scale.

49. The system we have thus endeavoured to describe possesses the following important advantages; it obliges the classer to give his minute attention to every portion of the field, and, by requiring a separate estimate of the value of each, his judgment is brought to bear on a very limited number of particulars, and the chance of error thereby greatly reduced. The distinct record of the valuation of each share further admits of the operation being tested in its minutest details, so that any error of judgment, or carelessness on the part of the classer, in the valuation of any one share in a field subjected to re-examination, may at once be discovered and brought home to him, even if it should not affect the accuracy of his average valuation of the whole. The determinate character of the rules of this system, and the facility afforded for the application of a minute and searching test, must greatly conduce to the promotion of uniformity in the work of different classers, a consideration of immense importance where a trustworthy and experienced agency is not to be obtained.

50. The system we have described is confined to the ascertainment of the intrinsic capabilities of the soil, without reference to external influences affecting its productive powers, such as climate, or water for irrigation.

51. Climate does not affect in a uniform manner every kind of soil. A change from a dry to a moister climate, for instance, will generally tend to approximate the productive powers of the higher and lower descriptions. The latter will benefit to a greater extent by the additional moisture than the former, the superior productiveness of the better soils in a dry district being, in a great measure, due to their retaining moisture sufficient to enable them to resist the effects of drought, an advantage which will be of less moment wherever droughts are of rarer occurrence.

52. This alteration in the relative values of the classes might be effected by increasing or diminishing the depth required to place a soil in a particular class; but, rather than disturb the uniformity of our system, we prefer to make the requisite adjustment by an alteration in the relative values of the several classes entered in col. 2 of our Table. By this means we are enabled to make the necessary modification at any subsequent period, when we have obtained sufficient information for the purpose; whereas, the alteration in the depths of the Table would require to be made on commencing the classification of a district, when our knowledge of its peculiarities is comparatively limited. Such alterations, however, are rarely necessary, as the lowness of the assessment should of itself suffice to cover all the more minute variations of value, arising from difference of climate.

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53. But, while climate does not greatly affect the fertility of the several classes of soils; with reference to each other, it constantly and materially influences the productive powers of any one class in different districts, and sometimes in different portions of the same district. Distinctions of the latter description, however, do not in any way affect the relative classification of the soils,

soils, though they form a chief consideration in determining the absolute amount of the rates of assessment for the districts or localities in which they prevail.

54. Irrigation greatly augments the productive powers of the soil, and whenever there is a command of water for this purpose, it becomes a very important element in fixing the assessment of the land for which it is available.

55. Irrigated lands may be distinguished by the terms *garden* and *rice*. This distinction is not absolute, as rice is frequently grown in garden land; but rice land, properly so called, is that in which rice is the ordinary, if not the only irrigated crop grown. Irrigated lands may again be divided into such as are watered from wells, from dams across rivers or streams, from tanks, or from wells combined with either of the two latter.

56. In classing gardens irrigated from wells, the chief points to be considered are the following:—

1st. The value of the soil, as determined by the classification already described.

2d. The supply of water in the well.

3d. The depth of the well.

4th. The quality of the water, whether sweet or brackish.

5th. The sufficiency, or otherwise, of extra land under the well, to allow of a rotation of wet and dry cropping.

6th. The distance of the garden from the village, as affecting the cost of manuring.

57. Of these elements, the supply of water in the well is of most importance, and should be determined by an examination of the well and inquiries of the villagers, in addition to a consideration of the nature of the crops grown, and the extent of land under irrigation. This is the most difficult and uncertain operation connected with the valuation of the garden, especially in the case of wells which have fallen into disuse, and therefore that to which attention should be particularly directed in testing the estimate of the classer, and fixing the assessment of the garden. The remaining elements admit of being determined with accuracy.

58. In deducing the relative values of gardens from a consideration of all these elements, which should be separately recorded by the classer, it would greatly facilitate the operation were the extent of land watered always in proportion to the supply of water in the well. But it is not so; as in many instances the extent capable of being watered is limited by the dimensions of the field in which the well is situated, or the portion of it at a sufficiently low level; and in others, supposing the capacity of the well to be the same, and the land under it abundant, the surface watered will be more or less extensive as the cultivator finds it advantageous to grow the superior products, which require little space, but constant irrigation, or the inferior garden crops, which occupy a more extended surface, but require comparatively little water.

59. Wherever the extent of land capable of being watered is not limited by the dimensions of the field, the most convenient method of determining the portion of it to be assessed as garden land is to allot a certain number of acres to the well, in proportion to its capacity. By this means the most important element of all is disposed of, and our attention in fixing the rate per acre restricted to a consideration of the remaining elements, which are of a more definite nature.

60. The relative importance of these elements varies so much in different parts of the country, that we find ourselves unable, after a careful examination of the subject, to frame a rule for determining the value to be attached to each, and the consequent effect it should have upon the rate of assessment under all circumstances. It must be left to the judgment of the superintending officer to determine the weight to be assigned to each circumstance affecting the value of garden land; and this determined, it will be easy to form Tables or Rules for deducing from these the relative values of garden land, under every variety of circumstance.

61. In the valuation of garden land irrigated from dams, or tanks, fewer circumstances require consideration. They are generally limited to the supply of water and the quality of the soil, although it is necessary, in some instances, to allow for distance from village. In this description of cultivation there is



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seldom a rotation of dry cropping, and, consequently, the assessment must be placed on the land actually watered, which prevents the supply of water being estimated by fixing a certain number of acres to each garden, as in the former case, and it becomes therefore necessary to class the supply of water with reference to its abundance and duration. These particulars are ascertained from the number of months of the year in which the water flows, and the nature of the crops produced. The class of water thus determined, and the class of soil as fixed by the system already described, combine to give the relative value of the land irrigated.

62. In cases where garden land is irrigated, partly from wells, and partly from dams and tanks, the important point to ascertain is, which is the chief source of supply. This is valued, in the first instance, according to one of the methods just described, and the rate so obtained enhanced in proportion to the value of the aid derived from the minor source of supply.

63. In rice, as in other irrigated lands, the chief points to be considered are the supply of water, the nature of the soil, and facilities for manuring. The supply of water is often wholly, and always to a great extent, dependent on the ordinary rains. In some parts of the country, to guard against the effects of intervals of dry weather occurring in the rainy season, small tanks are formed, from which the rice may be irrigated for a limited period. In estimating the supply of water, there are two distinct circumstances, therefore, to be considered, viz., the inherent moisture resulting from the position of the field, and the extraneous aid derived from tanks or from channels cut to divert the water from the upper slopes into the rice grounds below. The weight to be given to each of these elements in the classification of the supply of water depends so much upon local peculiarities, that we feel it impossible to frame a system of universal application; and, consequently, the determination of this point must be left to the judgment of the superintending officer. All that we can do is to indicate the principles according to which, as we conceive, the operation should proceed.

64. The classification of the soil should be effected by a system similar in principle to that already described, though modified in details to meet the peculiarities of different districts. But the circumstances of the rice countries to which our operations have yet extended appear to vary so much, that we have not been able to agree upon any detailed rules for the classification that would be suitable to all.

65. The facilities for manuring rice lands will be determined, as in the case of dry crop soils, by distance from village, or the locality from which manure is procurable.

66. We have now defined, with as great a degree of minuteness as we consider desirable, the various operations of the survey, undertaken for the purpose of distributing the assessment over the fields into which the lands of each village are divided, with reference to their extent and capabilities. It now remains for us to point out what we deem the best mode of fixing the absolute amount of assessment to be so distributed. The first question for consideration is the extent of territory for which a uniform standard of assessment should be fixed. This will depend upon the influences we admit into consideration with a view to determine the point. Among the most important of these influences may be ranked climate, position with respect to markets, agricultural skill, and the actual condition of the cultivators. The first of these may be considered permanent; the second and third, less so; and the fourth, in a great measure, temporary. And as our settlements are intended to be of considerable duration, there is an obvious advantage in regulating the assessment by considerations of a permanent character, or, at least, such as are not likely to undergo any very material change during the term of years (generally 30) for which it is to endure.

67. In determining, then, upon the extent of country to be assessed at uniform rates, we are of opinion that the more permanent distinctions of climate, markets and husbandry, should receive our chief attention. We should not think of imposing different rates of assessment on a tract of country similarly situated in respect to these three points, in consequence of the actual condition of the cultivators varying in different parts of it. Were we to do so, we should depart from the principle laid down by the Honourable Court of Directors, of assessing land according to its capabilities, and adopt the objectionable one of doing so with reference to the means of the person holding it. The effect of such a system, by creating different rates of profit upon capital employed in agriculture, would

would interfere with its natural and most advantageous distribution, by diverting it from lands actually in cultivation to the lowly assessed waste of those villages of which the cultivators happen to be poor; by enabling the latter to meet the Government demands, without the application of the same degree of capital and skill required in the case of better cultivated villages, it would foster in the former a slovenly and unremunerative mode of husbandry. By taking into account an element so uncertain and liable to change as the condition of the cultivators in particular villages, the assessment would become less and less suitable with every improvement in their condition. On the other hand, by basing the assessment on considerations of a durable character, we have the promise of its remaining suitable for a lengthened period, and at the expiration of the term for which it is confirmed, requiring no further alteration than a simple increase or decrease of its amount, as the exigencies of the country and Government might demand.

68. Each collectorate being divided into districts, of which the management and records are distinct, it is an obvious advantage to consider the assessment of each of these divisions separately. And where the points bearing on the distribution of the Government demand alike in all parts of any such division, one standard of assessment would be suitable for the whole. But this is seldom the case; and there is usually such marked distinctions between different portions of the same district as to require the assessment to be regulated with reference to these. The first question, then, in proceeding to the assessment of a district is to ascertain whether such distinctions exist, and to define the limits over which they prevail. This, however, will seldom be a task of much difficulty, or involving any very minute investigations, as marked differences only, calling for an alteration in the rates of assessment, require notice; and within the limits of a single district, three or four classes of villages would generally be found ample for this purpose.

69. The relative values of the fields of each village having been determined from the classification of soils, the command of water for irrigation, or other extrinsic circumstances, and the villages of a district arranged into groups, according to their respective advantages of climate, markets, &c., it only remains, in order to complete the settlement, to fix the absolute amount of assessment to be levied from the whole.

70. The determination of this point is, perhaps, the most important and difficult operation connected with the survey; and requires, beyond all others, the exercise of great judgment and discrimination on the part of the officer on whom it devolves. The first requisite is to obtain a clear understanding of the nature and effects of our past management of the district, which will be best arrived at by an examination and comparison of the annual revenue settlements of as many previous years as trustworthy data may be procurable for, and from local inquiries of the people during the progress of the survey. The information collected on the subject of past revenue settlements should be so arranged as to enable us to trace with facility the mutual influence upon each other of the assessment, the collections and the cultivation.

71. This, in our opinion, can best be done by the aid of diagrams, constructed so as to exhibit, in contiguous columns, by linear proportions, the amount and fluctuations of the assessment; collections and cultivation for each of the years to which they relate, so as to convey to the mind clear and definite conceptions of the subject, such as it is scarcely possible to obtain from figured statements, even after the most laborious and attentive study. The information to be embodied in the diagram best suited for our purpose should be restricted to the land of the district subject to the full assessment; the extent of this cultivated in each year; the assessment on the same; and the portion of the assessment actually realized. This will exclude from the diagram several items of revenue obtained from this land, such as the rent of grazing farms, fruit trees, sheep tax, &c.; independent of the assessment hitherto levied on the cultivated land, which is the proper object of our present inquiry.

72. The hucks of hereditary officers upon cultivated land, however, having to be included in the survey assessment, and as forming a real addition to the burdens on the land, might appropriately be included in the diagram; but as no authentic records of the amount of such hucks actually realized are obtainable, we think it preferable to omit them, and to estimate separately the addition to be made on their account to the collections shown by the diagram.

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73. The items of information admitted into the diagram should be alike for each year. They should have reference to the same villages; and in the event of any having lapsed to Government, or having been otherwise transferred during the period embraced in the diagram, for which information for all the years required cannot be obtained, such villages should be excluded altogether; or, if it be considered preferable to include them, a proportionate increase should be made to the entries of the diagram in the case of the years for which exact data may be wanting. The cultivation and assessment for each year should be estimated in the same land measures and the same currency, and an explanation of the value of these afforded.\* Every care should be taken to secure the accuracy of the information embodied in the diagram, and the points in which it may be considered imperfect brought to notice.

74. Furthermore, to assist in tracing the causes to which the prosperity or decline of villages, or tracts containing several villages, are to be attributed, independent statements of the annual revenue settlements of each village should be prepared; and from these, again, a general statement for the whole district, or any portion of it, should be framed, and its accuracy tested by a comparison with the general accounts of the talooka; and from the returns so prepared and corrected, the diagram should finally be constructed. The nature and amount of the various items of land revenue and hucks excluded from the diagram should be separately noted, and taken into account in considering the financial results of the proposed assessment.

75. And, finally, with the view of affording the fullest information on this important subject, detailed figured statements should be furnished, exhibiting the source and amount of every item of revenue hitherto derived from land of every description, whether Government or alienated, comprised within the limits of the villages for which an assessment is proposed.

[17] 76. The information thus collected and exhibited, with that obtained by local inquiries into the past history of the district, will generally enable us to trace the causes which have affected its past condition; and a knowledge of these, aided by a comparison of the capabilities of the district with those of others in its neighbourhood, will lead to a satisfactory conclusion regarding the amount of assessment to be imposed.

77. But, instead of a particular sum at which a district should be assessed, it amounts to the same thing, and is more convenient, to determine the rates to be imposed on the several descriptions of soil and culture contained within its limits, so as to produce the amount in question. And to do this, it is only requisite to fix the maximum rates for the different descriptions of cultivation, when, of course, all the inferior rates will be at once deducible from the relative values of our classification scales.

78. The rates so determined should be applied to all descriptions of land, alienated, as well as otherwise; for the settlement could not be considered complete unless the extent and value of alienated land, as well as that under the immediate management of Government, were ascertained and recorded. When the calculation of the assessment from these rates is completed, field-registers, embodying the results of the survey, should be prepared for each village, separately, for the use of the collectors. These, and the village maps, form a complete record of our operations; and while they and the field boundaries exist, all the important data resulting from the survey will be preserved.

79. It will have been observed that in the description just given of the system of operations we have to recommend, we have confined ourselves, in a great measure, to the statement of principles and results, without entering into details upon points which are not of general application. To have attempted greater minuteness would, without answering any useful purpose, have fettered the operations of the survey by enjoining particular methods of procedure, which local circumstances might render inapplicable. And for this reason, we consider it necessary to allow, with reference to these points, a considerable latitude to the judgment of the superintending officer, so as to enable him to accommodate the details of his operations to the varying circumstances of the localities to which they may extend.

80. There

\* Collections or remissions on account of outstanding balances should be included in the entries of the year to which they relate, though made at a future period.

80. There are, nevertheless, certain points connected with the interior management of the survey departments which appear to us of uniform application, and sufficiently important to be defined in the shape of general rules, or principles for future observance. They are as follows:—

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- 1st. That every operation of the survey, such as the defining of boundaries, the modes of measuring and mapping, the classification of the soil, &c. should be performed in accordance with definite rules, which should provide, as far as possible, for every difficulty likely to be met with in practice. The assistant superintendents, and every member of their establishments, should be furnished with these rules, or such portions of them as refer to their particular duties, for their instruction and guidance.
- 2d. Precautions deemed requisite for the prevention of fraud, such as particular methods of recording the survey data, injunctions regarding punctual payments for all supplies, prohibitions against residence in private dwellings, borrowing money from or incurring obligations to any of the inhabitants of villages under survey, &c., should also be embodied in these rules; and the survey officers should be careful to see that they are uniformly acted up to, and not allowed to fall into disuse.
- 3d. No alterations of, or deviations from, these rules should be made by any assistant, without the sanction of the superintendent; and, in order to ensure uniformity, any modification, if generally applicable, should be extended to the establishments of all the assistants.
- 4th. Copies of these rules, and all important modifications of them, should be furnished by each superintendent to the other superintendents of survey, in order that each may be kept aware of the methods practised on the other surveys, and thus enabled to take advantage of every improvement applicable to his own operations.
- 5th. The pay of the members of the native establishments should be regulated as far as practicable, with reference to the quantity and accuracy of the work executed by each; and the principles observed in the regulation of pay should be the same in the establishments of all the assistants.
- 6th. Daily, or at least very frequent, reports of the nature and quantity of work performed by the members of the native establishment employed in the field should be transmitted by them to the assistant superintendent, that he may be kept exactly informed as to what every person under him is doing, and be able to adopt timely measures for preventing obstruction to his operations. When the establishments are not employed in the field, a record of the daily work of each member should be kept for the information of the assistant superintendent.
- 7th. A regular and frequently recurring test of the work of the native establishments should be kept up by the assistants in charge; and monthly returns, showing the work of each individual employed in the field, as also the extent and result of the test with reference to each particular, should be furnished by the assistants for the information of the superintendent.
- 8th. All letters to the address of any assistant superintendent should be opened and replied to by himself; and in event of his absence, no clerk should be permitted to open, read, or reply to such communications.
- 9th. The measurement should always be considerably in advance of the classification, and, when practicable, we think it advantageous that these operations be prosecuted under the superintendence of separate assistants.
- 10th. An annual progress report should be submitted by the superintendent of each survey for his department. It should exhibit the quantity of work executed in each branch, the portion of this subjected to test, and the degree of accuracy attained, as well as the cost of the whole; and the same particulars should be given for the work executed under each assistant. The report should likewise afford any explanations necessary to enable Government to come to a correct conclusion regarding the operations of the year.
- 11th. The proposals for the assessment of each district should be made by the superintendent, as the assistants, from their more limited experience,

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and the circumstance of their duties confining them to particular districts, have not the same opportunities of acquiring all the information necessary for the purpose, and the discussion of their proposals by the superintendent would occasion a needless prolixity in the correspondence connected with the determination of the rates of assessment. The superintendent, however, will find it advantageous to consult with his assistants regarding the state and peculiarities of the districts where they may be employed, as their opinions will often be of much service to him in forming his own conclusions with respect to the rates.

12th. All the accounts of the department with the collector and civil auditor should pass through the office of the superintendent. The latter should have an account current with the collector, who should make advances on his requisitions to any extent necessary. The survey accounts should be made up for each month, and submitted for audit by the superintendent; and the civil auditor should return them to him when [19] passed. They should then be transferred to the collector, who then would give the superintendent a corresponding credit in his account current.

The superintendent should have a similar account current with each of his assistants, making them advances from time to time for their own pay and that of their establishments, and giving them credit for signed receipts, and similar vouchers forwarded with their accounts, which should be furnished monthly.

13th. At least two or three seasons before the probable termination of the survey of a collectorate, or other division of the country, the superintendent should request the instructions of Government regarding the future destination of his department; that, in event of Government contemplating its transfer to another quarter, he may have time to make the necessary arrangements for moving the establishments gradually into the new field, and thus avoid the risk likely to attend the sudden transfer of so large an agency into a country of which they have no experience, and where the system previously pursued may prove inapplicable.

81. In addition to the points noticed in these general rules, there are many technical details in regard to which uniformity is desirable; but we consider it would be difficult, if not impossible, for any but those who have a practical knowledge of the working of a survey to form a correct judgment with respect to them. Furthermore, as these details are not of a permanent nature, and would require modifications to meet local peculiarities, we do not consider that any good purpose would be served by attempting to define them. Greater uniformity than we have endeavoured to enjoin could not, we conceive, be effectually secured except by placing the several survey departments under one controlling authority, fully conversant with the principles and details of a revenue survey.

82. Having now completed the first division of our subject, we turn our consideration to "the most suitable means for ensuring the results of the surveys being turned to the best account, and maintained in their original integrity in the future management of the districts."

83. The introduction of the survey settlement should, in our opinion, be effected by the superintendent, in conjunction with the assistant collector of the district, in order that the latter may become fully acquainted with the system, and the former have an opportunity of observing the practical working of its details, and of explaining them fully to the local revenue officers in charge of the district, as well as of overcoming any difficulties, and meeting objections, which may present themselves in the course of the settlement.\*

84. The future administration of the survey settlements is a subject of the utmost importance, as a successful result cannot be anticipated unless the details of revenue management be carried out in strict accordance with the principles on which the settlements are based. This subject embraces so wide a field, and involves

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\* If the collector himself holds direct charge of the district, he will, of course, be present at the introduction of the survey settlement, as will he also be if the assistant collector in charge is not sufficiently experienced to form a correct opinion as to the merits of what is being done; or if, for any other reasons, he thinks proper to watch proceedings. The assistant himself, though ever so inexperienced, should also be present, for he cannot be in a better school in which to learn the most important parts of his revenue duties.—G. L. No. 6,900, para. 11.

involves the consideration of so many details, that to attempt to establish the suitability of every proposition we have to make in regard to it would lead to almost interminable, and, in our opinion, uncalled-for discussion; on which account we prefer to submit our views in the form of definite rules for the guidance of the local revenue officers. These rules comprise all the points which occur to us as of sufficient importance to call for notice; but, in submitting them for approval, we wish it to be understood that they should be considered applicable only to the collectorates above the Ghauts already surveyed, or in course of being so. In other divisions of the Presidency, where the husbandry and revenue system are different, great alterations might be necessary.

X.  
Revenue Survey  
and Assessment  
under the Bombay  
Presidency.

• RULES.\*

1st. With a view to the improvement of the country and people, the assessment now introduced by the superintendent revenue survey, has been fixed by Government for a period of 30 years, viz., from Fuslee to during which period the full benefit of every improvement, such as the conversion of dry into irrigated land by the digging or repairing of wells and tanks, the planting of fruit trees, &c., will be secured to the incumbent of the land, and no extra assessment levied on that account.†

[20]  
G. L. No. 5593 of  
1848, para. 25.

2d. All cesses upon land have been absorbed in the new assessment; consequently, when there are fruit trees in a field, their produce is to be taken by the cultivator, and nothing beyond the assessment placed on the field levied on that account from him; but in the case of valuable fruit and other trees, standing in fields *assessed at dry crop rates*, and not in cultivation at the introduction of the survey, and the produce of which it has hitherto been customary to sell on account of Government, the right of property in these trees, and of occupancy in the field, should be *offered at a fair upset price*, and sold once for all by public auction to the highest bidder, and nothing in excess of the survey assessment thereafter exacted. But, if no one offer to undertake the cultivation of the field on these terms, the produce of the trees may be sold annually, according to custom.

G. L. dated 28th  
February 1849,  
No. 1496.

3d. No field is to be let for less than the full survey assessment, on account of its having been long waste, over-run with jungle, or any other reason whatever.

G. L. No. 5593 of  
1848, para. 25.

4th. In the survey registers, in the case of fields containing garden and rice land, the said land is entered at so many acres, bearing a certain assessment, or the latter is laid upon the well in the case of garden land, without the irrigated acres being specified. This assessment is invariably to be levied, and nothing more, whether a greater or less number of acres, or none at all, be cultivated with garden or rice crops; and should there, now or hereafter, be garden or rice land in any field not entered as having such in the survey registers, no extra assessment is to be levied on that account: the dry crop assessment therein entered is alone to be levied. In the registers, also, a deduction is made on account of barren‡ land in certain fields, and the assessment placed on the arable land alone; but, in event of the cultivator bringing any portion of the land deducted as barren§ into cultivation, no extra assessment is to be levied on that account: the assessment on the field entered in the register is alone to be levied.

G. L. No. 6900 of  
1849, para. 5.

† unarable.

§ unarable.

5th. Every

\* The rules here given have been altered in some instances from those of the original manuscript report, in compliance with instructions contained in the Government letters to the Revenue Commissioner, Southern Division, No. 5593, dated 22d September 1848, and No. 6900, dated 16th November 1849; but the numbers of the rules remain unchanged. The paras. of these letters, sanctioning the rules as they now stand, are quoted in the margin opposite each rule; and remarks by Government, which qualify the application of any of the rules, are given in foot-notes to the rules to which they refer. Where alterations have been made, the original reading is given in small type in the margin. Words altogether omitted from the original manuscript are given in *italics* in the margin; and words added to the original manuscript are printed in *italics* in the body of the rules.

† A proclamation to the effect of Rule 1 should be published when the revised rates are introduced in the district, and every patell should be furnished with a copy. — G. L. No. 5593 of 1848, para. 25.



[21]  
G. L. No. 6900  
of 1849, paras.  
3 and 4.

5th. Every cultivator in whose name any field, or share of a field, on whatever tenure held, is entered in the village cultivation returns, is to be considered the holder of such field or share; and so long as he shall continue to pay the survey assessment due on it, he cannot be ejected or deprived of his right by any revenue authority; but, in event of his failing to discharge the full assessment, Government reserves the power of ejecting him from any field or share of which the assessment shall at least be equal to the balance outstanding, the defaulter retaining, however, the privilege of determining the particular field or fields to be so relinquished; *and in cases when the tenure precludes summary ejectment, the collector will observe the forms necessary to give his orders the force of a legal decree.\**

G. L. No. 5593  
of 1848, para. 29.

6th. In event of a holder of Government land dying, his fields or shares are to be entered in the name of his eldest son or next heir, should he or his representatives agree to take them.

G. L. No. 6900 of  
1849, para. 7.

7th. When two ryots hold a field, and one of them relinquishes his share, or dies without heirs, the share thus lapsing is to be offered, in the first instance, to the other sharer before it is offered to any other party; and in event of the said sharer declining it, and no other party applying to take it up, the former must relinquish his share too, and allow the whole field to become waste.

G. L. No. 6900 of  
1849, para. 7.

8th. When there are more sharers than two in a field, and any of them relinquishes a share, or dies without heirs, it should be offered, as above, to the sharers, in the first instance beginning, in event of their failing to settle the matter amongst themselves, with the largest sharer, and so on to the least. If none of these, nor any other party, be found to take up the relinquished share, the whole field must be thrown up.

G. L. No. 5593 of  
1848, para. 31.

9th. Whoever has a field or portion of one entered in his name in the Government accounts, may have the said field or portion transferred to the name of any other person agreeing to cultivate the same, on his making a written application to that effect in the usual "Razeenama," or petition to resign.

[22]  
G. L. No. 5593 of  
1848, para. 32, and  
G. L. No. 390 of  
12th February  
1847.

10th. Proprietors of enam, joodee, and meeras lands, having possession of the same, have the right of cutting down or otherwise disposing of all trees growing therein, *and also holders of Government fields, of which they have been in uninterrupted occupancy from a period anterior to the age of the trees, or for a period of twenty years, or who have purchased the trees under the provisions of Rule 2.*

G. L. No. 390 of  
1847, and G. L.  
No. 6900 of 1849,  
para. 12.

11th. Holders of Government fields, *besides those specified in preceding rule*, or occupants of meeras, joodee, or enam lands, holding the same from Government, † must obtain permission to cut down trees, and will, in event of

† have permission to cut down babool, date and all young timber trees, with the exception of those growing on the boundaries, which are to be preserved as land-marks, and fruit or large timber trees, none of which are to be cut down without permission from the district revenue authorities, unless the property of the holder by purchase, under the provisions of Rule 2.

permission being given, be required to plant two trees for every one cut, unless exempted from this condition by order of the collector. The permission to cut trees under this rule, and also trees in Government waste fields, for any purpose

connected with agricultural operations, to be granted by the patel and coolcurnee on application, a record thereof being kept for the inspection of the Government officers.

\* Your 10th para. (Rev. Commissioner's Letter, dated 10 September 1847, No. 2258) inculcates a prudent caution in respect to the insertion of the names of parties as the holders of fields. Care should be taken that the real holder is well ascertained; and if there be a dispute, no entry should be made in the survey books that can give one party a right which he might not on inquiry be found to possess. It is a great object to establish our survey books as a complete record of the state of the occupancy at the time of the operation.—G. L. No. 5593 of 1848, para. 28.

In the superintendent's remarks in para. 20, on the subject of Rule 5th, I quite concur, for he admits the only exceptions for which I wished to contend in my letter of 10th September 1847; viz., cases which "have been fraudulently, or through mistake, omitted to be entered." That such cases must be guarded against, Government have decided in para. 28 of the letter under reply; and important as I admit the rule to be, justice, I think, requires that the exception should be borne in mind.—Rev. Commissioner's Letter, No. 3195 of 1849, para. 6.

In the remarks made by you in para. 6, regarding the other provisions of this rule, Government concurs.—G. L. No. 6900 of 1849, para. 4.

Rule 6 is approved, provided no meerasdaree, or recognized heritable right, is interfered with.—G. L. No. 5593 of 1848, para. 29.

Rules 7 and 8 should, in the opinion of Government, be relaxed only in cases in which any of the co-sharers in the field have held possession of their land for upwards of 20 years, and then never but in cases in which the collector himself or an experienced assistant may consider the relaxation absolutely necessary to prevent considerable hardship being entailed on individuals.—G. L. No. 6900 of 1849, para. 7.



officers. For other actual and immediate wants of the villagers, such as repair of houses, &c., permission to be obtained from the mamlutdar or muhalkurree; but for cutting any large number, or for any purpose of sale or profit, the permission of the collector or one of his assistants to be necessary, when any conditions which may appear advisable can be imposed.

X.  
Revenue Survey  
and Assessment  
under the Bombay  
Presidency.

12th. In taking up waste for cultivation, a ryot must agree for a whole survey field at the full assessment, and no portion of a field is, on any account, to be given for this purpose, except in the case mentioned in the next rule; and, when two or more cultivators agree together to cultivate a waste field, it must be entered in the name of one of their number, who will be considered the holder, *unless the assessment of the field amount to, or exceed, twenty rupees, in which case it may be entered in the names of two or more holders, on the condition that the assessment of the share of each shall in no case fall short of ten rupees.*

G. L. No. 5593 of  
1848, paras. 34 and  
36, and G. L. No.  
6900 of 1849,  
para. 8.

13th. There are some survey fields, consisting in great part of \* land covered with dense jungle, or otherwise unsuited in their present state for cultivation, upon which no assessment is placed in the survey registers. In the event of portions of such fields being brought under cultivation, rates of assessment should be fixed by the mamlutdar upon the acres under tillage, equivalent to those of similar soils in the same village. *This rule applies to all fields in the survey registers on which rates of assessment have not been fixed.*

G. L. No. 6900 of  
1849, para. 6.  
\* unarable.

14th. Unless special exceptions be made by the collector of valuable grass lands, certain to realize rents in excess of the survey assessment, the grazing of all waste Government and meeras land is annually to be sold by auction, field by field, at the commencement of the monsoon, a preference being given at the sale to the inhabitants of the village to which the land may belong. The bidding, however, for any waste field should not be allowed to go beyond its assessment in the survey register, and when it reaches this point, the field should be entered in the name of the last bidder, as other cultivated land held at the full assessment, and the person so taking it admitted to all the privileges of a holder of land under tillage.

G. L. No. 5593 of  
1848, para. 39.

15th. The grass of fields especially excepted by the collector from the operation of the preceding rule, may be sold by auction to any one, for sums in excess of the survey assessment.

[23]  
G. L. No. 5593 of  
1848, para. 39.

16th. † The grazing of the unarable and other fields, not subjected to assessment in the survey registers, should be sold by auction by the collector, as in the preceding rule, a reasonable proportion being set aside for the free pasturage of such villages as have hitherto enjoyed this right.

G. L. No. 6900 of  
1849, para. 13.  
† Of unarable land, and other fields not subjected to assessment in the survey register, a reasonable proportion, with reference to the size of the village, should be set aside by the collector for the free pasturage of the village cattle, and the grazing of the remainder sold by auction, as in the last rule.

17th. In some villages, houses are attached to particular fields, and it has been customary to oblige a ryot, throwing up one of these fields, to relinquish his house at the same time. This custom, however, is now abolished; and every cultivator is at liberty to throw up any field without his title to his house being at all affected thereby. This rule does not apply to the case of alienated lands.

G. L. No. 5593 of  
1848, para. 42.

18th. In the survey registers an assessment is placed on joodee and enam, as well as Government fields, but the joodedars and enamdars are not bound thereby, and are at liberty to let out their lands on any terms they please.

G. L. No. 5593 of  
1848, para. 42.

19th. In event of enam land being confiscated, or temporarily attached, it is to be let cut, while under Government management, at the survey assessment, or sold by auction, if waste, exactly as Government land. This rule does not apply to the year in which the attachment is effected, for which the existing agreements made with the enamdar should be allowed to stand.

G. L. No. 5593 of  
1848, para. 42.

20th. Cultivators wishing to relinquish fields must give in a written application to that effect ‡ before the 1st of May, and with the view of ensuring this being done, the village officers are to assemble all the holders of Government land on the 30th of April in each year, and having explained to them that it is the last day on which resignations will be received,

G. L. No. 6900 of  
1849, para. 9.

‡ to the village officers before the end of April in each year, when the latter are, without delay, to transmit the same, together with the parties concerned, to the mamlutdar or muhalkurree, who, after inquiry, is to ratify the application, and transmit an order to that effect to the village officers, when the latter are to make the necessary entries in the village accounts. When waste fields are wanted

for cultivation, a written application to that effect is to be made to the village officers, who are to forward it with the applicants to the mamlutdar or muhalkurree, who, on being satisfied that there is no objection to giving them the land applied for, is to accept their agreements, and transmit an order to that effect to the village officers. But the latter are not, under pain of punishment, to accept either resignations of fields or engagements for waste, without referring them in the first instance to the district officer, and receiving his orders thereon.

the coolcurnee shall then and there write out, in a prescribe form, which must specify the number, acres and assessment of every field to be relinquished, the "Razeenamas" (or petitions to resign) for any parties requiring them. These petitions should be signed or authenticated

[24] in the presence of one or more witnesses by the parties making them, and countersigned by the patel and coolcurnee, who should forward them without delay to the mamlutdar or muhalkurree, by whom they are to be attested and returned to the village officers, as vouchers for any alteration made in the village accounts of the following year. When waste fields are wanted for cultivation, written applications must, in like manner, be taken from the applicants; countersigned by the village officers, and forwarded by them to the mamlutdar or muhalkurree, by whom they are to be attested and returned, and all these resignations of cultivated and applications for waste fields are to be produced at each jumma-bundee settlement for examination. But village officers, under pain of punishment, are not to make any alterations in the cultivation registers, except upon the authority of the vouchers mentioned above, or in obedience to written instructions from the mamlutdar or muhalkurree.

G. L. No. 6900 of 1849, para. 10.

21st. The revenue should be collected by fixed instalments, without reference to the proportion of early or late crops grown in any one year; and, consequently, no field inspection for the purpose of obtaining such information should be made. In districts where early crops prevail, we recommend the collections to be made in four equal instalments, falling due on 15th December, 1st February, 15th March, and 1st May; and where the early and late crops are nearly equal, or the latter predominate, we also recommend four equal instalments, but respectively falling due a month later, viz., on 15th January, 1st March, 15th April, and 1st June.\*

G. L. No. 5593 of 1848, para. 46.

22d. The field boundary marks erected at the survey should be preserved with the greatest care, and when injured, timely repairs must be made by the cultivators in the case of cultivated lands, and by hired labourers in the case of waste, the expense of the latter being defrayed from a sum of 100 rupees, to be deducted for the purpose from the proceeds of the grazing farms of *each talook*, as sanctioned by Government. This amount should therefore be placed in deposit each year, and the order of the collector obtained for its expenditure, as above explained, wherever necessary. The intervening strips, connecting the boundary marks of a breadth corresponding with the latter, are constituted the boundary of the field, and forbidden to be ploughed over or otherwise injured; and in the case of dry crop land, before preparing any field for sowing, these strips are to be distinctly marked off each year, by the holder running his plough along the boundary. In event of this order being neglected, and this space ploughed up or sown, the cultivator is to be made to connect the two contiguous marks, between which the boundary had been disregarded, by a continuous ridge of earth, one foot and a half in height; and should he fail to do so within a certain number of days, the village officers are to report the circumstance to the mamlutdar, who is to apply to the collector for a notice to be served on the holder of the field, according to the provisions of Act III. of 1846; and if this be disregarded, the boundary is to be put up by hired labourers, and the amount recovered from him, as therein provided.

G. L. No. 5593 of 1848, para. 46.

23d. Independent of the precautions specified in the preceding rule, a regular inspection of fields, for the purpose of ascertaining the state of the boundary marks, and that none of the fields entered in the accounts as waste are surreptitiously cultivated, is to be made in each village, as soon as practicable, after the 1st of November in each year. The results of this inspection are to be entered in a field register, prepared according to the form hereunto annexed.

Before,

\* "Government is in favour of Rule 21 standing as originally proposed, but will not object to the collectors being informed, with reference to this rule, that if they consider necessary any alteration in the 'kists' therein laid down, they are forthwith to state in detail their reasons for so thinking, in a letter to you (Revenue Commissioner), which you will be pleased to forward to Government. The collectors may be informed in a foot-note to English version."—G. L. No. 6900 of 1849, para. 10.

Before, however, commencing the work of inspection, the carkoon nominated for the duty should summon the villagers to the chowree, when he should read out and explain to them the Government Proclamation regarding the preservation of their boundary marks, of which a copy is subjoined. He should make the inspection in company with the village officers, and take care that the owners and occupants of the fields visited be also present. He should point out to them any repairs required to their boundary marks, and order that they be completed within a certain number of days. In event of any of the strips of boundary between the marks having been ploughed over, or otherwise encroached upon, the inspector should require the party who may have done so to connect the two adjoining marks, between which the boundary has been violated, by a continuous mound of earth, one cubit in height, as a punishment for the encroachment, and make a note to that effect in a separate memorandum, to be kept in addition to the register, for the purpose of recording any remarks not admissible there. When every field has been thus inspected, and the state of its boundary marks entered in the register, a second examination, after the lapse of a sufficient time to allow of the repairs to the marks being completed, should be made of every field entered at the first inspection as requiring repairs. And, should any of these still remain to be made, the party to whose neglect this may be attributed should be required, in addition to repairing the marks, as originally directed, to connect each incomplete mark with the one adjoining it by a continuous ridge of earth, one cubit in height; and these particulars, with the name of the individual, should be noted in the separate memorandum above alluded to. A notice to this effect should then be served on him, in compliance with the provisions of Act III. of 1846, and, in event of his failing to complete the boundary marks within the specified period, the village officers are to do so by means of hired labourers, and the expense incurred on this account is to be recovered from him, as provided in the said Act. The correctness of the entries regarding boundary marks in the inspection register should be tested in every village by the mam-lutdar, muhalkurree, or some confidential member of their establishments, and the results of this re-examination entered in the column of the inspection register appropriated for the purpose. [25]

#### FORM OF PROCLAMATION.

THE Honourable the Governor of Bombay in Council hereby gives notice to all proprietors, holders, and occupants of land in the surveyed districts of this Presidency, that they are to preserve with the utmost care, and repair from time to time, as may be necessary, the boundary marks which define the limits of their several fields, as fixed at the survey; and with a view to securing this, they are hereby directed, before preparing any dry crop field for sowing, to cause a plough to be run round the boundary, leaving an untouched strip, of three cubits in breadth, to connect each boundary mark, which strip is to be carefully preserved as the boundary of the field. An annual inspection of boundary marks will also be made, in the presence of the village officers and ryots, who are required immediately to repair any of the boundary marks which may be pointed out to them by the inspector as defective. A second examination, embracing those fields of which the boundaries were found incomplete, will follow after a reasonable interval, and should it then be found that the owner, holder, or occupant of any field has neglected to make the necessary repairs, he will be required, by way of penalty, not only to make the repairs originally directed, but, in addition, to connect each defective mark with the next adjoining by a continuous ridge of earth, one cubit in height, and a notice to this effect will be served on him according to the provisions of Act III. of 1846; and in event of his failing to comply with this, the specified boundary marks and connecting ridges will be completed by means of hired labour, and the expense recovered from him as provided in the said Act. Any wilful injury done to any boundary mark is a criminal offence, and punishable by fine to the extent of 50 rupees, under the same enactment. [26]

X.  
Revenue Survey  
and Assessment  
under the Bombay  
Presidency.

## FORM OF EXAMINATION.

REGISTER of Field Boundary Marks in the Village of \_\_\_\_\_ Talook  
Zilla \_\_\_\_\_ in 18 \_\_\_\_\_

No. of Field.	Sides of the Field on which Boundaries were out of Repair, at Date of										Tenure.	Govern- ment.		Remarks by Mam- lutdar, or other testing Officer.
	1st Inspection.					2d Inspection.						Cultivated.	Waste.	
	Date.	E.	N.	W.	S.	Date.	E.	N.	W.	S.				
1	-	-	-	1	-	-	-	-	-	-	Government	1	-	Entries correct.

G. L. No. 5593 of  
1848, para. 46.

24th. From the inspection registers described in the preceding rule, the mamlutdar of each talook should prepare and forward to the collector on the 1st of May in each year, a general abstract (according to the form given in the opposite page) of the state of the boundary marks in each village of his charge, at the different inspections; the repairs subsequently made, and those still requiring to be so, at the date of his return. Under ordinary circumstances, there ought to be no mark unrepaired at this date; but in event of there being any, the mamlutdar should be held responsible for the delay, if unable to assign satisfactory reasons for it. On receipt of this return, the collector should immediately take measures for the completion of the repairs still to be made; or, if unable to do so, to report the circumstance for the instructions of Government.

85. In addition to the objects provided for in these rules, it would be most desirable to introduce a simple and uniform system of accounts throughout the surveyed districts, by which the disadvantages now attendant on the removal of European and Native officers from one collectorate to another would in a great measure be obviated, as the same system of management would then obtain in all. In order to do this effectually, however, it would be necessary to review the whole existing system, and frame the detailed accounts of villages, districts, and collectorates, with reference to the information required by the Presidency and Home authorities; but, with our limited time and opportunities, it would be hopeless to attempt an undertaking of such magnitude, and all that we can do is to suggest it for consideration.

[28]

86. The subject of remissions has been purposely excluded from the preceding rules as we consider that all abatement of the established assessment should be regarded as exceptional to the ordinary management of surveyed districts, and ought not to be made unless for special and urgent considerations, which cannot be provided for by general rules. The opinions of the revenue commissioner, the collectors, and superintendents of survey, have lately been elicited on this important question, which is now, we understand, before Government, and under these circumstances we think it unnecessary to offer any further suggestions in regard to it.

87. In concluding our report, we have only further to remark, that the preceding or any other rules for the administration of the survey settlements cannot be expected to be fully carried out, unless the principles on which the survey and assessment have been based be thoroughly understood by the European local authorities; and, on this account, we have to suggest that, in the event of the views contained in the present communication, or any modifications of them, being approved of by Government, copies of the whole correspondence be furnished to every collector and assistant collector employed in any part of the country to which the survey operations have extended.

We have, &c.

(signed) *H. E. Goldsmid,*  
*G. Wingate,*  
*D. Davidson,*

Superintendents of Revenue Survey and Assessment.

GENERAL INSPECTION RETURN of the State of the Boundary Marks of the under-mentioned Villages of the Talook of in the Collectorate of for the year ending 30th April 18

Number of Division (Mamlutdar or Muhalkurree).	No.	NAME of VILLAGE.	Total Number of Fields.	Distribution of Fields entered in Column 4, of which the Boundary Marks were							Still to be repaired at Date of Return.	Remarks.
				In Good Repair at Date of 1st Inspection.	All repaired at Date of 2d Inspection.	All repaired subsequent to date of 2d Inspection,						
						Without Notices being served.	After Notices had been served.	By Hired Labour at the Expense of				
1.	2.	3.	4.	5.	6.	7.	8.	9. The Cultivator or Enamdar.	10. Government.	11.	12.	
Mamlutdar	1	Chick Mulloor	375	200	150	5	10	5	5			
	2	Hosoor	457	350	100	1			6			

[27]

No. 2258 of 1847.

[29]

From *E. H. Townsend*, Esquire, Revenue Commissioner, Southern Division, to  
*R. K. Pringle*, Esquire, Chief Secretary to Government, Bombay.

Poona, Revenue Commissioner's Office,  
10 September 1847.

Sir,

WITH reference to para. 1 of your letter of 13th March last, No. 617, appointing Mr. Goldsmid to the temporary superintendence of the Deccan Survey, for special purposes therein specified, I have the honour to transmit a joint report from the three superintendents, dated 2d ultimo, on the practice and objects of their respective surveys. This report is preceded by an index, which divides its contents into the following 11 heads:—

Received on the  
24th August.

- 1st. Introductory remarks.
- 2d. Objects of a revenue survey.
- 3d. Division into fields.
- 4th. Field boundaries.
- 5th. Village boundaries.
- 6th. Measuring and maps.
- 7th. Classification.
- 8th. Rates of assessment.
- 9th. General observations.
- 10th. Rules for the survey.
- 11th. Rules for revenue officers.

2. The 1st and 2d heads of this report extend as far as the 10th paragraph, in which the objects of a revenue survey are clearly and ably set forth. No comments of mine would tend to elucidate the subject, of which a full statement is already before Government in the joint report of Messrs. Goldsmid and Wingate, dated 27th October 1840.

3. The next subject is a very important one; viz., the manner of dividing the land into fields. The principle expressed on this subject (para. 16), that "it is of much importance that the existing state of things in any village should be as little interfered with as conveniently practicable," should, I conceive, never be lost sight of, and for this end many apparent incongruities, both of size and shape, now existing should be tolerated, a measure which will greatly increase the popularity of the survey. This subject is noticed in paras. 5 and 6 of the Government letter of 6th January 1845, No. 72. In the remaining rules and opinions of the report on this subject, I beg to state my entire concurrence. The vast importance of preserving the field boundaries set up by the survey is

Fields.  
Paras. 11-21.

Boundaries.  
Para. 21.

well shown in this report: it is a subject which will require the constant attention of the revenue officers.

Village boundaries.

Paras. 22-28.

13th February

1843, No. 444

13th December

1844, No. 4475.

[30]

4. Another very important subject, that of village boundaries, is next discussed. The same subject is treated of in para. 52 of the joint report of 27th October 1840, and in the two Government letters quoted in the margin, from which it would appear that the question of enacting a law for the settlement of these disputes is still before the Government of India. The report states (para. 23) "that the main hindrance to their settlement before, had been the undue importance attached to them, and that no insurmountable nor even serious obstacles stood in the way of their adjustment;" and again (para. 25), "the less importance, therefore, attached by the authorities to these disputes, the more readily will their adjudication be effected." I am not prepared to subscribe to these remarks. The report does not, indeed, distinctly show what degree of importance has hitherto been attached to these disputes, and which it considers to be too great, or on what experience the above opinions are grounded. Hitherto I have viewed boundary disputes as matters most difficult to settle permanently. The show of opposition to the settling officer is not, indeed, great; hence, perhaps, he is led to think that his decision will be easily enforced; but the boundary marks which he fixes are demolished in a night, and it is most difficult to discover who has destroyed them. In many villages there are hereditary feuds springing from boundary disputes, in which both loss of life and property have occurred; and though pecuniary loss is sustained by the continuance of such disputes, and mutual advantage would result from their settlement, I doubt whether even this would compensate for the feeling of wounded pride which would ensue from foregoing the strip of land, a claim to which had from times past been asserted by the village.

5. If, however, the superintendents of the surveys can permanently settle village boundary disputes as easily as they seem to expect, a great point, indeed, will have been gained, and a constant source of strife removed. This, however, cannot be satisfactorily ascertained, till the lapse of a few seasons shall test the stability of their awards. With reference to the remark at the close of para. 23, I can discover no authority in Act III. of 1846, for either the formation or preservation of village boundary marks.

Village maps.  
Paras. 29-37.

6. The system adopted for measuring land, and for giving permanence to these measurements by village maps, is next explained. The preservation of the latter documents will form an important part of the duty of the revenue officers, as they, together with the field boundary marks, form the principal means of perpetuating the work of the survey, which, without them, would speedily disappear.

Measurement and classification.  
Paras. 29-79.

7. The 7th and 8th heads are so exclusively matters on which survey officers, or those experienced in such matters, can judge of, that I shall hardly be expected to pass an opinion on them. Government will doubtless observe with satisfaction, proof in these details of the minute and careful attention bestowed by the superintendents of the surveys to render their work complete and correct in the important branches of measurement, classification and division of assessment.

Survey rules.  
Para. 80.

[31]

8. The next subject which the report embraces is a set of rules for the guidance of surveys generally. These are 13 in number, and appear excellently adapted for the end proposed. The report goes on to say that, besides the rules above specified, there are various minor details which could hardly be introduced into this report, and that "greater uniformity than they have endeavoured to enjoin could not be secured, except by placing the several survey departments under one controlling authority, fully conversant with the principles and details of a revenue survey." In this opinion I wholly concur; and I would respectfully suggest it for the consideration of Government, viz., the expediency of uniting the three surveys under one superintendent, as the only really effective method for bringing all under one system, so far as local peculiarities admit.

Para. 82.

Para. 84.

9. The report next proceeds to consider "means for ensuring the results of the surveys being turned to the best account, and maintained in their original integrity." This is justly called "a subject of the utmost importance;" it is, in fact, the preservation of the survey system as first introduced in its integrity; and if the survey is important, so must be its "future administration." Twenty-three rules accordingly follow for the guidance of revenue officers in surveyed districts, on which I would suggest the following observations:—

Rule 1st is prefatory, and calls for no remarks.

Rules 2d and 3d appear unexceptionable.

Rule 4th fixes the garden assessment. At the end of this rule there is a clause to prevent any increase of assessment on a dry crop field when any portion of it entered in the survey accounts as unarable comes under cultivation. This clause appears judicious, as it infers that such spots of unarable waste are small, and almost valueless, and consequently that such assessment as they could pay would not be worth the trouble and interference necessary to ascertain its amount. This inference, however, appears at variance with Rule 13, on which I shall have occasion to remark presently.

10. The 5th Rule decides that a cultivator, in whose name a field is entered, is to be considered its holder so long as he pays its assessment. This rule will, however, I think, require to be preceded by one, determining in whose name the field shall be entered. Sometimes carelessness or fraudulent intention causes the koolkurnee to enter in the village books, as possessor, the name of a person who possibly without justice claims the field; but this entry, if improperly made, should not strengthen a claim; and it is, therefore, important that care be taken, in the first instance, to enter in the books the name of the person who engages for the field (no other being already in possession), and then to collect the entire revenue from him alone, so long as he engages for the whole field. A very careless and slovenly system is often followed in this respect, which causes many disputes and much confusion. One man, perhaps, agrees for a whole field; he then takes one or more partners, and when the instalments are due, he pays a *share* only, and refers the village officers to his partners for the remainder. A case of this sort, which has recently occurred, forms at present the subject of a lengthened correspondence between this department and the collector of Poona, in which it appears very difficult to discover who is the real owner of the field.

11. The 6th Rule suggests no remark. The 7th Rule, which is a good one for the interests of Government, might fall heavily on a ryut who cultivated the same field for many years, and who was unable to take up the portion of it that was left waste by his partner. To oblige a man to give up a field which he possibly inherited from his father, merely because the new boundaries of the survey inclosed it in the same field with that of a neighbour, would be a hardship; and I would, therefore, suggest that the collectors be allowed a discretionary power in the enforcement or otherwise of this rule, in cases in which the possession of the land exceeded the term of 20 years.

12. The above remarks would also apply to Rule 8th, supposing that a field, of the largest size contemplated in para. 13 of this report, is cultivated as here indicated, by three ryuts, A. B. and C., of whom the first cultivates one-half, and the other two a quarter each, and that these divisions have existed for a long period of years. Supposing A. to die without heirs, the other two ryuts might be quite unable to double the extent of their cultivation, and the alternative of obliging them to throw up their lands would be one of considerable severity. Some modification of this rule, similar to that proposed for Rule 7, would, I submit, be expedient.

13. To Rules 9 and 10, I am aware of no objection. The 11th Rule is not quite conformable with those sanctioned by Government in the Chief Secretary's letter of 12th February last, No. 390, for regulating the power to cut down trees, and which are, I submit, sufficiently liberal, and should not therefore be altered. The 1st clause of Rule 12 appears unobjectionable. With regard to the latter part, supposing the case imagined in the preceding paragraph, A. B. and C. agree for a certain field, but it is entered in A.'s name only. He dies; and as there is no record to show the liability of B. and C., it is possible that they may resist payment, and that in a court of law it would be difficult to enforce the demands of Government, owing to the non-entry of their respective names in the village books. A more probable result would be the collection by the koolkurnee of their respective dues from B. and C., without crediting them to Government, and the entry of the entire balance in the books as irrecoverable, A., by whom it was due, being dead. To avoid this evil, therefore, I would enter in the books the names of all the partners liable for the revenue of a field.

14. On what appears to me the inconsistency of Rule 4 with Rule 13, I have remarked when commenting on the former rule. The cases contemplated in Rule 13 appear to be such fields as contain a large portion of waste land; while Rule 4 seems to refer only to those where the amount of waste is trifling; but

X.  
Revenue Survey  
and Assessment  
under the Bombay  
Presidency.

See the case of  
Guenajee Wulud  
Hureojee, reported  
on by the Revenue  
Commissioner on  
the 24th June  
1846, No. 1225.

Shares in fields.

[32]

A.	B.	C.
----	----	----

Cutting down of  
trees.

Waste land in  
fields.



X.  
Revenue Survey  
and Assessment  
under the Bombay  
Presidency.

the practical application of these two rules will, I fear, involve some difficulty; and if many fields come under Rule 13, a duty will fall on our mamlutdars, for which, I fear, that they are ill qualified. I should, therefore, be glad to see the cases to which Rule 13 applies, reduced to the smallest number possible, if, indeed, they could not be wholly extinguished, by completing the classifying of all the fields alluded to in this rule. If this is impracticable, however, a statement should be left with the collector, showing the fields in each village of his collectorate to which this rule is intended to apply.

Grass farms.

15. The 14th Rule differs little from the system established by Government for letting out arable lands to the ryuts (dated 16th October 1844, No. 3621); it is, perhaps, more definite, and therefore preferable. I allude especially to para. 8 of the Government letter, on which I think the rule under discussion is on the whole an improvement. But Rule 16 reserves "gaeran" free of assessment in every village; while the Government letter grants it only where it has been hitherto enjoyed; and here I think that the existing rule is sufficiently liberal, and that Rule 16 should be modified accordingly.

[33]  
Unarable waste.

Unarable waste is at present disposed of by auction, according to the old system, to grazing farmers, who engage for the entire unarable waste lands of several districts. Rule 14 proposes to blend the arable and unarable waste together in one system of letting by fields. I am hardly prepared to say which system is preferable for the unarable waste; but should the Honourable the Governor in Council think the question worth considering, I would refer it to the collectors of this division for their opinion and report. Rule 15 appears unobjectionable, as do Rules 17, 18 and 19.

Increase and  
decrease of cultiva-  
tion.

16. The clause in Rule 20 which requires the village officers to send "the parties concerned," viz., those who wish to throw up fields, and "the applicants," viz., those who apply for new fields, to the mamlutdar or mahalkurri, is, I think, objectionable, as causing unnecessary trouble to the ryuts. The village officers may generally be entrusted with this duty, under the control of the mamlutdar and mahalkurri, as proposed in this rule; but the attendance of the different applicants in person at the district kutcherry would, I submit, be in ordinary cases superfluous. With reference to the period fixed (end of April) for throwing up lands, it no doubt would be desirable that the district officers had the earliest possible intimation of all such changes; but many ryuts might not be able to determine at so early a period the extent of their cultivation for the ensuing year; and I should think that the "Mrigsal," or 5th June, would be in practice a better date to fix for this purpose.

Instalments.

17. The subject of revenue instalments is already before Government, in a letter from this department, dated 6th January 1846, No. 22; and I beg to state that I quite concur with my predecessor in thinking the end of April full late for the latest instalment in collectorates above the Ghauts. So far, therefore, I dissent from the 21st Rule, which fixes the last instalment for late crops on 1st June. Here it is, I think, worth considering, that whenever the cholera prevails, it is worst during the hot months, especially April and May; consequently, that which might have been collected easily in March, may be lost altogether by death if deferred till June.

18. With reference to the first part of this rule, which forbids field inspection for the purpose of ascertaining the extent of early or of late crops, I would observe that, in many villages, the comparative extent of early or late cultivation depends wholly upon the fall of rain: when that is early, so is the crop; and when the early rains are scanty, the land is reserved for a late crop. When they collect the instalments from the different ryuts, the village officers must know whether their crops have been early or late, to regulate the time of levying the instalment; and to make this knowledge perfect, field inspection is necessary. This is more especially the case in some seasons, when at first the rain falls plentifully, and the ryuts are induced to sow early crops; but the after rain failing, they are obliged to plough up their lands again, and sow a late crop. In such cases field inspection is especially requisite to enable the village officers to ascertain the proportions of either crop when they are collecting the instalments; such an inspection is moreover required by Rule 23, and the one inspection may accomplish both purposes.

[34]  
Field boundaries.

19. The 22d Rule, for the preservation of field boundary marks, is an important one. So are Rules 23 and 24, which are for the completion of the same



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been investigated and settled during the progress of the survey; that the results afford evidence that no insurmountable difficulties are in the way of the settlement of such disputes by the survey officers; and that the awards of the latter will be respected.

7. Until, however, the details of these results are in the possession of Government, I think it will be better that we postpone giving any decided opinion as to the practicability of the plan advocated by the three superintendents, and merely inform the Revenue Commissioners, Southern Division, that, considering the important objects sought to be obtained, we deem it well worthy of a fair trial, and of every assistance and co-operation the local officers can afford.

8. As, in the plains, village boundary marks must at the same time define the limits of some particular fields, it follows that their construction and preservation are provided for by Act III. of 1846. Moreover, wilful injury and destruction are also punishable under clause 3, section 42, of Regulation XIV. of 1827.

6, 7. 29-37.

[36]

*Measuring and Mapping the Land.*  
9. I have only to state my full concurrence in all that is recorded by the three superintendents on this head, and to add, that although it is, no doubt, "unnecessary, and would in many instances be hurtful, to fetter the superintending officers with specific rules," as to the manner in which they are to attain the desired results; still our Revenue Commissioners ought from the first to have been informed of the different modes of proceeding, so that they might have guarded against the adoption or continuance of any that are defective, and have prevented any improvements introduced by one superintendent being unknown to or unnecessarily rejected by another.

7. 38-65.

7. 63, 64.

*Classification of Dry Crop, Garden and Rice Lands.*

10. The particulars regarding the classification are, with the exception of those relating to rice land, given in a manner which shows the subject to have been well considered and canvassed by the three superintendents, and I think, therefore, we may safely approve of the system and details, whose observance they advocate. As regards the land forming the exception (rice), I shall be glad to learn that Captains Wingate and Davidson have been able to agree on some rules, and think that, before doing so, they should examine those drawn out for the guidance of Mr. Tytler's establishment in the dangas.

7. 66-78.

*Settlement of the Rates of Assessment.*

11. The manner in which this delicate duty should be performed is well explained.

7. 79.

*General Observations on preceding Subjects.*

12. I cannot but admit that, at present, we are entirely dependent on the judgment of our superintendents, and so we must remain, until our Revenue Commissioners do something more than merely make their offices the channels of communication between the superintendents and ourselves.

8. 80, 81.

*Interior Management of the Survey Department.*

13. I agree with the Revenue Commissioner, that the 13 Rules proposed in the joint report "appear excellently adapted for the end proposed," and that their enforcement should be at once ordered.

14. As regards the suggestion of the Revenue Commissioner, Southern Division, that the revenue surveys in progress in this Presidency be united under one superintendent, "as the only really effective method for bringing all under one system, so far as local peculiarities admit," I have but to observe, that this can only be necessary in the event of our Revenue Commissioners themselves not possessing the knowledge and discrimination and energy necessary to the efficient management of the most important of all the operations under their control.

10-21. 82-87.

83.

*Future Administration of the Survey Settlement.*

15. Approved, with the proviso that if the assistant collector in charge of the district is not an officer of some experience, and, in the opinion of the collector and

and Revenue Commissioner, qualified to form a judgment of the system, and of the manner in which its details will work, some more experienced assistant, or the collector himself, should be associated with the superintendent.

*Rules 1 and 3.* 9. 84.

16. Approved. A proclamation to the effect of Rule 1 should be published when the revised rates are introduced in a district, and every patell furnished with a copy. [37]

*Rule 2.* 9. 84.

17. I think we should take the opinion of Dr. Gibson regarding this rule.

*Rule 4.* 9. 84.

18. The remarks made by Revenue Commissioner render necessary that I should mention that, in this rule, it is clearly inferred that the unarable spots alluded to may be made arable by the application of capital for the purpose; as, for instance, by the conversion of the bed of a stream into good soil by throwing a dam across it, in order to accumulate soil behind it; and one object of the rule clearly is to secure the full benefit of such improvements to the occupant of the field, during the 30 years for which the revenue settlement is to continue.

19. In reviewing Rule 13 (paras. 32 and 33 of Minute), I shall have occasion to show that the Revenue Commissioner is wrong in thinking the present rule at variance with it.

*Rule 5.* 10. 84.

20. This rule, of course, supposes the field to be correctly entered in the name of the real holder, and when another name, through fraud or carelessness on the part of the village officers, has been substituted, it would be the duty of the collector to rectify the error.

21. Contending claims to the occupancy of fields should be settled, if possible, when introducing the new settlement; but when once a particular individual has been recognized as the holder of a field in the Government books, and the revenue due on it has been actually collected from and credited to him, without any protest being made by any other interested party, a sufficient title should be considered as constituted, and all inquiry by the revenue officers, as to the right of occupancy, be for the future barred. We shall vainly attempt to confer security of tenure if the Government books are not held to be authoritative evidence, regarding the right of occupancy, in all cases where they have not been designedly or inadvertently falsified.

*Rule 6.* 11. 84.

22. Approved, provided no meerasdaree or other recognized inheritable rights are interfered with.

*Rules 7 and 8.* 11, 12. 84.

23. Cases such as those contemplated by the Revenue Commissioner, Southern Division, will, I hope, be very rare; but I think that, to avert the hardships he contemplates, a discretionary power may be granted the collectors as to the enforcement of the rules, when any of the co-sharers in a field have held possession of their land for upwards of 20 years.

*Rule 9.* 13. 84.

24. Approved. *Rule 10.* 13. 84.

25. This rule is in conformity to the views expressed in the Government letter of 12th September 1847, No. 390, and should be approved of; copy of the rule and of our instructions thereon being forwarded for the information of Dr. Gibson. [38]

*Rule 11.* 13. 84.

26. I object to a ryut being prohibited from cutting down trees growing on the boundaries of his field. They are frequently the only places on which a ryut

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ryut can grow trees, without interfering with his ordinary crops. The rest of this rule is substantially the same as that laid down in the Government letter just quoted, except that it is relieved of the somewhat impracticable condition of requiring trees to be planted in lieu of those cut down. I cannot but think that, under the security of tenure and moderate assessment of the survey settlement, self-interest will ensure a sufficiency of trees being planted for the wants of the population, especially if the local officers take proper interest in the matter. Copy of this rule, and of our instructions, should be sent to Dr. Gibson.

13. 84.

*Rule 12.*

27. If I rightly understand this rule, its object, as well as that of Rules 7 and 8, is to discourage the subdivision of fields, so that, by being retained entire, their sale and transfer, under the provisions of Rule 9, may be promoted.

28. It would be a hardship to refuse to recognize shares of fields already entered in the Government books; but the rights of such sharers are protected by Rules 5, 6, 7, 8, and 9. In giving out waste for cultivation, however, which is the case provided for in the rule under consideration, there are no prior rights involved; and we have merely to look to the method best calculated to promote the interests of the ryuts and Government.

29. If fields are to be permitted to be split up without limit, and the occupant of every fractional share recognized as holding direct of Government, the inevitable result will be the ultimate subdivision of the whole land into very minute occupancies, accompanied by the impoverishment of the whole agricultural class. Farms will become so small as barely to provide subsistence for those occupied in their tillage, and the surplus from which the assessment is to be paid so trifling, that the slightest deficiency in the ordinary crop will suffice to annihilate it. With every precaution it may be impossible to prevent the subdivision of farms as population increases; but, assuredly, no opportunity should be lost of checking this tendency.

30. In the case of a ryut, in whose name a field is entered, and who holds it jointly with others, dying, the want of a record to show the liability of the other sharers would be of but little consequence, for they would be amenable for the revenue under the provisions of sections 3 and 5 of Regulation XVII. of 1827; and the desire of retaining possession of the land would more probably make the inferior holders anxious to defray their shares of the revenue, in order to obtain receipts from the village accountant, with a view to strengthen their claims to continue in possession.

31. But were even the rule to involve the certain sacrifice of balances of revenue due by ryuts dying under the circumstances contemplated by the Revenue Commissioner, instead of the remote possibility of such a contingency, it would still be better to submit to the loss than to sanction the alternative of an unlimited subdivision of fields.

14. 84.

*Rule 13.*

[39] 32. It is evident that this rule has been misread by the Revenue Commissioner, and hence his conclusion that it is inconsistent with Rule 4.

33. Rule 13 does not apply to fields only a portion of whose land is unarable; it applies to fields entered in the survey registers as wholly unsuited in their then state for cultivation, and upon which no assessment is placed at all. For such fields, or rather divisions of the village area, provision has been made in the 2d of the rules following the 17th para. of the joint report; and the present rules provide for the assessment of any portions that may be cleared and rendered fit for cultivation.

15. 84.

*Rules 14 and 15.*

34. Approved.

15. 84.

*Rule 16.*

35. This rule only reserves a portion of the fields alluded to in Rule 13, as unsuited in their then state for cultivation, and unassessed, for free pasturage, and this indulgence will, therefore, be limited to the villages in which such unarable fields are to be found; but I agree with the Revenue Commissioner in thinking we should continue the further restriction, already imposed by us, of the privilege

privilege to the case of villages which have hitherto enjoyed the right of free pasturage. Rev. Com.'s Letter.            Joint Report.           

36. The practice of selling unarable waste field by field, enjoined by this rule, promises, in my opinion, to be more acceptable to the villagers, and more productive of revenue to Government, than the plan of selling the entire unarable wastes of several villages or districts in the lump to parties engaging for the whole.

*Rules 17, 18 and 19.*

37. Approved.

16. 84.

*Rule 20.*

16. 84.

38. For the important object of taking up or relinquishing a field, which no ryot could have occasion to do more than once a twelvemonth, and most, not once in a number of years, it does not seem to involve much hardship to require the attendance of the applicant at the district cutchurry, when the matter could be at once finally and satisfactorily settled. If the village officers are to take the agreements, many opportunities will be afforded them for jobbing in the disposal of land, and greater inconvenience eventually occasioned to the ryuts, through subsequent investigation being rendered necessary by the village officers' proceedings being complained of or resisted.

39. With reference to the period to be fixed for throwing up lands, "the Mrgisal, or commencement of the revenue year," is the time within which the law (clause 1, section 6, of Regulation XVII. of 1827) requires intimation should be given. I believe that the Honourable Mr. Read, when principal collector of the Concan, required that it should be given by March, and the legality of this order was never called into question. The three superintendents recommend the close of April, that is, the termination of the official year.

40. As the number of fields likely to be relinquished in a moderately assessed district would be very small, it is not of much importance whether the end of April or 5th of June be fixed upon as the period within which land must be thrown up; the latter period may, therefore, be fixed, as it is the one sanctioned by law, and recommended, and which the Revenue Commissioner recommends should be prescribed. [40]

*Rule 21.*

17, 18. 84.

41. Regarding the objection raised by the Revenue Commissioner, Southern Division, to this most important rule, I have obtained the opinion of Captain Wingate; and, as the arguments he uses appear to me conclusive, I cannot do better than quote them in his own words:

"The interval of six weeks required by this rule, instead of one month, between the periods when the instalments fall due, will give the ryuts more time to arrange for the sale of the portion of their produce necessary to make up the amount required. Produce will not be forced on the market to the same extent as at present, and, consequently, will fetch better prices. With every postponement of the period for collecting the instalments, hitherto introduced, the revenue has been realized with greater ease and certainty than before, just in proportion to the extent the ryuts have thereby been enabled to substitute *bonâ fide* sales of produce in the market for usurious loans from the village banker, as a means of obtaining money for the payment of their dues to Government. The greater interval of six weeks between the instalments, and the postponement of the last to the 1st of June, in the case of districts where late crops are an important part of the harvest, would give the cultivators great additional facilities for obtaining money for the payment of their rents, and by so doing would add as much to the certainty as to the ease with which the collections would be made. The saving to the agricultural class by the proposed alteration would exceed a hundredfold any possible loss of revenue to Government from the deaths of individuals by cholera in April and May; and it may safely be concluded, that the method of collection which is the cheapest to the ryuts is also the best for Government in the end, as the extent of land in cultivation, and the security of the revenue, must ever be dependent on the amount of agricultural capital in the country.

"Another important object of the rule is to prevent the amount of the instalments fluctuating with the proportion of early and late crops sown in each year by individual ryuts, as at present is the case in some collectorates, and the continuance of which is recommended by the Revenue Commissioner. The latter

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practice offers great facilities for the exercise of favouritism or oppression by the village officers, into whose hands it places, unchecked, the power of making the early instalments heavy or light, and this power is now very frequently abused. But by making the instalments of invariable amount, and to fall due at stated periods, under all circumstances, the cultivator will have a certain prospect before him, and be made to trust to his own exertions, without reference to the likes and dislikes of the village officers, for being able to meet his liabilities. The certainty of the one plan will promote habits of foresight and economy; the uncertainty of the other tends to paralyse exertion, and induce an indolent reliance on fortune instead.

[41] "There is only a difference of one month between the periods fixed by the rule for the instalments of early and late districts; so that no great inconvenience could possibly be occasioned to the cultivators should a failure of the monsoon rains require an unusual proportion of late crops to be sown in any of the former districts."

19. 84.

*Rules 22, 23, and 24.*

42. Approved.

20. 85.

*District and Village Accounts.*

43. I am certain that the introduction of a simple and uniform system of accounts through all the surveyed districts would add so much to the efficiency of our native establishments as to render unnecessary additions, now urgently required, to their numerical strength, and would also considerably lessen the labour of the collectors and their assistants in checking the work of the subordinate hoozoor district and village agents.

44. The two Revenue Commissioners should be requested immediately to report how far, and with what results, they have carried into effect the instructions conveyed in the Government letters of 24th April 1846 (Nos. 1924 and 1925); they should also be directed to transmit, for the opinion of Captain Wingate, the forms of accounts of what they may have approved.

21. 86.

*Remissions.*

45. My minute on this subject, was dated the 19th June, that of the Honourable Mr. Reid, 28th, and of Honourable Mr. Willoughby, 29th idem. The letter to the Revenue Commissioner framed from these minutes was not despatched until 5th October. I have directed the Revenue Secretary to ascertain the cause of this delay.

21. 87.

*Publication of Correspondence.*

46. I approve of the suggestions of the writers of the joint report, and the Revenue Commissioner, Southern Division.

(signed) *G. Clerk.*

16 November 1847.

MINUTE by the Honourable Mr. Reid, dated 16 May 1848.

Among the questions discussed in the paras. 1 to 10 of the joint report is that of the superiority of an annual settlement with each ryut, according to his actual holding for any year, over a settlement by lease for a certain number of years, and I do not feel quite assured that the decision which the committee arrive at is correct. It is, at least, not so clearly exemplified as to remove all doubt as to the accuracy of the result.

2. The arguments in favour of the annual settlement are, that it permits the ryut to contract or extend the sphere of his labour according to the means at his immediate command, a privilege of immense importance in a country where the capital of the agriculturist is not only small in itself, but subject to great fluctuations from the effect of variations of the season (*vide* para. 44 of Mr. Goldsmid's and Captain Wingate's report of the 27th October 1840), and that it gives him all the advantages of a long lease, without any of its disadvantages (para. 8 of joint report).

[42]

3. The arguments on the other side are, I think, very strong, and I should regret to see it laid down as an unchangeable maxim, applicable to all districts and



and to all states of society, that an annual settlement must be made with each ryut for the land which he may choose to hold.

4. It cannot be a question that a poor ryut, having a small agricultural stock, cannot well be bound by a lease. His few cattle may die, and then, however favourable may be the terms of his lease, he must relinquish his fields, or the lease must be broken up. But let us hope that this is not the case with all. It cannot be that we have not now, and never are to have, any accumulation of agricultural capital. Our farmers will not always be dependent on the results of one season; nor will they necessarily be ruined if it bring with it scanty crops, loss of cattle, or other misfortunes. The very object of our revising the assessment throughout our provinces is to eradicate the hand-to-mouth system which has so long prevailed with the agricultural classes, and to create agricultural capital; and we should endeavour to combine with this object those of inducing these classes to look more to the future, of exciting in them feelings of independence, of exempting them as much as possible from the pupilage and surveillance of the Government officers, and of attaching them to the soil, and to their own particular portion of it.

5. I know not how these objects can be obtained more decidedly than by the grant of leases for lengthened periods. While in the continuance of the system of annual settlements, I can foresee, although the great object of leaving the ryut free is gained, that the others run the risk of being wholly neglected.

6. A ryut, who, looking beyond the present year, knows that he will have to provide for the payment of a certain revenue for many years to come, must necessarily acquire more prudent and thrifty habits than he who looks to the present year alone, and who knows that, if he choose to be idle, he has no responsibility.

7. The independence of feeling which every man ought to possess can seldom arise when a man knows that he holds his land, as it were, by an annual tenure; that if he fail to till a certain field, and it be omitted from his holding for one year, his rival may step into his place, and perhaps deprive him of his field for ever; and nothing, perhaps, more tends to diminish such feeling than the inquisitorial visits of Government officers, inquiring what is the extent of his cultivation, and regulating the fluctuating amount of his rent.

8. A lease imposes a wholesome responsibility upon the ryut, and secures the Government against fluctuation in the revenue. That responsibility the ryut cannot be expected to incur without some equivalent, nor should the Government expect to gain the security without some sacrifice. I think this point has not been sufficiently attended to in our attempts to introduce leases, and hence our failure in parts of Goozerat. We desired to secure every thing to Government, without making any sacrifice in favour of the lessee.

9. If a farmer possess 10 fields, assessed at 10 rupees each, or together at 100 rupees, we cannot expect that he will bind himself to pay 100 rupees for 30 years for those fields. He would pay no more if he took out no lease, and might often have to pay less. But if the Government, in order to secure a certain unfluctuating revenue, consent to give him a lease for 30 years at 95 rupees, it might be well worth the while of a ryut, possessing some capital, to take such a lease. This is the principle on which, I think, leases might successfully be granted.

10. I think the observations in paras. 11 to 18 of the joint report, on the division of the land into fields, and in paras. 29 to 31, on boundary marks, judicious.

#### *Village Boundary Disputes.*

11. The rules proposed for the settlement of these disputes by the survey are certainly deserving of a fair trial, and if they have succeeded in Dharwar, they may be equally efficacious elsewhere. I approve of the course proposed in the Honourable the President's 7th para.

#### *Measurement and Mapping.*

12. I am happy to observe the great importance attached to the preparation of the village maps. If I recollect right, Lieutenant Nash was opposed to the process, but I entirely agree in the views expressed respecting these maps in the present joint report.

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[43]

*Classification.*

X.  
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Presidency.

13. This is one of the most important, and at the same time the most difficult operations of the survey. The joint report explains (paras 39 to 66) with much minuteness the principal points on which this operation depends; and although, as Mr. Townsend justly observes (para. 7), these are matters on which practical men alone can fully judge, yet I think we may safely say that the system, as it is explained, seems to be founded on just principles, and to have been well-considered. I quite concur in the observation, in the 10th para. of the Honourable the President's Minute on this subject, of the classification of rice lands. The experience of Mr. Tytler in the Dangs would be of much service in fixing rules for classifying these lands throughout the upper country.

*Assessment.*

14. The explanation given of the mode in which this closing process of the survey is conducted, in paras. 66 to 78, is very clear and explicit.

15. I concur in the Honourable the President's appreciation (para. 12) of what must be left to the judgment of the superintendents of survey. We must, indeed, be almost wholly dependent upon them; for I do not think that we can hope for Revenue Commissioners who can do more than exercise a very general supervision over their operations. Few Revenue Commissioners possess the knowledge, and none could devote the time necessary for a minute scrutiny into them. Those only who have been trained to survey, and with whom all the details of the process are familiar, can venture to offer opinions opposed to those of a superintendent on many points; and even where a doubt may arise, it may be impossible to set it at rest without such minute interference and inquiry as would impede the progress of the survey, while it would take the attention of the Revenue Commissioner from his more ordinary duties.

[44] 16. I would not, therefore, require from the Revenue Commissioners a greater degree of responsibility than, I admit, they are capable of fulfilling; but at the same time I think that they may reasonably be expected so far to control all the superintendents under them, as to secure a great degree of uniformity in their proceedings.

17. I concur in the Honourable the President's proposition, that the rules for the interior management of the survey department (para. 80 of joint report), which seem excellent, should be adopted generally.

18. It certainly is very desirable that the survey settlement should be introduced by the superintendent, in conjunction with the collector or an experienced assistant. I fear, however, this may not always be practicable. Hitherto it has not been found so, and the superintendent has in most cases, I believe, alone introduced the rates in each district, as soon as the sanction of Government to them has been obtained.

19. I concur in most of the observations recorded by the Honourable the President, on the rules for the guidance of the revenue officers in respect to the future administration of the survey (para. 84 of joint report). On some of those rules I venture to offer a few remarks.

*Rules 4 and 13.*

20. These, as they affect unarable land included in a field, may, I think, be open to the objection urged against them by Mr. Townsend (para. 9). Probably the difficulty arises from terming land covered with dense jungle "unarable," in Rule 13. This term might be strictly defined; land covered with vegetation, trees or bushes, can hardly be included properly in it, as the presence of this vegetation proves the productive quality of the soil, and its capability of being brought under the plough.

*Rule 5.*

21. The Revenue Commissioner only inculcates a prudent caution in respect to the insertion of the names of parties as holders of fields. Care should be taken that the real holder is well ascertained; and, if there be a dispute, no entry in the survey books should be made that can give one party a right which he might not, on inquiry, be found to possess. It is a great object to establish our survey books as a complete record of the state of the occupancy at the time of the operation.

*Rules 7 and 8.*

22. I think the observations of the Revenue Commissioner on these rules just, and concur in the proposition of the Honourable the President respecting them, except so far that I would make no limitation as to time (20 years) in cases in which the holder of a portion of a field may have been in occupation previously to the survey. The act of including his field and those of his neighbours in one number, is one in which he has no voice, and it should not place him in a worse position than that in which he stood previously.

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*Rule 10.*

23. I am inclined to think that the rules prescribed, after full consideration, in the Government Letter of the 12th February 1847, No. 390, should be upheld, and that when one tree is felled, two should be required to be planted. I see nothing impracticable in this. Dr. Gibson, a good authority, urges it; and I have no confidence in the opinion that self-interest is sufficient to induce ryots to plant where it may be necessary. This, I imagine, is contrary to our experience.

*Rule 12.*

24. The Government may give out the waste on any terms it pleases, and there is no hardship in enforcing the rule against subdivision. I concur in the observations of the Honourable the President in paras. 27 to 31. [45]

*Rule 20.*

25. I think there is some force in Mr. Townsend's objections to the ryots, wanting to take up new land, being obliged to proceed to the mamletdar's kutchuree. In villages very distant, and especially during the few first years after the introduction of the survey, where, it may be presumed that much new land will be taken up, the collector might be authorized to dispense with the strict observance of the rule.

26. I am afraid that, if notice of resigning a field be not given before the Mrigsal, it will be too late for any other party desiring it to come forward to cultivate.

*Rule 21.*

27. I doubt whether the question of the instalments should be mixed up in these rules with matters immediately connected with the introduction of the survey. I would separately consider the subject, especially as local peculiarities may render it necessary that different periods for the payment of the revenue should be in use in different districts.

28. I entirely concur in the observations of the Honourable the President (para. 44), on the subject of accounts. It would be of great assistance were forms of accounts printed, from those of the village to those of the collector's kutchuree, for the guidance of all our revenue officers.

29. I think the acknowledgments of Government are justly due to Mr. Goldsmid, and Captains Wingate and Davidson, for the able and lucid report they have now laid before us. It will serve as a manual in all future surveys; and I think it should be printed as soon as any modifications to be made in the rules contained in it have been determined.

16 May 1848.

(signed) *L. R. Reid.*

MINUTE by the Honourable Mr. *Willoughby*, dated 18 May 1848.

Nor ever having served in the revenue branch of the service, I possess no practical experience on the important questions discussed in these papers; but I have no hesitation in deferring to the opinions of Mr. Reid, whose long experience and intimate acquaintance with all the details of our revenue administration is unsurpassed by, if it does not exceed, that of any other person connected with this Presidency.

18 May 1848.

(signed) *J. P. Willoughby.*

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No. 5593 of 1848.

Territorial Department, Revenue.

From *J. G. Lumsden, Esq., Secretary to Government, to E. H. Townsend, Esq., Revenue Commissioner, Southern Division.*

Sir,

Bombay Castle, 22 September 1848.

Mr. Goldsmid, (late) Superintendent of the Revenue Survey and Assessment in the Deccan; Captain Wingate, Superintendent of the Revenue Survey and Assessment, Southern Mahratta Country; Captain Davidson, (late) Superintendent of the Revenue Survey and Assessment, Ahmednuggur.

I HAVE been directed by the Right honourable the Governor in Council to acknowledge the receipt of your letter, No. 2258, dated the 10th September 1847, submitting a joint report from the officers named in the margin, on the practice and objects of the revenue surveys under their charge, and, in reply, to communicate to you the following observations on the propositions and remarks contained in the report, classed under the different heads into which it is divided.

Introductory remarks, including a detail of the objects of a revenue survey, and advantages of a field assessment.—  
Paras. 1 to 10.

2. Among the questions discussed in these paras. of the joint report is that of the superiority of an annual settlement with each ryut, according to his actual holding for any year, over a settlement by lease for a certain number of years and his Lordship in Council does not feel quite assured that the decision at which the committee has arrived is correct. It is, at least, not so clearly exemplified as to remove all doubt as to the accuracy of the result.

3. The arguments in favour of the annual settlement are, that it permits the ryut to contract or extend the sphere of his labour according to the means at his immediate command, a privilege of immense importance in a country where the capital of the agriculturist is not only small in itself, but subject to great fluctuations, from the effect of variations of the seasons (*vide* para. 44 of Mr. Goldsmid's and Captain Wingate's Report of the 27th October 1840), and that it gives him all the advantages of a long lease, without any of its disadvantages (para. 8 of present joint report).

4. The arguments on the other side are, his Lordship in Council considers, very strong, and he would regret to see it laid down as an unchangeable maxim, applicable to all districts, and to all states of Indian society, that an annual settlement must be made with each ryut for the land which he may choose to hold.

5. A poor ryut, having a small agricultural stock, cannot well be bound by a lease. His few cattle may die, and then, however favourable may be the terms of his lease, he must relinquish his fields, or the lease must be broken up. But let it be hoped that this is not the case with all. It cannot be that we have not now, and never are to have, any accumulation of agricultural capital. Our farmers will not always be dependent on the results of one season, nor will they necessarily be ruined, if it bring with it scanty crops, loss of cattle, or other misfortunes. The very object of the revision of the assessment throughout our provinces is to eradicate the hand-to-mouth system which has so long prevailed with the agricultural classes, and to create agricultural capital; and we should endeavour to combine with this object those of inducing these classes to look more to the future, of exciting in them feelings of independence, of exempting them as much as possible from the pupilage and surveillance of the Government officers, and of attaching them to the soil, and to their own particular portion of it.

[47]

6. It is not apparent how these objects can be attained more decidedly than by the grant of leases for lengthened periods; while, in the continuance of the system of annual settlements, Government can foresee, although the great object of leaving the ryut free is gained, that the others run the risk of being wholly neglected.

7. A ryut, who, looking beyond the present year, knows that he will have to provide for the payment of a certain revenue for many years to come, must necessarily acquire more prudent and thrifty habits than he who looks to the present year alone, and who knows that if, preferring idleness to industry, he abandon or contract his cultivation, he in that proportion relieves himself of responsibility.

8. The independence of feeling which every man ought to possess can seldom arise when a man knows that he holds his land, as it were, by an annual tenure; that if he fail to till a certain field, and it be omitted from his holding for one year, his rival may step into his place, and perhaps deprive him of it for ever; and probably nothing tends more to diminish such right feeling than the inquisitorial visits

visits of Government officers, inquiring what is the extent of his cultivation, and regulating the fluctuating amount of his rent.

9. A lease imposes a wholesome responsibility upon the ryut, and secures the Government against fluctuation in the revenue. That responsibility the ryut cannot be expected to incur without some equivalent, nor should the Government expect to gain the security without some sacrifice. His Lordship in Council considers this point has not been sufficiently attended to in our attempts to introduce leases, and hence our failure in parts of Goozerat. We desired to secure every thing to Government, without making any sacrifice in favour of the lessee.

10. If a farmer possess 10 fields, assessed at 10 rupees each, or together at 100 rupees, it cannot be expected that he will bind himself to pay 100 rupees for 30 years for those fields. He would pay no more if he took out no lease, and might often have to pay less. But if the Government, in order to secure a certain, unfluctuating revenue, consent to give him a lease for 30 years at 95 rupees, it might be well worth the while of a ryut, possessing some capital, to take such a lease. This is the principle on which, his Lordship in Council is of opinion, leases might successfully be granted.

11. The observations contained in these paras. of the joint report, on the division of the land into fields, and on boundary marks, are considered judicious.

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Division of village lands into fields, and definition of fields by suitable land-marks.—Paras. 11 to 21.

12. Nearly every boundary dispute of any importance in the Deccan has probably been made the subject of investigation previously to the survey, with a view to settlement, but it will probably be found that not one in a hundred of these disputes has been actually disposed of.

Determination of village boundaries, and settlement of disputes connected with them.—Paras. 22 to 28.

13. In the Dharwar collectorate, there have been, up to this time, about 1,000 villages surveyed, and his Lordship in Council is informed that, with a few exceptions of no great consequence, the whole of the boundary disputes within them have been investigated and settled during the progress of the survey; that the results afford evidence that no insurmountable difficulties are in the way of the settlement of such disputes by the survey officers, and that the awards of the latter will be respected.

14. Until, however, the details of these results are in the possession of Government, no decided opinion as to the practicability of the plan advocated by the three superintendents can be formed; but in the meantime I am desired to observe, that, considering the important objects sought to be attained, it is deemed well worthy of a fair trial, and of every assistance and co-operation the local officers can afford.

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15. As, in the plains, village boundary marks must at the same time define the limits of some particular fields, it follows that their construction and preservation are provided for by Act III. of 1846. Moreover, wilful injury and destruction are also punishable under clause 3, section 42, of Regulation XIV. of 1827.

16. His Lordship in Council is happy to observe the great importance attached to the preparation of the village maps.

Measuring and mapping the land.—Paras. 29 to 37.

17. I am desired to express his full concurrence in all that is recorded by the three superintendents on the subject of the measurements, and to add, that although it is, no doubt, "unnecessary, and would in many instances be hurtful, to fetter the superintending officers with specific rules," as to the manner in which they are to attain the desired results, still the Revenue Commissioners ought, from the first, to have been informed of the different modes of proceeding, so that they might have guarded against the adoption or continuance of any that are defective, and have prevented any improvements introduced by one superintendent being unknown to, or unnecessarily rejected by another.

18. Classification.—This is one of the most important, and at the same time the most difficult operations of the survey. The joint report explains, with much minuteness, the principal points on which this operation depends; and although, as you justly observe (para. 7), these are matters on which practical men alone can fully judge, yet it may safely be said that the system, as it is explained as applicable to all but rice lands, is founded on just principles, and that the particulars are given in a manner which shows the subject to have been well-considered and canvassed by the three superintendents; Government, therefore, approves of the system and the details, the observance of which they advocate. As regards the land forming the exception (rice), his Lordship in Council will be glad to learn that the present superintendents of the

Classification of dry crop, garden and rice lands.—Paras. 38 to 65.

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Presidency.

Settlement of the  
rates of assessment.  
—Paras. 66 to 78.  
General observa-  
tions on preceding  
subjects.—Para.  
79.

surveys have been able to agree on some rules for its right classification. Before doing so, however, they should avail themselves of the experience of Mr. Tytler, and examine the rules drawn out for the guidance of that officer's establishment in the Dangs.

19. The explanation given of the mode in which this closing process of the survey is conducted is very clear and explicit.

20. The Right honourable the Governor in Council is aware that Government must be almost wholly dependent upon the superintendents of surveys for the right conduct of many of the details of their operations, for he does not think that the Revenue Commissioners can do more than exercise a very general supervision over them. Few Revenue Commissioners possess the knowledge, and none could devote the time necessary for a minute scrutiny into them. Those only who have been trained to survey, and with whom all the details of the process are familiar, can venture to offer opinions opposed to those of a superintendent on many points; and even where a doubt may arise, it may be impossible to set it at rest without such minute interference and inquiry as would divert the attention of the Revenue Commissioner from his more ordinary duties, so as to cause much inconvenience to the public service.

21. The Governor in Council will not, therefore, require from the Revenue Commissioners a greater degree of responsibility than they are capable of fulfilling. But, at the same time, he thinks that they may reasonably be expected so far to control all the superintendents under them as to secure a great degree of uniformity in their proceedings.

[49]  
Interior arrange-  
ment of the Survey  
Department.—  
Paras. 80 and 81.

22. The Right honourable the Governor in Council agrees with you that the 13 Rules proposed in the joint report for the interior arrangement of the Survey Department appear excellently adapted for the end in view, and that their general enforcement should be at once ordered.

Future administra-  
tion of the survey  
settlement.—Paras.  
82 to 87.

23. The proposition contained in the 83d para. is also approved, with the proviso, that if the assistant collector in charge of the district is not an officer of some experience, and in the opinion of the collector and Revenue Commissioner qualified to form a judgment of the system, and of the manner in which its details will work, some more experienced assistant, or the collector himself, should be associated with the superintendent. This, however, it is feared, may not always be practicable. Hitherto it has not been found so, and the superintendent has in most cases, it is believed, alone introduced the rates in each district, as soon as the sanction of Government to them has been obtained.

24. Rules.—In regard to the rules proposed for the guidance of the revenue officers in respect to the future administration of the survey (para. 84 of joint report), I have been directed to communicate the following remarks:—

25. Rules 1 and 3 are approved. A Proclamation to the effect of Rule 1 should be published, when the revised rates are introduced in a district, and every patell should be furnished with a copy.

26. On Rule 2, the opinion of Dr. Gibson will be called for.

27. Rules 4 and 13.—These, as they affect unarable land included in a field, may be open to the objection urged against them by you in para. 9. Probably, the difficulty arises from terming land covered with dense jungle "unarable," in Rule 13. This term might be strictly defined. Land covered with vegetation, trees or bushes, can hardly be included properly in it, as the presence of this vegetation proves the productive quality of the soil, and its capability of being brought under the plough.

28. Rule 5.—Your 10th para. inculcates a prudent caution in respect to the insertion of the names of parties as holders of fields. Care should be taken that the real holder is well ascertained, and if there be a dispute, no entry in the survey book should be made that can give one party a right which he might not, on inquiry, be found to possess. It is a great object to establish our survey books as a complete record of the state of the occupancy at the time of the operation.

29. Rule 6 is approved, provided no meerasdaree or other recognized heritable rights are interfered with.

30. Rules 7 and 8.—The observations made by you on these rules are considered just; and to avert the hardships you contemplate, a discretionary power may be granted to the collectors as to their enforcement, without, however, making the limitation as to time (20 years) in cases in which the holder of a portion

portion of a field may have been in occupation previously to the survey. The act of including his field and those of his neighbours in one number is one in which he has no voice, and it should not place him in a worse position than that in which he stood previously.

31. Rule 9 is approved.

32. Rule 10, being in conformity to the views expressed in the Government letter (No. 390) of the 12<sup>th</sup> February 1847, is approved.

33. Rule 11.—His Lordship in Council is of opinion, that the rules prescribed in the Government letter last quoted, for regulating the power to cut down trees, should be upheld, and that when one tree is felled, two should be required to be planted.

34. Rule 12.—The objects of this rule, as well as that of Rules 7 and 8, his Lordship in Council understands to be to discourage the subdivision of fields, so that by being retained entire, their sale and transfer, under the provisions of Rule 9, may be promoted.

35. It would be a hardship to refuse to recognize shares of fields already entered in the Government books, and the rights of the holders of such shares are protected by Rules 5, 6, 7, 8, and 9. In giving out waste for cultivation, however, which is the case provided for in the rule under consideration, no prior rights are involved, and we have merely to look to the method best calculated to promote the interests of the ryuts and Government.

36. If fields are to be permitted to be split up without limit, and the occupant of every fractional share recognized as holding direct of Government, the inevitable results will be the ultimate subdivision of the whole land into very minute occupancies, accompanied by the impoverishment of the whole agricultural class. Farms will become so small as barely to provide subsistence for those occupied in their tillage, and the surplus from which the assessment is to be paid so trifling, that the slightest deficiency in the ordinary crop will suffice to annihilate it. With every precaution, it may be impossible to prevent the subdivision of farms as population increases, but assuredly no opportunity should be lost of checking this tendency.

37. In the case of a ryut, in whose name a field is entered, and who holds it jointly with others, dying, the want of a record to show the liability of the other sharers would be of but little consequence, for they would be amenable for the revenue under the provisions of sections 3 and 5 of Regulation XVII. of 1827; and the desire of retaining possession of the land would more probably make the inferior holders anxious to defray their shares of the revenue, in order to obtain receipts from the village accountant, with a view to strengthen their claims to continue in possession.

38. But were even the rule to involve the certain sacrifice of balances of revenue due by ryuts dying under the circumstances contemplated by you, instead of the remote possibility of such a contingency, it would still be better to submit to the loss, than to sanction the alternative of an unlimited subdivision of fields.

39. Rules 14 and 15 are approved.

40. Rule 16 only reserves for free pasturage a portion of the fields alluded to in Rule 13, as unsuited in their then state for cultivation, and unassessed. This indulgence will, therefore, be limited to the villages in which such waste fields are to be found, and his Lordship in Council agrees with you in thinking that the farther restriction (already imposed in Government letter of the 16th October 1844, No. 3621) of the privilege to the case of villages which have hitherto enjoyed the right of free pasturage should be continued.

41. The practice of selling the waste, field by field, enjoined by this rule promises to be more acceptable to the villagers, and more productive of revenue to Government, than the plan of selling the entire wastes of several villages or districts in the lump to parties engaging for the whole.

42. Rule 17, 18 and 19 are approved.

43. Rule 20.—His Lordship in Council considers there is some force in your objection to the ryut, wanting to take up new land, being obliged to proceed for this purpose to the mamletdar's kucheree. In villages very distant, and especially during the few first years after the introduction of the survey, when it may be presumed that much new land will be taken up, the collector may be authorized to dispense with the strict observance of the rule.

44. Adverting to your suggestion that the period for giving notice of intention

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to throw up lands be extended to the Mrigsal, Government considers that, if notice of resigning a field be not given earlier, it will be too late for any other party desiring it to come forward to cultivate.

45. Rule 21.—The Governor in Council doubts whether the question of the instalments should be mixed up in these rules with matters immediately connected with the introduction of the survey. He would prefer the separate consideration of the subject, especially as local peculiarities may render it necessary that different periods for the payment of the revenue should be in use in different districts.

46. Rules 22, 23 and 24 are approved.

District and vil-  
lage accounts.—  
Para. 85.

47. His Lordship in Council is confident that the introduction of a simple and uniform system of accounts through all the surveyed districts would add so much to the efficiency of our native establishments as to render unnecessary additions, now urgently required, to their numerical strength, and would also considerably lessen the labour of the collectors and their assistants in checking the work of the subordinate hoozoor, district and village agents.

48. I am directed to request that you will immediately report how far, and with what results, you have carried into effect the instructions conveyed in the Government Letter of the 24th April 1846, No. 1925, and that you will transmit, for the opinion of Captain Wingate, whatever forms of accounts you may have approved, in concert with the Revenue Commissioner, Northern Division.

Remissions.—  
Para. 86.

49. The instructions of Government on the subject of remissions were conveyed in the Government Letter to you, No. 3899, of the 5th October 1847.

50. In conclusion, I am directed to convey the acknowledgments of the Right honourable the Governor in Council to Mr. Goldsmid, and Captains Wingate and Davidson, for the able and lucid report they have now laid before him. It will serve as a manual in all future surveys; and it should be printed as soon as any modifications to be made in the rules contained in it have been determined.

I have, &c.

(signed) *J. G. Lumsden,*  
Secretary to Government.

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No. 5594 of 1848.

Territorial Department, Revenue.

From *J. G. Lumsden*, Esquire, Secretary to Government, to *Dr. A. Gibson*,  
Conservator of Forests.

Sir,

Bombay Castle, 22 September 1848.

In transmitting to you the annexed extract from a draft of rules prepared for the future administration of survey settlements, I have been directed by the Right honourable the Governor in Council to request that you will be so good as to favour him with your opinion on the plan proposed, for disposing of the produce of fruit trees standing in fields.

2. I have at the same time been instructed, with reference to Mr. Chief Secretary Pringle's letter to the Revenue Commissioner, Southern Division, No. 390, of the 12th February 1847, a copy of which was sent to you by indorsement on the same date, to forward for your information the extracts noted in the margin, on the subject of restrictions to be placed on the cutting of trees.

I have, &c.

(signed) *J. G. Lumsden,*  
Secretary to Government.

Extract (Rule 2d)  
from the 84th para.  
of a Joint Report by  
Mr. Goldsmid and  
Captains Wingate  
and Davidson, dated  
2d August 1847.

Extract (Rules 10  
and 11) from the  
84th para. of the  
Joint Report of the  
2d August 1847.  
Extract paras. 32  
and 33 of a Govern-  
ment letter to the  
Rev. Commissioner,  
S. D., No. 5593,  
dated 22 September  
1848.

No. 716 of 1848.

From Dr. A. Gibson, Conservator of Forests, to J. G. Lumsden, Esq.,  
Secretary to Government.

X.  
Revenue Survey  
and Assessment  
under the Bombay  
Presidency.

Sir,

Hewra, 29 September 1848.

IN reply to your letter, No. 5594, under date 22d instant, in which the Right Honourable the Governor does me the honour to request my opinion on the plan proposed for disposing of the produce of fruit trees standing in fields, I have the honour to state,—

2. As I understand the question (founded on Rule 2d of the joint report) to refer to the sale of the annual produce of fruit trees only, it appears to me that, as applied to the more open country, the rule may be safe, particularly since the preservation of a succession of trees by planting is provided for by the Resolution of his Lordship in Council, para. 33, under date 22d instant; viz. "that the rules regulating the power to cut down trees should be upheld, and that when one tree is felled, two should be required to be planted."

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3. But for this proviso, I think the system of summary sale would be pernicious, as experience has (I respectfully submit) shown us that the natives cannot, in the present state of their habits, be safely trusted with a property in nearly all the trees in the open country; for, in the parts of the country hitherto surveyed, there may be said to be few or no trees, excepting in land which is arable.

4. With respect to the extension of the rule to the Mawul and Conkan districts, and supposing it to be applied (as seems to be intended) to all trees whatsoever, I think it may require, previous to being so extended, mature consideration in the various and more extensive bearings which it will there have, either on the property or the resources of Government; and that it may, from particular local circumstances, require some occasional modification. Thus, by ancient prescriptive right, cultivation has been allowed within the precincts of certain Government lands, as around hill-forts, as at Singhur, &c.; but in these, supposing the right to cultivate is enam (as in many cases it is), the right of the cultivator is acknowledged not to extend beyond the grain crops.

5. Now it seems to me obvious that the general application of a rule, such as No. 2, would at once deprive Government of much valuable property in trees; for a peremptory sale by auction would hardly compensate for the permanent alienation of choice timber, particularly when we know that, under the mawul mode of cultivation, this timber would gradually disappear.

6. Another case in which the rule would require consideration, if not modification; is the property in the produce of the wild date. This is, in many parts of the country, an article of valuable annual farm.

7. It appears to me doubtful in how far it would be prudent to part with this source of revenue for the result of precarious biddings made at a peremptory auction sale.

8. The same rule will apply to the farm of other trees in the Conkan, such as teak, &c., where these grow in land now at the disposal of Government, but which, under a survey, might be taken up by a cultivator.

9. On the above grounds, I think that the rule requires further consideration ere it can be adopted as a general one for the future administration of survey settlements.

10. I deem it very possible that I may have somewhat misconceived the scope and tendency of the intended rule. In such case, I will be happy to give it my further consideration on another reference being made to me.

I have, &c.  
(signed) Alex. Gibson,  
Conservator of Forests.

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No. 6358 of 1848.

Territorial Department, Revenue.

From *W. Courtney*, Esq., Acting Secretary to Government, to Captain *G. Wingate*, Superintendent Revenue Survey and Assessment, Southern Mahratta Country.

Sir,

Bombay Castle, 18 October 1848.

WITH reference to the joint report made by yourself, Mr. Goldsmid and Captain Davidson, under date the 2d August 1847 (submitted to Government through the Revenue Commissioner, Southern Division), on the practice and objects of your respective surveys, I have been directed by the Right honourable the Governor in Council to transmit to you, for any observations you may have to offer, the accompanying copy of a letter from the conservator of forests, No. 716, dated the 29th ultimo, submitting his opinion on the plan proposed in Rule 2, para. 84, of the joint report, for disposing of the produce of fruit trees standing in fields, and of the restrictions to be placed on the cutting of trees.

I have, &amp;c.

(signed) *W. Courtney*,  
Acting Secretary to Government.

No. 206 of 1848.

From Captain *G. Wingate*, Superintendent Revenue Survey and Assessment, Southern Mahratta Country, to *W. Courtney*, Esq., Acting Secretary to Government, Bombay.

Sir,

Superintendent's Office, Dharwar,  
26 October 1848.

IN compliance with the instructions of the Right honourable the Governor in Council, contained in your letter of 18th instant, No. 6358, I do myself the honour to submit the following observations in reference to the remarks made by the Conservator of Forests, in his letter, No. 716, dated the 29th ultimo, upon Rule 2, para. 84, of the joint report by Mr. Goldsmid, Captain Davidson and myself, for the disposal of fruit and other trees standing within the limits of fields in surveyed districts.

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2. It will have been observed by Government that the above quoted rule is, by para. 84 of our report, strictly limited "to the collectorates above the Ghauts, already surveyed, or in course of being so," which renders it unnecessary for me to follow Dr. Gibson in the arguments adduced in his 4th and following paras., on the supposition of its extension to the Conkans. I have further already had the honour of submitting my views on the general question as to property in trees, and restrictions to be placed on cutting them, for the consideration of Government and the Military Board, in my letters noticed in the margin; and I shall, therefore, confine myself to points which have not been noticed in these despatches, or appear to require further elucidation.

3. I am unable to admit the justness of the remark, made by Dr. Gibson in the 3d para. of his letter under consideration, that the system of sale proposed by our rule "would be pernicious, as experience has shown us that the natives cannot, in the present state of their habits, be safely trusted with a property in nearly all the trees in the open country." My belief is, that they may be so trusted with the utmost safety, and this assurance rests on the fact that all the fruit and other trees now found growing on cultivated lands, with very rare exceptions, owe their existence to private individuals. In all localities favourable for the growth of trees, such as gardens, they are invariably planted and preserved; and even in the open fields, though the cultivators consider them to be there prejudicial to their crops, as attracting birds, they are, nevertheless, raised in sufficient numbers to supply wood for the manufacture and repair of agricultural implements. In numerous localities, chiefly in the neighbourhood of towns, groves of fruit trees have been planted in this collectorate, subsequent to the introduction of the revised assessment, on the faith of this assessment being the sole demand to be made on behalf of Government, and that whatever was produced

1. Letter to Government, No. 91 of 18th April 1848.  
2. Letter to Military Board, No. 151 of 8th August 1848.

duced on the land would belong to the holder. I can also very well recollect the increased interest taken by the cultivators in the planting and preservation of trees, on the introduction of the new assessment into the Sholapoor collectorate.

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4. I see, therefore, no reason whatever for apprehending any wanton destruction of trees from constituting the holder of every field the proprietor of all the trees standing upon it. On the contrary, I entertain the strongest conviction that no one cause has tended so much to prevent the extension of planting in Government land as the assertion of a claim of property in trees growing on it by the state. It appears to me vain to expect a cultivator to lay out capital in the formation of an orchard of fruit trees, or other plantation, without being able to claim a right of property in it when grown up. And every interference on the part of Government, with the view of restricting the powers of the holder of a field over the trees standing upon it, cannot fail, in my humble opinion, to impede the acquirement of a feeling of property in the soil, which must be established before we can reasonably anticipate much outlay of capital in the improvement of land. But, as this subject will have to be considered in my reply to a reference by the Revenue Commissioners, Southern Division, regarding the points connected with the joint report, reserved for further discussion by the Government letter of 22d ultimo, No. 5593, I shall not further enlarge upon it here.

5. With reference to the observations in the 5th para. of Dr. Gibson's letter, I would explain, that Rule 2 was not intended to enjoin a peremptory sale of trees, unless a fair price could be obtained for them; and the provision in the concluding sentence of the rule was intended to meet such a case. When trees are to be sold under the rule, the collector would have to place an upset price upon them, beyond which the biddings must proceed to admit of the trees being sold at all, or the land being entered in the name of the purchaser.

6. It would, however, seem desirable to exempt from the operation of the rule the precincts of the hill-forts, alluded to in the 2d para. of the conservator's letter, as well as other localities in the mawuls, or elsewhere, intended to be reserved for the growth of teak or other forest timber. This course I have already recommended in my letter to the Secretary to the Military Board, quoted in a previous para., and the proposal has met with Dr. Gibson's approval, as appears from his letter to the same authority, dated 26th August last, No. 630, with a copy of which I have been favoured. The selection of such localities might be accomplished with the greatest ease by the collectors, or superintendents of survey, in communication with the conservator of forests; but to withhold the general operation of the rule, of which the main object is to create a feeling of property in the soil, for the sake of a few exceptional cases, which admit of being specially provided for, would, in my humble opinion, be in the highest degree inexpedient.

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7. Another objection to the rule brought forward by Dr. Gibson in the 6th and 7th paras. of his letter, is the sacrifice it would entail of property in the produce of the wild date, which he states to be in many parts of the country an article of valuable annual farm, and is doubtful how far it would be prudent to part with this source of revenue for the result of precarious biddings at a peremptory auction sale. I would here observe, that the auction sales contemplated in Rule 2, refer to timber and fruit trees, but not to the wild date, the right of cutting down which, as of any other jungle encumbering the land, is secured to the holder of a field by Rule 11 of the joint report.

8. The produce of the wild date, referred to by Dr. Gibson, is an intoxicating liquor obtained by tapping the tree; and the privilege of drawing off and selling this juice forms, in this collectorate, part of the monopoly of the sale of spirituous liquors, which is annually farmed out to the highest bidder; but in other parts of the surveyed collectorates it may be farmed out separately. Subsequent to the introduction of the new assessment here, the provision in the liquor contractor's lease regarding these trees has been limited to the right of tapping those standing in Government waste; for it would be wholly at variance with the principles of the settlement to allow him a right of intrusion upon fields in cultivation; but I am not aware that the restriction has had any injurious effect on the sale of the liquor contract. Nor need any be apprehended; for, unfortunately, this is a branch of revenue that might be increased almost at will. All that is needed to bring about this result is to increase the number of places

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where intoxicating liquor is permitted to be sold, when the improvement of this branch of revenue would only be exceeded in rapidity by the demoralization of the people. And if the destruction of the wild date would avail at all to check the consumption of intoxicating liquors, Government, I feel assured, would gladly avail itself of any means for accomplishing a result so desirable.

9. But there are other reasons making it very inexpedient to interpose any restrictions upon clearing the land of this tree. It affects low and moist localities, and in this collectorate has overgrown numerous fine bottoms along the banks of nullas, which are admirably adapted for the production of valuable crops, but could not be taken into cultivation at all, unless the ryuts are permitted to clear the land of the date; which also, in the talook of Kode, is found straggling almost everywhere over the arable waste. Many old gardens and sugar-cane lands there are now covered with dense date jungle, which must be cleared away before they can be taken into cultivation. The same was also the case in the assessed districts; but in these this noxious jungle has already been, to a great extent, cleared away, and replaced by a flourishing cultivation. I have always looked upon this result with feelings of unmixed satisfaction, and feel assured that it will be so viewed by Government.

10. In conclusion, I beg to recommend the retention of Rule 2, with the addition of a provision of the nature specified in my 6th para. for excepting certain localities from its operation.

I have, &c.  
(signed) *G. Wingate*,  
Superintendent Revenue Survey and Assessment, S. M. C.

No. 7172 of 1848.

Territorial Department, Revenue.

From *W. Courtney*, Esq., Acting Secretary to Government, to *Dr. A. Gibson*,  
Conservator of Forests.

Sir,

Bombay Castle, 15 November 1848.

WITH reference to your letter, No. 716, dated the 29th September last, I have been directed by the Right honourable the Governor in Council to forward for your further report, the accompanying copy of a letter from the superintendent revenue survey and assessment, Southern Mahratta country, No. 206, of the 26th ultimo, relative to the disposal of fruit and other trees standing within the limits of fields in surveyed districts.

I have, &c.  
(signed) *W. Courtney*,  
Acting Secretary to Government.

No. 869 of 1848.

From *Dr. A. Gibson*, Conservator of Forests, to *W. Courtney*, Esq.,  
Acting Secretary to Government, Revenue Department.

Sir,

Camp Goolsoonda, 18 November 1848.

I HAVE had the honour to receive your letter, No. 7172 of 1848, conveying the commands of the Right honourable the Governor, that I make a further report on the letter of the superintendent revenue survey, touching the application of Rule 2d of the joint report of the survey committee.

2. In reply, I have the honour to state, that having given the observations of Captain Wingate the most attentive consideration, I am still of opinion that general experience has not shown that the natives will preserve trees, excepting of certain kinds, such as fruit trees. In proof of this, I would refer to the present state of much of the Southern Conkan, and to many of the Ghaut districts, where, owing to improvident expenditure of wood by burning away, and otherwise, the want of material for burning on the fields is most seriously felt. On this head, I believe that Mr. Davies, collector of Broach, and Mr. Elphinston,

Elphinston, collector of Khandesh, could afford much interesting information, gleaned from their long experience in the Conkans. It is true, as Captain Wingate remarks, that the rule is at present intended to apply to countries above the Ghauts; but it must be borne in mind, that in the western part of these countries are lines of district possessing all the features of the Conkans.

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3. On the whole, as before remarked in my several letters on the subject to the Military Board and to Government, I continue of opinion that the rule may not at present be safely applied beyond "fruit trees in the open country." The result of it, as applied there, will, as Captain Wingate remarks, probably be an increase of planting of mangos, &c.

Vide letter to Military Board, No. 830, under date 8th instant.

4. With respect to the contents of para. 6th of Captain Wingate's letter, I have the honour to remark that the exception recommended by Captain W. of "hill-forts and other localities to be reserved for the growth of teak or other forest timber," goes a very great way to meet any objections which I (as conservator of forests) might have had to offer to the greater extension of Captain W.'s rule; and I feel pretty sure that, with respect to this important point, the views of Captain Wingate and myself will finally resolve themselves into a joint plan. I am now in communication with Captain W. in this matter with the view of settling clause 10 of Schedule B. of the forest regulations. In my letter to address of the Military Board above quoted (No. 830, under date 8th instant), I had the honour to forward a sketch of the country in which the greater part of the exceptions which I would propose lie.\* Some other parts yet remain to be seen, and hereafter adjusted, according to circumstances.

\* In the above  
Ghaut zillahs.

5. In my letter, No. 822, forwarded to the Board under date 4th instant, I had the honour also to notice, in another form, the nature of these exceptions, and to express my apprehension that, under the extended system of the measurement of hills as undertaken in the Poonah survey, the pecuniary interests of Government might suffer as regarded sales of jungle wood, grass, &c.

6. Since then, I have learned from Captain Landon, that the late Lieutenant Nash had intended to leave the hill boundaries, as to Government right and ryots' claims, for after adjustment; so that in this important point also there seems a fair basis for treaty.

7. As I conclude that Captain Landon is in full possession of the views which Lieutenant Nash meant to have carried out had he lived to do so, I respectfully suggest that a reference be made to Captain Landon on the subject, and with these aids I have no doubt but that we will at length reach a satisfactory conclusion.

8. With respect to para. 7 of the remarks of Captain Wingate, touching the wild date, and the sale of its produce as a separate item of revenue, here I beg to say, that in former remarks I chiefly looked to the possible extension of Rule 2 to the districts below the Ghauts, such as those south of Surat, &c.

9. I am aware that in the upper country the farm of the produce of those trees is an item comparatively unimportant. Indeed, for the reasons stated by Captain Wingate, the absence of the tree in those southern talookas containing valuable land is rather a blessing than otherwise; whereas in the wastes on the sea-board of the North Conkan, the tree grows most extensively on land which could not be otherwise appropriated.

10. I remark, however, that the operation of Rule 11, stated by Captain Wingate as referring to "jungle," may, unless subject to the adjustment suggested in paras. 5 and 6, cause considerable loss to Government in the more western districts.

11. With respect to para. 10 of Captain Wingate's letter, the basis of negotiation therein proposed has already been noticed at large in para. 4; it seems, therefore, unnecessary again to enter on the question.

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I have, &c.  
(signed) *Alexander Gibson*,  
Conservator of Forests.

No. 7840 of 1848:

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Territorial Department, Revenue.

From *W. Courtney*, Esq., Acting Secretary to Government, to  
*E. H. Townsend*, Esq., Revenue Commissioner, S. D.

Sir,

Bombay Castle, 19 December 1848.

WITH reference to para. 26 of the Government letter, No. 5593, dated the 22d September last, to your address, having reference to the disposal of fruit and other trees standing within the limits of fields in surveyed districts, I have been directed by the Right honourable the Governor in Council to transmit to you the accompanying copies of the correspondence quoted in the margin, and to request that you will favour Government with your opinion on the points of difference in the views of Dr. Gibson and Captain Wingate on this subject.

I have, &amp;c.

(signed) *W. Courtney*,  
Acting Secretary to Government.

To Dr. Gibson, dated 22d Sept.  
1848, No. 5594.  
From Dr. Gibson, dated 29th Sept.  
1848, No. 716.  
To Captain Wingate, dated 18th Oct.  
1848, No. 6358.  
From Captain Wingate, dated 26th  
Oct. 1848, No. 206.  
To Dr. Gibson, dated 15th Nov.  
1848, No. 7172.  
From Dr. Gibson, dated 18th Nov.  
1848, No. 869.

No. 675 of 1849.

Territorial Department, Revenue.

From *E. H. Townsend*, Esq., Revenue Commissioner, Southern Division, to  
*W. Courtney*, Esq., Acting Secretary to Government.

Dharwar Districts; Revenue Commissioner's Camp,  
Guddug; 7 September 1849.

Sir,

I HAVE the honour to acknowledge the receipt of your letter of 19th December (No. 7840), with its enclosures, and to state that, on a careful consideration of the latter, and of the correspondence therein quoted, I do not think the real difference of opinion between Captain Wingate and Dr. Gibson important.

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2. The whole question turns on the practical application of the 2d Rule, contained in the joint report of the superintendents of survey, dated 2d August 1847. That rule has reference, first, to fruit trees; second, to all trees. It is to its second part, as affecting forest and timber trees, and more especially teak trees, that Dr. Gibson objects, and his objections are, as I understand them, limited to those places where the survey has assessed, or will assess, tracts of land containing forest trees, which it seems desirable to preserve for public purposes. To this part, therefore, of the 2d Rule I will confine my remarks.

3. Where waste arable Government land contains valuable trees, which it would be desirable to preserve for the state, the collector is under no obligation to give such land for cultivation; he has the same power now that he ever had to retain such land for public purposes, and this he should do in such cases, the trees being of more value to the state than the grain which the land would produce. Rule 2d does not, in any degree, limit the collector's discretionary power in this respect; a discretion which is acknowledged in Rules 14 and 15 of the same code, and in conformity with which the collector of Belgaon was instructed, in the Chief Secretary's letter of 1st May 1847 (No. 1285), to check Koomree cultivation where it damaged the forests.

4. Where Government land, containing timber trees that are worth preserving, has been recently given in cultivation, the collector has undoubted authority to resume it for public purposes; where, however, it has descended from father to son, as regularly cultivated land, and that its resumption would be a matter of harshness, the collector could still, as explained in para. 5 of Captain Wingate's letter of 26th October to your address, retain the trees in the hands of Government, by placing "an upset price upon them, beyond which the biddings must proceed to admit of the trees being sold at all."

5. The forementioned measures will, I submit, secure the interests of Government with respect to trees in all Government lands. The conservator of forests should show the collector of each zillah the particular lands which contain Government trees, or trees which have no particular owner, and which it is desirable to preserve for Government timber; and where the collector sees no objection

Revenue Commissioner's letter to Government, No. 3130 of 30th September 1848.



objection to retaining the land and trees for Government, he should do so; where he conceives that private rights would be thereby violated, or on other grounds dissents from the conservator's opinions, he should submit the case for the decision of Government.

6. On the subject of the wild date, Dr. Gibson appears, in his letter of 18th November (para. 9), to have somewhat misunderstood Captain Wingate's explanation, which had no reference to the unimportance of the toddy farm, but to the fact that Government has not, and never had, any right in the date tree itself as such. The cultivator who has date trees in his field has the same control over them that he has over any other trees on the same ground; he may draw the juice or not draw it; he may preserve the tree or cut it down, to the same extent that he could deal with any other tree; but if he preserve the tree, and draw the toddy, he is controlled in the disposal of the latter by Regulation 21 of 1827, chapter 11. I fully agree with the superintendent, that the destruction of these trees is on no account to be regretted, should it take place; I can add nothing to his forcible exposition of their pernicious influence, where abundant, on the native population.

7. Referring to Dr. Gibson's remarks (para. 10) on Rule 11, I would respectfully refer his Lordship in Council to para. 13 of my letter, dated 10th September 1847 (No. 2258), and to para. 33 of the secretary's reply, dated 22d September last (No. 5593), which required its modification. [61]

I have, &c  
(signed) *E. H. Townsend*,  
Revenue Commissioner, Southern Division.

No. 1496 of 1849.

Territorial Department, Revenue.

From *W. Courtney*, Esq., Acting Secretary to Government, to  
*E. H. Townsend*, Esq., Revenue Commissioner, S. D.

Sir,

Bombay Castle, 28 February 1849.

I HAVE laid before the Right honourable the Governor in Council your letter, No. 675, of the 7th instant, and in reply I have been instructed to inform you, with reference to para. 26 of my communication, No. 5593, of the 22d September last, that his Lordship in Council has approved of Rule 2d of the joint report of the superintendents of survey, dated the 2d August 1847, for disposing of the produce of fruit trees standing in fields, with the modification proposed by Captain Wingate in the 6th para. of his letter, No. 206, dated the 6th October last.

I have, &c.  
(signed) *W. Courtney*,  
Acting Secretary to Government.

No. 3195 of 1849.

Territorial Department, Revenue.

From *E. H. Townsend*, Esq., Revenue Commissioner, Southern Division, to  
*W. Courtney*, Esq., Acting Secretary to Government.

Sir,

Poona, Revenue Commissioner's Office,  
10 August 1849.

THE Government letter, dated 22d September 1848 (No. 5593), having been communicated to the superintendents of the survey in this division, the replies of those officers are of the dates quoted in the margin. I will proceed to comment on them in order of date.

Superintendent Southern Mahratta  
Country, 23d December 1848.  
Superintendent Ahmednuggur,  
21st February 1849.  
Late Superintendent Dang Survey,  
28th May.  
Settlement Officer, Poona Survey,  
12th July.

2. The first 11 paras. of Captain Wingate's letter are occupied with the question of "the superiority of the fixed field assessment of our surveys, administered 999. [62]

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administered by annual leases, over other modes of revenue management," &c. In all these remarks I fully concur.

3. In paras. 12 to 16, inclusive, Captain Wingate comments on the disadvantage of subdividing fields, and on the measures that should be adopted to prevent this evil; his remarks appear to accord with the sentiments of Government, as expressed in para. 36 of the letter under reply, and do not call for much remark. With regard, however, to "ejectments from meeras land," referred to in the superintendent's 16th para., the present state of the law, and the practice of our courts, would, I fear, prevent the adoption of the proposed plan. On this subject I would respectfully refer his Lordship in Council to my letter, dated 24th May last (No. 2380), and the previous correspondence therein quoted.

4. The subject of the superintendent's 18th para. is discussed in my letter to Government of 7th February last (No. 675), and is disposed of in your letter of 28th of that month (No. 1496), which "approves of Rule 2d of the joint report."

\* *Vide amended*  
Rule in para. 20 of  
this letter.

5. On the subject of Rule 13th, the superintendent dwells in his 19th para., and explains the sense in which he uses the word "unearable" with regard to fields covered with jungle. It appears\* to me, however, as stated in your 27th para., that the word cannot be justly applied to such land as is here contemplated; the superintendent is satisfied that this rule and the 4th "cannot be misapplied in practice;" and I am not disposed to think that any serious inconvenience will occur from occasional misapplications, even should they occur, which, however, I hardly anticipate.

6. In the superintendent's remarks in para. 20, on the subject of Rule 5th, I quite concur, for he admits the only exceptions for which I wished to contend, in my letter of 10th September 1847, viz., cases which "have been fraudulently, or through mistake, omitted to be entered." That such cases must be guarded against, Government have decided in para. 28 of the letter under reply; and important as I admit the rule to be, justice, I think, requires that the exception should be borne in mind.

7. In his 21st and 22d paras., the superintendent argues against any relaxation of Rules 7 and 8, as suggested in paras. 11 and 12 of my letter, and partly concurred in by Government, in paras. 30 and 35 of the secretary's reply already quoted. I concur in much of what Captain Wingate says. Part of his argument, however, does not seem to me to apply to my objection to interfere with existing rights. It is truly remarked in the Government letter under reply (para. 35), "in giving out waste for cultivation, no prior rights are involved," &c.; in such cases, rules to preserve the integrity of fields, are, I fully admit, highly expedient; but I would not have them take retrospective effect when fields, originally separate, were included in one of the survey; or when large fields, which had been long cultivated by separate parties, were thereby liable to be transferred from the hands of two or more parties possessing equal rights to one of the sharers.

8. In his 23d para., Captain Wingate alludes to an application which he made to me on the 5th December last for a copy of the Government Rules, dated 12th February 1847, regarding the cutting of trees, and with which I furnished him on the 5th January.

9. The superintendent proposes, in his 24th para., a slight modification of Rule 12, in which I quite concur, and which suggests no further remark.

10. I do not agree with the superintendent (para. 25) as to the benefit of obliging the ryut to attend at the mamlutdar's kutcherry for each field that he requires. The superintendent Ahmednuggur survey (para. 18) is of the same opinion as Captain Wingate. Mr. Tytler (para. 7) agrees with me, that this duty should be entrusted in the first place to the village officers; always subject to the mamlutdar's control and revision. The latter officers are already overwhelmed with the multiplicity of their duties; and any attempt to require them to enter more into details will, I think, add to the number of ill-performed duties, without any corresponding advantage.

11. The plan proposed in the superintendent's 26th para., of fixing a day on which the village officers should assemble the ryuts, and call on them to decide what fields they would retain, and what resign, appears to me a very good one, and I would recommend its adoption. I would send the "list to the mamlutdar," as proposed by Captain Wingate; but I would leave it optional with the ryuts to go or not, as they chose.

12. In paras. 27 to 31, the superintendent discusses the question of revenue instalments, which Government, in para. 45 of the Secretary's letter, appeared disposed to discuss separately. I refrain, therefore, from entering into this question further than to say, that Captain Wingate's arguments have not altered those expressed in para. 17 of my letter, dated 10th September 1847.

13. In Captain Wingate's last paragraph I fully concur.

14. The first six paragraphs of Lieutenant Anderson's letter dwell on the advantages of the present annual settlement, as compared with long leases: in these opinions he agrees with Captain Wingate. The Ahmednuggur superintendent's observations on village boundaries, in paras. 8 to 10, appear very just.

15. In his 11th para., Lieutenant Anderson expresses himself as not quite prepared to propose rules for the classification of rice lands. Mr. Tytler says (para. 6), that the rules in force in the Ahmednuggur Dangs have been sent to all the surveys, and that, with trifling alterations, they have probably been generally adopted: to this subject Captain Wingate does not allude.

16. "The 83d para. of the joint report," as modified in Lieutenant Anderson's 12th para., will, I trust, be approved by his Lordship in Council.

17. The same officer proposes in his 13th para., an amended draft of Rule 13, for which I would solicit the sanction of Government.

18. In the superintendent's 15th para., amended forms of Rules 7 and 8 are proposed, which I trust will be approved of by Government.

19. In his 16th para., an amended Rule 11 is given, which limits the rights of "occupants of meeras, jodee or inam fields, holding the same from Government," to cut down trees. My first impression on reading this passage was, that it meant meerasdars and inamdars, who are freed from all interference, as regards the trees on their meeras or inam lands, by para. 2 of the Chief Secretary's letter, dated 12th February 1847 (No. 390); and were this understanding of the proposed rule correct, the latter would be clearly at variance with the rules approved of in the letter just quoted. But if "occupants" signify, not the inamdar or meerasdar, but ryuts, who, for any or various reasons, have become, under Government, the tenants of such lands, the objection does not stand, and the rule, as proposed, would be unobjectionable. To prevent misunderstanding, however, it might be desirable to insert a parenthesis after the words "the same from Government," viz., ("not meerasdars and inamdars.")

20. In the superintendent's 17th para., an amended Rule 16 is contained, for the disposal of unarable waste, which appears to meet the wishes of Government, and which I trust will be approved.

21. I have no doubt that "a vigilant watch should be kept upon the proceedings of village officers," as suggested in the superintendent's 19th para., but the plan of permitting them in the first instance to allot fields to the ryuts need not interfere with the mamlutdar's supervision, and his correction of any and every abuse of authority; on this subject I beg to refer to para. 10 of this letter.

22. On the subject of the introduction of a simple and uniform system of accounts into the surveyed districts, alluded to in paras. 47 and 48 of the Government letter under reply, I beg to refer to our joint reports, dated the 1st November and 10th February last, Nos. 3 and 2 respectively. In regard to the latter report (on district accounts), I hope very shortly to forward the forms to Captain Wingate for his opinion; a few questions raised by the Revenue Commissioner, Northern Division, having hitherto prevented my doing so.

23. On Mr. Tytler's letter I have already made such remarks as its perusal suggested. The "settlement officer" in charge of the Poona survey states that his acquaintance with his present duties is of so recent a date that he does not feel himself competent to offer an opinion on the points at issue.

24. In conclusion, I request that you will be good enough to furnish me with copies of the letters of the superintendents of the Ahmednuggur and Southern Mahratta country, surveys accompanying, as I do not wish to detain this correspondence till the required transcripts of them can be made in this office. Copy of Mr. Tytler's letter, I beg to say, is not required.

I have, &c.

(signed) *E. H. Townsend*,  
Revenue Commissioner, Southern Division.

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Revenue Survey  
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[64.]

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Revenue Survey  
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No. 239 of 1848.

To *E. H. Townsend*, Esq., Revenue Commissioner, Southern Division.

Belgaum Districts, Superintendent's Office,  
at Camp Baba-Nuggur, 23 Dec. 1848.

Sir,

I do myself the honour to submit the following observations on certain points connected with the joint report of 2d August 1847, which appear to me to require further elucidation and discussion, in reference to the comments made upon them in the Government letter of 22d September last, No. 5593.

2. In the argument for the superiority of the fixed field assessment of our surveys, administered by annual leases, over other modes of revenue management, contained in the introductory paragraphs of the joint report, the use of the terms "annual leases" and "annual engagements" has conveyed to Government an impression of the nature and operation of our settlements very different from what was intended, and as it is of the utmost importance that no misconception should exist in reference to what may be considered the basis of our whole system, I will devote a few remarks to an attempt to clear up the obscurity resting on our original exposition.

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3. The arguments contained in the 4th, 5th, 6th, 7th and 8th paras. of the Government letter, in favour of long leases, by which farmers are bound to pay an invariable assessment for the whole of their lands in the lump, are adduced as advantages which are not to be found in the system of settlement enjoined by the joint report. And an apprehension is expressed that the important objects of inducing the cultivating classes to look more to the future—of exciting in them feelings of independence—of exempting them from the pupilage and surveillance of Government officers—and of attaching them to the soil, and to their own portion of it—run a risk of being wholly neglected under our system of engagements annually renewed. Government further observe, "that the independence of feeling which every man ought to possess can seldom arise when a man knows that he holds his land, as it were, by an annual tenure; that if he fail to till a certain field, and it be omitted from his holding for one year, his rival may step in and deprive him of it for ever; and probably nothing tends more to diminish such right feeling than the inquisitorial visits of Government officers, inquiring what is the extent of his cultivation, and regulating the fluctuating amount of his rent."

4. To the justice of the conclusions set forth in the last quotation I most fully subscribe, and if the description of annual settlement here given were applicable to the survey system, the latter must be admitted to be, in many important respects, defective. But I am happy to have it in my power to remove so serious a misapprehension of its nature, and trust to be able to show that the survey rules will not less effectually render the title of the cultivator to his land secure, exempt him from the interference or surveillance of Government officers, and hold out to him inducements to lay out capital in the improvement of his land, than the system of long leases characterized by Government as possessing these important advantages.

5. You will observe, by referring to Rule 5 of the joint report, that the only way in which the title of a cultivator to any field can be vitiated is through his failing to discharge the assessment laid upon it. And he will be called upon to pay this assessment upon every field entered in his name in the village books, without reference at all to the circumstance of its being waste or cultivated. So long as he pays the assessment, no field can, under any circumstances, be struck or left out of his holding, except upon his own written application to that effect, under the provisions of Rule 20; and it will thus be evident that no rival or other party could by possibility step in and supplant him in the way supposed by Government. It seems to me difficult to imagine a more secure title to occupancy than this. It is absolutely free from all conditions, except the simple one of discharging the Government land-tax; and this condition, it is evident, could not be dispensed with under any plan of management whatever.

6. The occupant is, moreover, wholly relieved from the interference or surveillance of the Government officers. Their power is limited to the collection of the assessment due from him for the land entered in his name. They cannot demand more or less, nor even the assessment itself, except at the stated periods fixed for the collections. So long as he is ready with the money due at such times, they have absolutely no power at all of meddling in his affairs. They have

have no right to interrogate him as to whether his fields are waste or cultivated, his crops good or bad. The payment of his assessment affords a valid and sufficient answer to all objectors. A more completely independent position for a farmer to occupy than this it is hard to imagine. His own industry provides the means of paying his assessment, and he is absolutely free to exert this industry as may seem to him best, without having occasion to defer to the wishes or ideas of any one. I believe that in no country of the world are the cultivators so thoroughly independent as they will be in our surveyed districts, when the rules of the joint report shall be fully enforced. In the Dharwar collectorate, where they are already in operation for the most part, their effect is readily observable in the bold bearing the cultivators quickly assume towards their village officers, and other influential parties, subsequent to the introduction of the new settlement.

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7. Further, while thus securing to the cultivator a simple and secure title to his land, freedom from interference or surveillance on the part of Government officers, and complete personal independence, the survey settlements may, I think, be shown to be more favourable to the accumulation of agricultural capital, and its application to the improvement of the land, than a system of leases for a term of years.

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8. Owing to the laws and customs in regard to inheritance obtaining in this country, and the few opportunities for the employment of capital, except in the cultivation of the soil, the land has at all times been very much subdivided, and with these conditions, the existence or creation of a body of large wealthy farmers seems hardly compatible. We may hope, under good management, to see agricultural property very widely diffused, and a very numerous class of small farmers enjoying comfort and independence; but there would seem to be few grounds for anticipating the establishment of a class of wealthy agriculturists cultivating large farms, under any circumstances, in India; and I do not know that this is to be regretted; for the problem, as to the best distribution of national wealth, has been by no means so satisfactorily solved as to enable us, in my opinion, to pronounce decidedly in favour of one or other of these systems. However this may be, our measures have to be framed for the class of small farmers who now prevail universally; and for this class it is admitted that a tenure involving much responsibility, like that by which the landholder has to pay an invariable assessment for a long term of years, would hardly be suitable.

9. But let us also try the applicability of the survey system to the case of our wealthier farmers, say that of a cultivator holding 10 fields assessed at 150 rupees in all, or 15 rupees each, and let us suppose that his agricultural capital is increasing, and that the most favourable mode of investing his profits is in the permanent improvement of his land; for example, by digging a well for the purpose of supplying the means of irrigation to a portion of it:

10. Under these circumstances, let us consider which tenure would afford the greater encouragement to such an investment of capital, viz., that by which the cultivator is bound to pay the assessment on his whole farm—150 rupees for a long course of years—or that by which he pays 15 rupees for each of his 10 fields separately, with the privilege of relinquishing any of them when so disposed. In the former case he is burdened with a heavy responsibility, which he might not be able to meet should misfortune overtake him, and in this case he would risk the loss of his whole farm, together with all the capital laid out upon it. In the latter he has the power of contracting his cultivation, and diminishing his payments from year to year, as circumstances might make desirable, and would thus be able to retain his most valuable fields, and especially those he had invested capital in improving. Can it be doubted that the diminished responsibility of the tenure, by which the cultivator engages to pay the assessment upon each of his fields for one year only, offers in itself the most direct and palpable encouragement to the investment of capital in the improvement of the soil? Every cultivator, holding several fields, values most highly some one of them; and upon this he will naturally incline to invest money in improvements; and will not that system most dispose him to do so, which would enable him to retain this most prized and valued portion of his possessions, even if misfortune should compel him to part with all the rest?

11. Further, it appears to me certain that the greater freedom to contract or extend cultivation from year to year, ensured to the ryot by the survey settlements, will be most conducive to the securing of a certain in fluctuating revenue

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to the state. The revenue depends on the condition of the cultivators. Whatever system is most advantageous to the latter will best enable them to meet the Government demand, and necessarily be most conducive to the stability of the revenue. Reductions in the extent of the holdings of individual cultivators, permitted by the survey settlements, have no perceptible influence on the revenue of a district. Such reductions are met by equal enlargements of the farms of others, and when once cultivation has become general over the land of a district, the effect of these fluctuations on the revenue will become wholly insignificant.

12. The real danger to be guarded against, as well as the greatest obstacle to the permanent success of the survey settlement, will arise through an increase of the population, and is described in the 36th para. of the Government letter under consideration "as the ultimate subdivision of the whole land into very minute occupancies, accompanied by the impoverishment of the whole agricultural class." This, indeed, may be a remote evil, but not the less requiring to be taken into consideration on that account; and further reflection inclines me to think that some further provisions, with a view to its timely prevention, might be added with advantage to those contained in the joint report.

13. The most effective means at our command for preventing the land becoming the inheritance of a pauper, or at least poverty-stricken peasantry, is to afford the greatest possible facilities for its conveyance from one party to another, so that when a cultivator becomes impoverished, and, by his inability to cultivate his land properly, deprives the community of the wealth it is capable of producing, that the land may get into the hands of some one better able to turn it to advantage. The customs and native revenue systems of India are adverse to such transfers, and it is therefore all the more necessary to adopt measures for giving them effect. Until very lately, ejectment for the non-payment of the Government assessment was nearly unknown; and paupers were allowed to linger on year after year in the possession of land they had no means of cultivating, the revenue officers contenting themselves with screwing out of them what they could, and remitting the remainder. This was particularly the case with meeras land in the Deccan, which, when the meerasdar was poor, generally remained in a most neglected condition; and, for all the benefit derived by the community from it, might almost have been as well sunk under the sea.

14. Rules 3 to 9, and Rule 12, of the joint report have all been framed with a view to guard against the excessive subdivision of land, and to facilitate transfers; but though the power of ejectment is distinctly reserved by Rule 5, in event of the assessment not being paid, it occurs to me that the course to be pursued in such an event is hardly indicated with sufficient precision.

15. At present, the ordinary mode of enforcing the payment of the revenue is by placing mohussuls over the defaulter, or by attachment and sale of moveable property; but I think it would be a preferable course to resort, in the first instance, to an attachment of one or more fields, of which the assessment might about equal the balance due, giving the defaulter the option of pointing out the fields to be so attached, as provided in Rule 5, and publishing in the usual way, that in event of the balance due not being paid by a certain date, the defaulter's right of occupancy in the said field or fields would cease, and be sold to the highest bidder, in event of more than one person being desirous of obtaining possession. In event of the right of occupancy being saleable, the sum realizable should go to defray the balance due; and if more than sufficient for this purpose, the portion of it remaining over should be given to the defaulter. In event of the title to the occupancy of the field being unsaleable, and no one agreeing to cultivate it, the ejectment of the defaulter should nevertheless take place, and the field be permitted to revert to waste. In this case, the sums due by the defaulter might be remitted, unless it appeared that the balance was withheld from some other cause than inability to pay; when the usual means, by mohussuls, or attachment and sale of property, might further be put in force.

[68.] 16. I am inclined to think the process for ejectment just described would prove a very effective expedient for realizing the revenue, and when it failed in this, it would yet have the obvious advantage of getting land out of the hands of a person unequal to the discharge of the responsibilities connected with its occupancy, and, wherever there happened to be a demand for land, secure, by the sale of the title to the highest bidder, that it should fall into the possession of a person of means. By thus bringing land into the market, traders, pensioners, and

and other parties having capital, would probably be induced to lay it out in the purchase of land, to the great benefit of agriculture and the community at large. Some remarkable instances of this have come under my notice in the Dharwar collectorate, and it is my belief that they will be numerous when it becomes generally understood that land may be sold and purchased like any other commodity. When the process of ejection is used in the case of meeras land, the meerassee tenure should in my opinion always be declared forfeited, and the land entered in the accounts, thenceforward, as Government. The ordinary tenure of Government land under the survey rules is perhaps as favourable as could be devised, and being free from the objections connected with subdivision by inheritance, and insecurity of occupancy to which the meeras is liable, it would, in my opinion, be very desirable to substitute it for the latter, whenever practicable.

17. I will now proceed to notice, *seriatim*, the rules of the joint report, which have been reserved by Government for further discussion.

18. I have already, in a separate communication noted in the margin, stated my views in regard to the opinion given by Dr. Gibson upon Rule 2.

19. In reference to the remarks upon Rules 4 and 13, I would observe, that the former rule refers to portions of unarable surface, such as rocky ground, nullas, &c., but not land covered with jungle, included in fields suited for cultivation, upon which an assessment has been fixed. The latter, on the contrary, refers to fields entered in the survey registers as wholly unarable, and upon which, therefore, no assessment has been fixed. The two rules, therefore, apply to distinct cases, and cannot, I think, be misapplied in practice. Some of the fields coming under Rule 13 are not from the nature of the soil unarable, but from the circumstance of their being now covered with jungle, which did not permit of their being subdivided into fields of the usual size, and classified in the course of the survey. These, or portions of them, may be expected, in the course of time, to be cleared and cultivated, but should not be allowed to be so until the fields upon which an assessment has been fixed have been all, or nearly all, occupied. It is probably only in rare instances that the mamludars will have to fix an assessment on the cultivated portions of such fields under Rule 13. I think, therefore, no risk of misapprehension will occur through both rules being allowed to stand as at present.

20. In regard to Rule 5, I have to observe that, in the survey of the Southern Mahratta country, the preparation of a trustworthy and correct register of the holders of fields is effected in introducing the survey rates of assessment. Every person having a field entered in his name, or having claim to land, is summoned to attend at the settlement, and when the assessment of each field has been fully explained to the holder or holders, the field is entered in the register in his or their names for the ensuing year, in event of their agreeing to cultivate it at the survey assessment, and all disputes as to occupancy decided by the European officers on the spot. Copies of these registers, which may be considered among the most important documents connected with the survey, are then taken by the village accountants, who are required to prepare their cultivation returns in strict accordance with them, and the originals are deposited with the collector. I am having the forms in which the registers are prepared lithographed, in order to render it impossible for any fictitious documents to be substituted for the originals at any future time; and whenever the correctness of the village books happens to be called in question, they will afford the means of settling the point. Rule 5 is to be considered applicable to *bonâ fide* entries in the village books; but if we admit claims to the possession of land from parties whose names do not appear in them, and have not been fraudulently, or through mistake, omitted to be entered, I see no probability of the tenure of land becoming sufficiently simple and secure to admit of its being freely sold and transferred. If any other title to the possession of land than that of being entered in the public accounts, as the party responsible for its assessment, be recognized, I feel certain that the most important eventual benefits to be anticipated from the survey will never be realized. I consider Rule 5, perhaps, the most important in the joint report, and would strongly recommend that it be retained without qualification.

21. After weighing, to the best of my ability, the arguments adduced in the 11th and 12th paras. of your letter, and in the 11th para. of Mr. Secretary Lumsden's, I incline to the opinion that it would be advantageous to retain Rules 7 and 8, without allowing a discretionary power to permit, under certain cir-

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Letter to Acting  
Secretary to  
Government, dated  
26th October last,  
No. 206.

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cumstances, a sharer in a field to cultivate his own portion only, while the rest is allowed to become waste. Such a permission would, I much fear, lead eventually to great laxity of management, while it recognizes a departure from the cardinal principle laid down in Rule 3, that no field is, for any reason whatever, to be let for less than the survey assessment. Fields generally contain good and bad soil, and when once a share of a field is allowed to become waste, how are we to prevent the holder of the remaining share from appropriating the best part of the field as his particular portion, and leaving the inferior land as the thrown-up share, so as thus to take away all chance of the whole field being again brought under cultivation? The boundaries of the interior shares of a field are not marked out or described, and could not be so without incurring the danger of introducing confusion into the survey records; and even if this were done, the permission would entail the evil of an annual inspection and measurement to ascertain that the Government waste was not being encroached upon.

22. I believe that cases of real hardship under the rules in question would rarely, if ever, occur; but I feel certain, that if the latter are allowed to be broken through under particular circumstances, the exceptional cases will multiply to an extent likely to vitiate the whole survey system. Every general plan of management must involve hardship in occasional instances to individuals, but if calculated to promote the general good, I should deeply regret to see its integrity broken in upon for the sake of a few exceptional cases. The preservation of the integrity of the survey fields appear to me an object of such paramount importance, as far to outweigh the hardship of saddling a cultivator with a little more land than he wants, or even compelling him to relinquish some fractional portion of his paternal inheritance. If his means are so small as only to enable him to cultivate a fraction of a survey field, it would be a public benefit, in my opinion, to get the land out of his hands, and thus admit of the whole field in which his fractional share is included being transferred to some more substantial cultivator. There is danger on the side of over-leniency, as well as over-severity; and I am well persuaded that our revenue management generally is more open to the former than to the latter charge. Small farmers in particular parts of Europe have been got rid of with a degree of unscrupulousness that may have merited censure; but the rules of the joint report, when administered with even the most unbending strictness, will, it may be feared, hardly suffice to prevent the survey fields becoming split up into fractional shares, to a greater extent than at present.

23. I have requested you to furnish me with a copy of the rules regarding the cutting down of trees, contained in the Government letter, No. 390, of 12th February 1847, which Government desire to be substituted for Rule 11 of the joint report, and in event of their appearing to call for any remark on my part, I will submit my sentiments in regard to them in a separate communication.

[70.] 24. The object sought to be attained by Rule 12 is described and approved of in the 34th, 35th and 36th paras. of the Government letter; but subsequent to the date of the joint report, instances have come under my notice when the strict enforcement of Rule 12 would have, perhaps, needlessly prevented the cultivation of a large survey field bearing a high assessment; and I would therefore propose the addition of a clause to the rule, to the effect, that when the assessment of a waste survey field amounts to or exceeds 20 rupees, it may be entered in the names of two or more holders, on the condition that the assessment of any single share shall not fall short of 10 rupees. This would effectually prevent its subdivision into small patches, and at the same time facilitate the cultivation of any fields of more than the ordinary size and value, for which there might be no single individuals willing to engage.

25. With reference to the remarks in para. 43 of the Government letter, upon Rule 20 of the joint report, I would observe, that the giving up of an old, or taking up of a new field, may be considered a most important act to a cultivator, and that it, therefore, does not appear hard to require him to undertake a journey to the kutcherree with a view to its being duly ratified. The object of the rule is to give additional security to the tenure of the holder of land, by making the act of relinquishing or entering upon possession a public formal transaction, requiring the sanction of the mamlutdar or mahalkurree to its validity, so as to prevent the chance of any one being deprived of his land through collusion with the village officers or otherwise. The relaxation of the rule in particular villages for  
• a year

a year or two subsequent to the introduction of the survey, while much new land is being taken up, might not be followed by any injurious consequences; but I would strongly recommend that it be strictly adhered to in all cases connected with the relinquishment of land previously cultivated.

26. In reference to the remarks on the same rule, regarding the date fixed for receiving notices to resign fields, I am of opinion that the object of enabling the cultivator to make up his mind in regard to giving up any field at so early a date as the 30th April, would be accomplished by the addition of a clause to the rule, making it incumbent on the village officers to assemble all the ryuts on the above date, and, after explaining to them that they would have no other opportunity of relinquishing any of their fields, take down at once the names of all those wishing to do so, and send the list with the parties concerned to the mamlutdar. A public settling day of this kind would deprive the ryut of any plea for remissions on account of uncultivated fields, owing to forgetfulness of their exact date for resigning, and such like excuses, which it would be desirable to prevent if possible.

27. Government think it preferable that the periods to be fixed for the payment of the instalments, forming the subject of Rule 21, be disposed of apart from the ordinary survey rules; and though not disposed to dissent from this arrangement, I would yet respectfully submit, that the settlement of those periods is of very great importance to the success of the survey settlements, and I trust, therefore, it will not be considered irrelevant to offer in this place the following arguments in favour of those fixed by Rule 21. The proposed instalments would fall due on the 15th December, 1st February, 15th March, and 1st May, in the case of districts, when the early crops on an average of seasons predominate; and a month later, viz., on 15th January, 1st March, 15th April, and 1st June, in the remaining districts. Three principal objects were in view in selecting the periods in question: Firstly, to enable the cultivator to provide funds for the payment of his assessment from *bond fide* sales of produce. Secondly, to distribute the collections over a period of six months instead of four, as at present is generally the case, in order to afford the cultivator greater facilities for the disposal of his produce, and prevent prices becoming needlessly lowered during the collecting season by forcing sales of produce at a sacrifice, which will always be the case when the instalments follow each other too closely. Thirdly, to have the instalments invariable under all circumstances for each district, that the cultivators may be taught to use foresight, and adopt timely measures for providing the funds necessary to the liquidation of their rents, by removing the uncertainty and opportunities for jobbing and favouritism attendant on the plan of collecting the revenue by variable instalments, according to the report of village officers as to the proportion of early and late crops grown in each particular season. All of these objects I deem very important; and all will, it seems to me, be fully attained without the entailment of any countervailing disadvantages, by the adoption of the periods for the collection of the instalments mentioned in the rule.

28. In the earliest districts, viz., those lying immediately east of the Ghauts, in which the whole crop, with some few exceptions, belongs to the early harvest, no part of it could be got ready for market and sold much before the 15th of December; but, by making an effort, a cultivator could manage to sell by that time sufficient produce to make up the first instalment, which is only one-fourth of his whole assessment. An earlier date, then, than the 15th of December could not be fixed upon anywhere, without defeating one main object of the rule, which is to enable the assessment to be provided by actual sales of produce, instead of by funds taken up at an excessive rate of interest from money-lenders. In these early districts a considerable portion of the crop would be ready for market before the 1st of February, and there would be no difficulty in selling it in time to provide the second, third, and fourth instalments. In the case of the later districts, there would be everywhere a sufficient proportion of early crops grown to furnish the means of paying the first instalment, falling due on 15th January, and the late crops could be got ready and sold in time for the payment of the remaining three instalments.

29. In the case of both early and late crops, I feel assured that the adoption of a shorter interval than six weeks between each instalment would either have the effect of forcing sales of produce and bringing down prices, or of driving the cultivators to the money-lenders, from the want of time and opportunity to dispose of a sufficient portion of their crop to meet each succeeding instalment.

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I have frequently conversed with intelligent cultivators on this subject, and they have always been sensible of the great advantage that would result to them from lengthening the intervals between the instalments from a month to six weeks, and have freely admitted that, under such circumstances, they would never have occasion to borrow, or dream of doing so, in order to raise money for the payment of their rents.

30. The only objection occurring to me as likely to be raised against the adoption of these instalments has been alluded to in the 17th para. of your letter of 10th September 1847, in which you express an apprehension that by deferring the last instalment to so advanced a period of the year as the 1st June, in the case of late districts, there would be danger of a portion of the revenue being never realized at all. In regard to an untried experiment we can only reason from analogy, or state probabilities; but my own experience, and I have had more than once opportunities of observing the effect of deferring the instalments to later periods than had previously been in force, leads me most confidently to anticipate that the effect of the proposed change will be quite the reverse of that apprehended, and as surely facilitate the punctual realization of the revenue, as it would, without doubt, prove of advantage to the ryuts. Deaths by cholera have been very numerous in the settled districts of the Dharwar collectorate before the close of the collecting season, but I believe it will be found that they have never occasioned the loss of a rupee to Government. In every instance, or at least in so many that the exceptions become of no moment, the fields of deceased cultivators are retained by their heirs, who pay the balance gladly in order to secure possession of them. When the forfeiture of the field is made the penalty of non-payment, I do not believe that one instance out of a hundred would occur in which the balance could not be realized, and even in this case it would be necessary to suppose that the previous incumbent died a pauper, for otherwise the balance could be raised from the property left by him, or from his heirs, whether they retained possession of his fields or not. I firmly believe that in practice it would be found that the postponement of the instalments would not in the least degree increase the loss of revenue which has hitherto occurred through deaths.

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31. And if it be said that it would, however, occasion loss in the case of very poor cultivators, whose necessities might compel them to part with their whole produce before the last instalment became due, and who had nothing besides from which it could be realized, I would reply that nothing more desirable could occur, and that the sacrifice of revenue here contemplated would be far more than counterbalanced by the advantage that would accrue from ejecting such paupers from their occupancies, so as to allow of the land falling into the hands of substantial cultivators. I believe, however, that instances of this kind would very rarely occur.

32. I have only further to suggest the advantage of re-arranging the rules, when the various additions, omissions, and alterations to be made have been finally settled, and that Mahratta and Canarese translations of these amended rules, after having received the approval of the Revenue Commissioner, should be lithographed, and furnished to the several collectors for the use of their district and village establishments. In my opinion, the records of every village should be supplied with a copy of the rules, for, unless this be done, I do not see how the village officers and people generally are to acquire an adequate knowledge of the principles and practice of the survey settlements, which will have so important a bearing on their future welfare.

I have, &c.

(signed) *G. Wingate,*

Superintendent Revenue Survey and Assessment,  
S. M. C.

No. 17 of 1849.

To *E. H. Townsend*, Esq., Revenue Commissioner, S. D.

Superintendent's Office, Ahmednuggur,

21 February 1849.

Sir,

In accordance with the instructions conveyed in your memorandum, No. 3330, of 13th October last, along with which were received copies of your letter to Government, No. 2258, of 10th September 1847, transmitting a joint report from the three superintendents of revenue survey, dated 2d August 1847,  
and

and Mr. Secretary Lumsden's reply, No. 5593, of 22d September last, I have the honour to submit such remarks as appear to me to be called for by the purport of the Government letter.

2. A perusal of the correspondence leads me to conclude that it is only necessary that I should state such additional arguments as occur to me regarding those questions brought forward in the joint report, which are still under discussion, and this I shall, therefore, proceed to do as briefly as possible.

3. In paras. 4 to 10 of the joint report, the objects of a revenue survey are described, and, along with other questions, the superiority of an annual settlement with each cultivator, according to his holding for the year, over a lease binding him down for a longer period, is discussed. With reference to this subject, it is stated in para. 2 of the Government letter, that "his Lordship in Council does not feel quite assured that the decision at which the committee has arrived is correct. It is at least not so clearly exemplified as to remove all doubt as to the accuracy of the result." As I cannot hope to express my sentiments in favour of the annual settlement more clearly than has been done by the committee, I shall not attempt to do so at all; it may not be out of place, however, to consider how both systems would work if carried out in practice, or whether, under the existing deficiency of capital, and the generally impoverished condition of the cultivators, throughout the districts hitherto surveyed, and those under survey, it would be practicable to introduce any satisfactory system whereby the survey settlements could be administered by long leases. The following statements relative to the talooka of Rahooree, of this collectorate, and which, with respect to farming capital and capabilities, is perhaps on the whole not an unfavourable specimen of a Deccan district, may tend to elucidate this mode of viewing the question.

4. In the above district there are about 200,000 acres of arable land, of which from 60 to 80,000 acres are at present under cultivation. There are only 8,475 working bullocks in the district; and from my knowledge of the general poverty of the cultivators, I should think it no exaggeration to assume that four-fifths of this class are more or less involved in debt. It is evident that even under the influence of fixed and equitable rates of assessment, the district can only slowly and gradually recover from such a state of depression, and that a long period must elapse before farming capital can be accumulated to the extent required for the complete development of its agricultural wealth. Unless the present amount of farming stock were at once trebled or quadrupled, it would be impossible immediately to bring under proper cultivation all the lands of the district. The revised survey rates, by securing a fair profit to the cultivator, and enabling him by degrees to free himself from his liabilities, and to add to his resources, will doubtless in a great measure effect this, but only slowly and progressively; and that the result can be attained at all, it seems essential that the cultivators be left entirely independent and unfettered.

5. In introducing revised rates into a district similar to that described above, it would, I conceive, be very dangerous to attempt to bind cultivators by long leases. The settling officer would have no satisfactory data whereby to ascertain whether a cultivator desirous of entering into a contract of the kind mentioned in para. 10 of the Government letter, possessed sufficient capital to enable him to meet his engagements. Were a cultivator to contract for more land than his means warranted, or were he at any time to be deprived, by adverse circumstances, of a portion of his farming stock, he would have to resort to the money-lender or become bankrupt, and throw up his entire holding; and in either case he would be in a much worse condition than before. A more general view of the question would exhibit the same results, on an enlarged scale. Were all the lands in the district leased out, and a succession of unfavourable seasons to occur, during which period the cultivators could neither earn an income sufficient to meet their own wants and the Government demands, nor be able to contract their cultivation and liabilities according to their diminished returns, they would have, as a matter of course, to encroach on their capital; or, in other words, the district might be placed in the position of a person who is living beyond his means, and who, finding the interest on his capital insufficient for his expenditure, is obliged to resort to the principal, and who thus in time effects his ruin.

6. But allowing that the settling officer could originate, in a satisfactory manner, the scheme of leasing out the holdings for lengthened periods, the general

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condition of the cultivators would only admit of a very small portion of the district being taken up for cultivation on such terms, at the time of the introduction of the revised rates; and should the system gradually be brought into operation during the period of 30 years for which the latter are fixed, it is to be apprehended that in its working it would afford much room for the display of the intriguing propensities of our native officials, and that it would necessarily involve a more minute scrutiny into, and interference with the affairs of the cultivators than would be compatible with those feelings of independence which it is so desirable to excite in them.

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7. The above considerations alone would lead me to conclude that in those districts to which the survey operations have hitherto extended, it would be difficult, if not impracticable, to introduce leases for lengthened periods with any hopes of successful results, and that it is only by means of annual settlements that the revised rates can be administered. Fluctuations in the cultivation and revenue are not to be attributed to short leases, but to the deficiency of capital in a district, the general poverty of its inhabitants, and the obstacles presented to them in the acquisition of gain. No fears, I should think, need be entertained of the cultivators becoming, under favourable circumstances, prosperous and independent. They are, as a class, most persevering, industrious, and shrewd, and the prospect of success alone is wanting to stimulate their energies in the pursuit of gain. Were the cultivators, as a body, in good circumstances, and agriculture a profitable occupation, remissions and inspections of crops might be entirely done away with, without danger to the interests of the ryot, or eventual loss of revenue to Government.

8. The subject of the settlement of village boundary disputes is treated of in paras. 22 to 28 of the joint report, paras. 4 and 5 of your letter, and paras. 12 to 15 of the Government reply, and as the only doubt regarding the practicability of the scheme proposed by the committee relates to the permanency of the settlements effected by the survey officers, I have no hesitation in stating my conviction, that if the decisions be considered by the local officers as binding and unchangeable, and upheld accordingly, there will not be the slightest difficulty in preserving them.

9. The great difficulty in maintaining former settlements has been, in most cases, the impossibility of ascertaining from the written descriptions thereof the boundaries intended to be defined, and the consequent inability of the officer, to whom at any subsequent period a reference regarding a settlement might be made, to judge of the merits of the case, without examining an immense mass of contradictory documents, any attempt to elucidate which, by recording further evidence, only tended to nullify the settlement, and to leave the dispute in a somewhat more complicated state than before.

10. The boundaries settled by the survey officers are defined by marks, and are permanently recorded in the village maps. It is true that the marks may be destroyed; but as their destruction constitutes an offence which renders the perpetrators liable to severe punishment, according to the Regulations, such will very seldom occur, and the settlements would not be affected thereby, as the line of boundary can easily be established and renewed by means of the map. I beg to remark, however, that although it might be difficult, in some cases, to obtain legal proof as to the parties actually engaged in the destruction of the marks, such a work could very seldom be effected without the knowledge and connivance of the village officers, as the boundary marks are numerous and of large size, and to remove them entirely would occupy much time and labour.

Para. 18 of Government letter.

11. A further consideration of the subject of rice classification does not enable me to bring forward any rules which would be generally applicable to all the surveys. The rice lands of this collectorate differ very much from those of Dharwar. Mr. Tytler, whom I have consulted, informs me that he observes that there is even a great difference between the Desh and Dang rice lands of this zillah. There is probably a much greater difference still between the rice lands of the countries above and below the Ghauts; I am therefore of opinion, that until we have more certain data to guide us, it would be inexpedient to attempt to draw up general rules for the classification of rice lands.

12. With reference to para. 23 of the Government letter, I would beg to suggest that para. 83 of the joint report be modified, and stand as follows:—

83. The introduction of the survey settlements should, in our opinion, be effected by the superintendent, in conjunction with the collector, when circumstances

circumstances admit of this officer's presence without interruption to the other duties of his charge, in order that the latter may be enabled to judge of the system, and the former have an opportunity of observing the practical working of the details, and of explaining them fully to the local revenue officers in charge of the district, as well as of overcoming any difficulties and meeting any objections which may present themselves in the course of the settlement. In case of the collector not being able to attend, he should nominate an experienced assistant to be associated with the superintendent on the occasion.

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13. The concluding part of Rule 4 of para. 84 of the joint report, as surmised in the 14th para. of your letter, only applies to cases in which small internal portions of land are deducted as "unarable" from fields on which an assessment has been fixed, and therefore does not appear to call for amendment. Rule 13, on the contrary, applies to fields on which no assessment has been fixed, but which hereafter might be brought under cultivation; for instance, tracts of dense jungle, which it would be impossible at the time of survey to break up into numbers and classify, but which might contain very good arable land. The fact of these fields being entered in the registers without any assessment having been fixed on them, would sufficiently indicate them to the local officers, but the latter might have some difficulty in fixing rates at a future period should the fields, or portions of them, be taken up for cultivation. To obviate this, I would propose that the lowest rate per acre entered in the registers for other dry crop lands of the village be levied. This appears just, as, though the lands might actually be capable of paying higher rates when cleared and prepared for cultivation, a considerable expenditure of labour and capital would in the first instance be required. It would not, perhaps, be advisable to enter rates for such lands in the registers, as they might tend to mislead, should the assessment be revised at the termination of the period of 30 years, for which the settlements are binding. Rule 13 might be modified as follows:—

Paras. 9 and 14 of  
your letter.  
Para. 27 of Go-  
vernment reply.

13th. There are some survey fields, consisting in great part of land covered with dense jungle, or otherwise unsuited in their present state for cultivation, upon which no assessment is placed in the survey registers. In the event of portions of such fields being brought under cultivation, rates of assessment should be fixed by the mamlutdar upon the acres under tillage, equivalent to the lowest rates for dry crop soils in the same village. This rule applies to all fields in the survey registers on which rates of assessment have not been fixed.

14. During the progress of the survey operations, all disputed claims to the occupation of fields are noted, and they are investigated and settled by the superintendent when introducing the revised rates, and agreeing with each cultivator for the land to be taken up by him. With regard to fields, the occupation of which is not disputed, the rights of the *bona fide* holders are maintained, and their names are entered in the cultivation returns accordingly. After the introduction of the settlement, the proper insertion of the holder's name in the cultivation returns is, I conceive, provided for by Rule 20, which does not give village officers the power of making entries on the subject in the village account, without an order from the mamlutdar or mahalkurree. Under these circumstances, no alteration suggests to me by which Rule 5 would be improved.

Para. 10 of your  
letter.  
Para. 28 of Go-  
vernment reply.

15. Very few cases in this collectorate would come under the provisions of Rules 7 and 8, as the holdings are generally of larger area than that required by Rule 1 of para. 17 of the joint report. As these rules, however, only contemplate a cultivator being obliged, under certain circumstances, to enlarge his holding to a size capable of being cultivated by a single pair of bullocks, and no more (*vide* Rules 5 and 7 of para. 17), I can anticipate no obstacles to their satisfactory working. The rules, modified according to the tenor of the remarks contained in para. 30 of Government letter, would stand as follows:—

Paras. 11 and 12  
of your letter.  
Para. 30 of Go-  
vernment reply.

7th. When two ryuts hold a field, and one of them relinquishes his share, or dies without heirs, the share thus lapsing is to be offered in the first instance to the other sharer, before it is offered to any other; and in event of the said sharer declining it, and no other party applying to take it up, the former must relinquish his share too, and allow the whole field to

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become waste, unless, on an appeal being made by the party concerned, the collector shall, from inquiry into the case, see fit to decide otherwise.

8th. When there are more sharers than two in a field, and any of them relinquishes a share, it should be offered, as above, to the sharers in the first instance; beginning, in event of their failing to settle the matter amongst themselves, with the largest sharer, and so on to the least. If none of these nor any other party be found to take up the relinquished share, the whole field must be thrown up, unless, on an appeal being made by the parties concerned, the collector shall, from inquiry into the case, see fit to decide otherwise.

16. According to the purport of para. 33 of the Government letter, Rule 11 would require to be modified as follows. I have assumed that the rules prescribed in Government letter, No. 390, of 12th February 1847, for regulating the power to cut down trees, do not apply to cases in which the trees might become the property of a holder of Government land by purchase, under the provisions of Rule 2.

11th. Holders of Government fields, or occupants of meeras, joodee, or enam fields, holding the same from Government, have no right to cut down trees growing therein, unless by express permission, and according to the rule sanctioned in Government letter, No. 390, of 12th February 1847. Those trees, however, which have become the property of the holder by purchase under the provisions of Rule 2, may be cut down without permission. In all cases, trees growing on the boundaries of fields must be preserved as land-marks.

Para. 15 of your  
letter.  
Paras. 40 to 41 of  
Government reply.

17. With reference to the remarks contained in para. 41 of the Government letter, I beg to suggest that Rule 16 be modified as follows:—

16th. The grazing of the unarable and other fields, not subjected to assessment in the survey registers, should be sold by auction by the collector, as in the preceding rule; a reasonable proportion being set aside for the free pasturage of such villages as have hitherto enjoyed this right.

Para. 16 of your  
letter.  
Para. 43 of Go-  
vernment reply.

18. With respect to the clause in Rule 20 which requires those ryuts who relinquish fields or take up new ones for cultivation to attend at the mamlutdar's or mahalkurree's cutcherry, I would respectfully state my opinion that although some trouble may be caused to the ryuts in consequence, there are, on the other side, many reasons which might be urged in favour of its enforcement. Were the applicants to appear before him, the district officer would be better able to satisfy himself that the interests of Government are properly attended to; whereas such might not always be the case if the details be left to the management of the village officers. The fraudulent practices and the bad results arising therefrom, which are described in the 10th para. of your letter, and which, it is to be feared, are not confined to a single village or district, could not be easily guarded against for the future, if the village officers be licensed to make their own arrangements regarding the disposal of the village lands.

19. The very unsatisfactory systems which have prevailed in some districts regarding the giving out of land for cultivation have probably, in many cases, impressed the village officers and cultivators with very loose notions on the subject; and every precaution ought to be adopted to amend this, in districts especially where revised rates are being introduced, and the successful operation of which depends so much on the manner in which they are administered. Formerly village officers were sometimes discovered to be cultivating fields, the names of other holders being entered in the accounts; many cultivators were allowed to be continually changing their holdings, or to take up portions of fields for cultivation; and that these and other irregularities may be entirely put a stop to, it appears to me to be necessary that a vigilant watch be kept on the proceedings of the village officers, and that they should be entrusted with as little power as possible.

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20. In many villages, the coolkurnee is the only person who can read and write, and unless the party wishing to take up a field be sent with his application to the district officer, the latter must be entirely dependent on the statements of the coolkurnee; and as, under the revised rates, there are in many cases several applicants for the same field, the coolkurnee might unduly favour the interests  
of



of his friends, or of those cultivators who choose to propitiate him by means of a present.

21. I am not prepared to state how Rule 20, regarding revenue instalments, would operate generally throughout all the surveyed districts, and, therefore, refrain from making any remarks on the subject.

Paras. 17 and 18  
of your letter.  
Para. 43 of Go-  
vernment reply.

I have, &c.

(signed) *G. S. A. Anderson,*

Superintendent, Ahmednuggur Revenue Survey and Assessment.

*P.S.*—With reference to your letter, No. 68, of 9th ultimo, I beg to apologise for the delay which has occurred in forwarding this letter. My time has been so much occupied by other duties that I have been unable to transmit it at an earlier period.

(signed) *G. S. A. Anderson,*

No. 33 of 1849.

To *E. H. Townsend, Esq.,* Revenue Commissioner, Southern Division.

Sir,

Sungumneir, 28 May 1849.

IN reply to your letter, No. 2256, of the 16th instant, I have the honour to state, that I did not perceive that my opinion was called for on the Government letter, No. 5593, of the 22d September last, to your address. I now, however, beg to forward such observations as suggest themselves to me.

2. The plan of leases, proposed in para. 10 of the Government letter, would give the lessees a five per cent. reduction on the rates fixed by our surveys. Were this reduction to secure the abolition of remissions to the lessees, it would be cheaply purchased; but I fear it would not. It seems to me that the ryuts, in surveyed districts, are already as far bound by lease as they, in the present state of the country, can be; and if the great object of our revenue surveys is not gained, the cause thereof will be traceable, I think, not to the absence of leases, but to the fact of the new rates not being sufficiently low. If, therefore, our surveys fall short of their object, I should prefer a general reduction of five or other per cent. to an individual one. This would be more simple and uniform in its operation, and, being more general, would be more effectual.

3. In para. 12 of the Government letter, it is observed, that nearly all boundary disputes have "been made the subject of investigation previous to the survey, with a view to settlement, while not one in a hundred has been actually disposed of." This is because officers have corresponded and not acted. As the rules proposed in the joint report involve action without correspondence, I have no doubt of their succeeding.

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4. In the Dang country I pursued a different course. I always employed a native punchayet, under Regulation VII of 1827, section 3; with one or two exceptions, all have been thus settled; and, to the best of my belief, every adjustment has to this day remained undisturbed and binding. By a rule of the Suddur, an adjustment by punchayet, under mutual agreement, cannot be disturbed.

5. While I prefer a punchayet to any individual settlement, if the members are judiciously selected and directed, owing to the local knowledge which they must necessarily possess, I would not propose any alteration in the rules laid down in the joint report, because I think them all well suited to the end in view; while the survey officers, not being in permanent charge of the talooka, would have difficulty in selecting, forming and directing punchayets.

6. As regards rules for classifying rice land, those in force in the Nuggur Dangs have been sent either officially or demi-officially to all the surveys. They give the framework of the system, and explain the mode of valuing, first separately, and then conjointly, the influences which combine to determine the class to which the field belongs. With the trifling alterations required to adapt them to the varying circumstances of the different districts, they have probably been adopted in most of the surveys. In Poonah they formerly were not, but have lately been so.

Para. 18 of Go-  
vernment letter.

7. I do not think that it is necessary to insist on ryuts proceeding to the mam-

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lutdar's  
Para. 43 of Go-  
vernment letter.

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lutdar's kutcherry to obtain new land; heads of villages may be allowed this patronage. They require building up; and anything tending to this, without involving injury to other interests, is, I think, beneficial.

I have, &c.

(signed) *C. E. Fraser Tytler*,  
First Assistant Collector, late Superintendent Dang Survey.

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MINUTE by the Right honourable the Governor, dated 20 October 1849, concurred in by the Honourable Mr. *Willoughby* and the Honourable Mr. *Blane*.

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Para. 2.

THE Revenue Commissioner, Southern Division, informs us that he fully concurs in the remarks made by Captain Wingate in paras. 2 to 11; so do I, and so I anticipate will my more experienced colleagues, when they read the very forcible and well-expressed arguments used by that most able and intelligent officer.

" 3.

2. The objections made by the Revenue Commissioner, Southern Division, in para. 3, will, I am of opinion, be met, as far as is at present possible, by adding the following words to Rule 5: "and in cases where the tenure precludes summary ejection, the collector will observe the forms necessary to give his orders the force of a legal decree."

" 6.

3. In the remarks made by the Revenue Commissioner in para. 6, regarding the other provisions of this (the 5th) Rule, I concur.

" 5.

4. The explanation given by Captain Wingate shows that Rule 4 is not in any respect at variance with Rule 13, and the adoption of the proper technical words, when these rules are rendered into the vernacular languages, and the rendering of Rule 13 as proposed below, will, no doubt, prevent the local revenue officers misreading either. In the English version of the Rule 4, the word "barren" may be substituted for "unusable."

" 17.

5. I do not approve of Lieutenant Anderson's proposed amendment of the latter portion of Rule 13, regarding the rate of assessment to be imposed, but would adopt that substituted by him for the former portion.

" 7.

6. Rules 7 and 8 should, in my opinion, be relaxed only in cases in which "any of the co-sharers in a field have held possession of their land for upwards of 20 years," and then never but in cases in which the collector himself, or an experienced assistant, may consider the relaxation absolutely necessary to prevent considerable hardship being entailed on individuals.

" 9.

7. For the reasons recorded by my immediate predecessor in the Government, in paras. 27 to 31 of his minute of 16th November 1847, I am averse to any modification of Rule 12, but being willing to defer to the opinion of officers possessing the practical experience of Messrs. Townsend and Wingate, will not object to the alteration they propose.

" 10.

8. Captain Wingate's arguments in support of Rule 25 are certainly worthy of attention, and would have appeared to me to be conclusive, but for the practical objection raised by Mr. Townsend at close of para. 10, an objection to which, I think, Captain Wingate must yield. Rule 25 should, however, be so altered as to give due form to the act of resigning or taking up a field, and as far as can be, to prevent "jobbing" on the part of the village authorities. The arrangement proposed by Captain Wingate in para. 21, should certainly be enforced, as recommended by Revenue Commissioner.

" 21.

" 11.

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" 12.

9. I am in favour of Rule 21 standing as originally proposed, but shall not object to the collectors being informed, with reference to this rule, that if they consider necessary any alteration in the kists therein laid down, they are forthwith to state in detail their reasons for so thinking, in a letter to the Revenue Commissioner, who will forward the same to Government. The collectors may be so informed in a foot-note to the English version,

" 16.

10. I do not approve of the alteration proposed by Lieutenant G. S. A. Anderson, in para. 12 of his letter. If the collector himself holds direct charge of the districts, he will, of course, be present at the introduction of the survey settlement; as will he also be if the assistant collector in charge is not sufficiently experienced to form a correct opinion as to the merits of what is being done, or if for any other reason he thinks proper to watch proceedings. The assistant himself, though ever so inexperienced, should also be present, for he

he cannot be in a better school in which to learn the most important parts of his revenue duties. The rule may be so worded as to give effect to these instructions.

11. The Revenue Commissioner, Southern Division, and Superintendents Revenue Survey, are in possession of the views of Government as regards the felling and cultivation of trees, and the rule on the subject should therefore be worded so as to give effect to those views.

12. The amendment proposed by Lieutenant G. S. A. Anderson of Rule 16, approved.

13. The remaining paras. of the letter from the Revenue Commissioner, Southern Division, do not appear to require any particular notice.

14. The Superintendent Revenue Survey, Southern Mahratta country, should be furnished with a copy of the Revenue Commissioner's letter and its accompaniments, and of the Government reply, as also with transcript of the joint report, which last document he should be requested to prepare for the press, by making such alterations in the body of the paper, and adding such foot-notes as will show how the rules stand, and are to be acted on according to the modifications we have enjoined.

15. When the English version has been printed, Canarese and Mahratta translations of the rules should be prepared and lithographed, as recommended by Captain Wingate in para. 32 of his letter of the 23d December last, No. 239.

(signed) *Falkland.*  
*J. P. Willoughby.*  
*D. A. Blane.*

20 October 1849.

No. 6 of 1850.

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From *G. Wingate, Esq.*, Superintendent Revenue Survey and Assessment, Southern Mahratta Country, to *H. E. Goldsmid, Esq.*, Secretary to Government, Bombay.

Superintendent's Office, Camp, Kolapoor,  
7 January 1850.

Sir,

In compliance with the instructions contained in your letter of 16th November last, No. 6901, I have the honour to return the joint report therewith forwarded, to which I have made such alterations, and added such foot-notes as appear to me sufficient to show how the rules for the future management of surveyed districts stand, and are to be acted on, according to the modifications Government has enjoined. The alterations and additions made will be understood from the following explanations.

2. No change has been made in the body of the report, excepting in the case of the rules following para. 84; but a note has been added to para. 83, to give effect to the instructions contained in para. 11 of the Government letter, No. 6900, above quoted.

3. The sanctions for the rules, as they now stand, are quoted in the margin, and remarks by Government, qualifying them in application, are given in foot-notes.

4. In Rule 2, I have added to the sentence, "but in case of valuable fruit and other trees standing in fields," the words, "assessed at dry crop rates," which appear to me necessary to prevent misconception, as the fruit of waste gardens is often sold by auction; but as garden-fields pay the higher assessment of irrigated land, it was not intended that a cultivator, agreeing to bring them again into cultivation and pay this assessment, should have to purchase the trees in addition. I have also added, in a subsequent part of the same rule, the words, "offered at a fair upset price," to show that the rule does not enjoin a peremptory sale of trees, when a fair price cannot be obtained for them. I have also added a foot-note, to explain that this rule does not apply to fields specially reserved for the growth or preservation of trees. These additions have not been expressly enjoined by Government, but are, I believe, in accordance with its views, and will, I trust, be approved of.

5. Rules 4 and 5 have been amended, as enjoined by Government.

6. Rules 10 and 11 have been altered, and will, I hope, now be considered in consonance with the views of Government referred to in the 12th para. of your letter, No. 6900. These rules might, perhaps, with advantage be divided; but for the sake of facilitating reference, I have thought it better to adhere to the numbering of the rules given in the original report. I have not inserted any

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preamble to these rules, declaring the right to cut (on application) trees in Gutkool land to be "permissive," and not "proprietary," recommended in the 3d para. of Dr. Gibson's letter, No. 226, dated 17th April 1846; as a chief object of the survey rules, generally, is to convert the tenancy at will tenure of the Gutkool lands into a proprietary and saleable occupancy, and I think Government would not desire the insertion of aught that would have a tendency to interfere with the attainment of an end so important. In reference to Dr. Gibson's suggestion in the same letter, to substitute for "a period anterior to the age of the trees," "a term of 20 years," I have thought it best to insert both terms in the rule; for, while the latter is desirable to prevent trouble and dispute regarding the age of old trees, which Dr. Gibson apparently had in view, the former is equally necessary to reserve to the holder of a field a right over all trees reared by himself, with which it would be wholly at variance with the spirit of the rules for Government to interfere.

7. Rules 12, 13 and 16 have been amended, as required by the Government instructions.

8. I have altered Rule 20 so as to meet the views of the Revenue Commissioner and Government, though I feel it incumbent on me to acknowledge my preference for it as it originally stood. In the new rule I have endeavoured, by requiring the attestation of witnesses to a petition to resign land, and the immediate transmission of the petition to the mamlutdar or muhalkurree for countersignature, to guard against any one being deprived of his land through fraud or collusion on the part of the village officers or others. The risk of this is considerable, and will increase if the possession of land become more coveted than at present. The objection urged by the Revenue Commissioner, in the 10th para. of his letter of 10th August last, to the original rule, as throwing additional work on officers already overwhelmed by the multiplicity of their duties, is one of great force, and would be conclusive were this invariably the case; but I apprehend that, in bringing it forward, he had hardly in view the immense reduction of revenue work requiring to be done by the district officers effected by the survey settlements. In those districts of Dharwar in which the survey has been some years in force, I have myself been assured by the district officers that they have little revenue business to perform besides the preparation of the usual routine papers for the hoozoor, and that for days and even weeks together they do not receive a petition on the subject of land or revenue. I am of opinion that the revenue duties of mamlutdars in surveyed districts are, even now, far from overwhelming, and that they may be expected hereafter, when the village officers are placed on a more efficient footing, to become of very easy performance. I do not, however, urge the re-adoption of the original rule, as the provision of the amended one will, I trust, have the effect of preventing jobbing in the disposal of land on the part of the village officers.

9. I have added a clause to the form of proclamation in Rule 23, to intimate that wilful injury done to boundary marks is a criminal offence, and punishable under Act III. of 1846, which I trust will be approved of.

10. These are all the alterations and additions made in the rules, with the exception of one or two unimportant verbal amendments, which do not appear to require specification.

11. I am not aware whether it is the intention of Government to print the joint report, as now amended, by itself, or along with the rest of the correspondence, but I think the latter plan would be preferable, as likely to afford the means of clearing up obscurities and resolving doubts, observed or suggested during a perusal of the report. And in case of its being resolved to print the correspondence entire, I may here bring to notice, with a view to its correction, an important error occurring at the close of the 34th para. in all the copies of the Government letter, No. 5593 of 1848, which I have seen, where the word "prohibited" is used instead of "promoted," by which the sense of the passage is made exactly the opposite of that intended.

I have, &c.

(signed) *G. Wingate*,  
Superintendent Revenue Survey and Assessment,  
Southern Mahratta Country.

## A P P E N D I X.

(1.)

## Appendix, No. 1.

To John Vibart, Esq., Revenue Commissioner, Poona.

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Appendix to  
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and Assessment  
under the Bombay  
Presidency.

Sir,

Ahmednuggur, 17 October 1840.

IN compliance with instructions received from you, we have effected a meeting for the purpose of taking into consideration the documents explanatory of the system of settlement being pursued in the North-Western Provinces, received from the Government of India, and tendering our opinions as to the expediency of adopting therefrom any measures calculated to improve the plan of operations for the survey and assessment of the Deccan, proceeding under our superintendence. Having given the subject our most attentive consideration, we now beg to submit the following report.

2. In proceeding to consider the applicability of the plan of settlement followed in the North-Western Provinces to the Deccan, we shall, in the first instance, briefly refer to the most important points in which the circumstances of the two countries differ, as the fitness of any public measure must be determined with reference to the usages obtaining in the country where it is proposed for adoption.

3. In the North-Western Provinces the land tax is assessed upon estates generally comprising many occupancies, instead of upon single fields, as here. An estate may be a single village, or occasionally only part of a village; an aggregation of villages, or parts of villages; and instead of being simply the property of one individual, is almost invariably that of many proprietors, who are jointly responsible for the payment of the land tax, which is assessed on the estate in the lump. In the Deccan, on the contrary, the existing divisions of land are usually fields of moderate size, capable of being conveniently cultivated by one person; these divisions have been preserved in our settlement, and the land tax fixed independently upon each. An estate, therefore, in the North-Western acceptance of the term, may comprise one or many of such fields, and be the property of one or many persons; the chief distinction of the two being the difference of size in the division of land upon which the tax is fixed. The assessment, however, in the Deccan has not been fixed upon fields, in consequence of the non-existence of estates; for there are divisions of land, held by brotherhoods of meerasdars or proprietors, which seem to correspond very nearly with the mehals of the North-Western Provinces; nor from the absence of mouzas, for the whole country is apportioned into villages, which, however, differ from those of the North-Western Provinces in their greater size, and in comprising within their limits not one or few, but numerous estates, having actual possessors, under the denomination of meerasdars, or which, from the extinction of the original proprietors, have lapsed to Government, or become "gutkool," but are still known by distinctive appellations.

4. We do not feel ourselves competent to canvass the North-Western system, with reference to the country where it is found; but it appears imperative to show that the objections preferred by the Sudur Board of Revenue against the Madras ryotwar settlements, in their letter dated 20th March 1838, to the address of the officiating Secretary to the Right honourable the Governor-general, are in nowise applicable to the system now pursued in the Deccan, and at the same time briefly to take notice of the chief advantages brought forward by the Board as distinctive of the North-Western system, but which we believe to be equally secured by ours; and, in doing so, we shall take up the subjects in the order observed by the Board.

## I. WITH REFERENCE TO THE SIZE AND NATURE OF THE ESTATES, AND THE MEANS TAKEN TO EFFECT A SURVEY OF THEM.

5. It is objected by the Board to the Madras system, that the survey is confined to "a few estates scattered over the face of the country, which have been created and assigned to certain individuals." With us no estates have been created or disturbed. Such as existed exist still; and here, equally as in the North-Western Provinces, a whole district is divided into villages: each of these villages has its known boundaries; the position, extent, and capabilities of each village have been determined and recorded. We have, further, an accurate record of the extent, capability, and position of each field or number within the village; and though we have no scientific delineation of the boundaries of villages, we have yet maps showing the relative position of fields, rivers, roads, sites of buildings, wastes, &c., prepared with care by natives, under the superintendence of European officers, which we believe sufficient for all useful purposes, and certainly, judging from the papers before us, much superior to the khusreh map of the North-Western Provinces. An estate or holding may consist of one or more fields, and be held, as in the North-Western Provinces, in severalty or by many co-parceners, under joint responsibility; but the circumstances of the assessment being fixed upon fields instead of estates, and of no portions of different estates being included

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included within one field, renders any further apportionment or allotment of the tax unnecessary, and admits of the freest transfer of property, whether by judicial process or private agreement.

6. It is stated by the Board that in Madras "the extension of cultivation, without a corresponding increase of demand, is strictly interdicted," but "that in the North-Western Provinces each village, and consequently each estate, contains a quantity of waste and cultivable land; and the proprietor, during the period of the settlement, is entitled to the whole profits of all he can make out of this land without any increased demand, although the amount of waste land has generally some considerable influence upon the collector in settling his jumma." The case here is the same as in Madras, but it is most certain that this has not been found to oppose any obstacles to the extension of cultivation. On the contrary, as has already been brought to the notice of Government, in all districts of the Deccan yet settled by us, cultivation has increased with unexampled rapidity, so much so as to give occasion for apprehending it to have extended beyond what the accumulation of capital would warrant, and, at all events, far beyond any previous anticipation. And it may be also argued in favour of this mode of settlement, that by it Government is enabled to fix the jumma of a district, in the prospect of the waste being brought gradually under cultivation, and thus ensure the demand being lightest in the early years of the settlement, which admits of a more rapid accumulation of capital in those years, to be employed in bringing the waste under cultivation, than would be possible with an invariable annual demand, settled at an average of what the district is anticipated to yield during the whole term of the lease.

7. In Madras, as stated by the Board, the survey was not checked by any professional measurement, so that its correctness must have rested more upon the honesty of the measures than the superintendence of European authorities, while the absence of maps is considered an insuperable objection to any survey professing to specify the contents of each field. The latter objection does not apply to the present survey of the Deccan, which is illustrated by village maps superior to the khusrahs of the North-Western Provinces; and the work of the native measurers is also checked by a professional measurement by European officers; not, however, by surveying the whole area of a village, but more effectively, it is believed, by selecting and re-surveying a portion of the work of each measurer in every village. The work of our native measurers is performed by means of a cross staff and chain, as we believe has been adopted in the latest surveys in England, where great accuracy in ascertaining the areas of small spaces is an object; and in proof of the accuracy attainable by this description of measurement, as well as of the efficiency of the check kept up by the European officers, we may add that the average amount of error in the Deccan survey has recently been brought within two per cent.; further accuracy than which, even if obtainable, would in a practical point of view be useless. The maps have also been laid down of late by our native measurers according to a scale, and admit of being constructed with an extraordinary degree of accuracy, considering that this is done without the aid of instruments for measuring angles. We take the present opportunity to forward for the inspection of Government copy of one of these maps for the village of Koombharee, in the Chandhore talooka of the Nuggur collectorate.

8. It is remarked by the Board, "that the Musahat records, prepared according to Regulation VII. of 1822, specified many trifling and insignificant peculiarities of soil and produce, which have, however, been subsequently discontinued as useless." At the time of Mr. Pringle's survey of the Deccan, there were some very detailed and intricate records prepared, under the name of Kyfeuts, which we have also found it expedient to do away with as useless, and tending by their great length and complexity to involve in obscurity, rather than elucidate, the subjects of which they treat, and by their very bulk to render the detection of errors a matter of impossibility.\*

9. From the 18th to 24th paras. of their letter, already quoted, the Board describe Sir T. Munro's system of classification and assessment, and give it as their opinion "that a detailed classification such as his would, if made with tolerable accuracy, be sufficient for the purpose of assessment and the future management of estates, where property in land attaches exclusively to the Government, no parties existing intermediately between the state and the actual cultivators of the soil, who have a right to regulate rents, and enjoy a portion of them, but would not be adequate to those purposes where proprietary rights are recognised as attaching to individuals; and a title to change the rent of fields, or to disregard the customs by which the amount of them has always been regulated, at the pleasure of the ruling authority, is neither claimed nor asserted." As proprietary rights are fully recognised under our settlement, and the Board's objections, if applicable to Sir T. Munro's system, are equally so to ours, we deem it incumbent to state our reasons for believing the Board to have arrived at a mistaken conclusion upon this important point. It appears to us that a proprietary right in land can only be destroyed by the imposition of an assessment so heavy as to absorb the whole of the rent; for as long as the assessment falls in any degree short of the rent, the portion remaining will give a value to the land, and enable its possessor to let or sell it, which of necessity constitutes him a proprietor. Whether or not Sir T. Munro disregarded the rights of the real proprietors, and recorded the land simply in the names of the actual occupants, who thus became responsible for the payment of the assessment, we do

\* The Kyfeuts prepared for many of the villages assessed by Mr. Pringle were upwards of 300 yards in length.

do not think it necessary to inquire; but we unhesitatingly record that our settlement recognises all existing proprietary rights, and that the proprietor has the fullest liberty to assign his land to under-tenants upon whatever terms he chooses, and which right is everywhere exercised. The imposition of a land tax upon every field in England would no more destroy proprietary rights than the existence of tithes does at the present moment, and it is the amount, not the mode of assessment, that could by possibility do this. An assessment in excess of the rent would destroy proprietary rights in the North-Western Provinces, equally as in Madras, while one less than it would preserve or constitute them alike in both countries. If, therefore, the value of land, or property in land, has been destroyed in Madras, the cause is to be sought for in the exorbitancy of the assessments, not in the mode of its imposition.

10. The Board also allege that Sir T. Munro's classification was greatly vitiated by fraud, and further, "the details enjoined were so minute that their successful accomplishment, even by men of the most upright intentions, was impossible." With the correctness or otherwise of former classifications we have little to do, but may state our opinion, that any classification performed by natives of this country, unless subject to regular and rigid test by European officers, would prove incorrect. We have not the means of determining whether or not the details of Sir T. Munro's classification were so minute as to render it impossible for men of upright intention to accomplish it successfully; but we feel assured that the system of classification followed here is capable of being, and has been, executed with a degree of correctness sufficient for all practical purposes.

11. There being in all countries a regular gradation in the value of soils from those of the highest to the lowest fertility, the most natural mode of classification would appear to be to divide this gradation into a certain number of classes, which might be more or less numerous, according to the value of the land in the country to be classified, and the consequent difference in the amount of assessment that would be occasioned by referring a particular soil to one or other of two adjoining classes. We have adopted for the portion of the Deccan to which our operations have as yet extended, nine classes of gradations, to one of which every peculiarity of soil has been referred; and these we have reason for believing to be sufficiently numerous. The relative value of the various peculiarities of soil is in every country intimately known to the agricultural classes engaged in their tillage, and this knowledge, especially in India, where the application of capital to, and its consequent effect on, the natural value of land is so limited, may be acquired by a native agency, if not already familiar, and also by the European officers, whose duty it is personally to superintend the execution of the classification. Should any doubt be entertained of this, it will, we think, be at once removed by the evidence we shall presently have to adduce of its successful accomplishment.

12. Before the value of any field or other portion of land can be ascertained, it is, of course, necessary to know what descriptions of soil, and what proportions of each, exist within it; and for this purpose the classifier, upon our system, minutely examines the field, digging at intervals over its whole service, to ascertain the depth and quantity of the soil, as well as the nature of the sub-soil. From this examination he is enabled to assign the several varieties of soil, in their proper proportions, to one or more of the nine classes above referred to, which particulars he records in his field-book, with other extraneous circumstances, should there be such, affecting the value of the field. From this return we are at once enabled to ascertain the average quality of the soil, as well as the relative value of any field.

13. A proportion of these returns is subsequently subjected to test by the European officer, who, in company with another classifier, unacquainted with the classification already made and recorded, goes again over the same ground, and these make their independent classification of its soils. Should their results correspond, the accuracy of the test is established, and the correctness or otherwise of the original classification is ascertained from its comparison with the test; and as this duty of accompanying the officer is not confined to one, but devolves in turn on every native classifier, it is evident that the nature of this check tends to produce uniformity of classification by bringing the opinion of each classifier into immediate contrast with that of his fellows, and of the officer himself, and so enabling the latter at once to detect and remedy any deviations from the general standard. This test is systematic, and extends to every village; while we, at the same time, endeavour to make it return as frequently as possible to the work of every classifier, and take care that it should never be allowed to fall much in arrear. The proper execution of this test is deemed the principal duty of the survey officers, as a slight error in the classification affects the amount of assessment more than a gross error of measurement.

14. Our classification requires not only a good eye and judgment to distinguish between the different gradations of soil, but also tact in estimating the proportions of each, in the field under inspection; and to the difficulty of this latter operation may be referred most of the errors brought to light by our system of check. We find, however, that such accuracy has been attained as to reduce the errors arising from all sources so much, that the total error in a whole field rarely amounts to the difference between the value of two contiguous classes, and as we have nine of these, it is evident that such an error is inconsiderable, and cannot possibly vitiate the work; and the object of classification being to ascertain the relative values of different portions of land, this will be sufficiently attained for practical purposes when the resulting assessment is found not to interfere with cultivation, and where the waste lands of a district are uniformly brought under tillage, without any greater anxiety to obtain or shun particular fields being observable than can be accounted for on considera-



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tions independent of the assessment.\* And that this is the case here, we can abundantly prove, for in every district, and not in every district merely, but in every village, whatever its peculiarities of soil or situation, having any considerable portion of arable waste at the time of settlement, a marked extension of cultivation has subsequently taken place.

## II. BASIS OF ASSESSMENT.

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15. It is unnecessary to refer particularly to the Board's description of the Madras mode of fixing the assessment, the Government demand here, as well as in the North-Western Provinces, never having been assumed at any portion of the gross produce. From the directions for arriving at the fair amount of Government demand, laid down in the Board's settlement circular of the 9th April 1839, it would appear that there is in reality no material difference between their and our mode of fixing this amount. Our method of proceeding will generally agree with that described in the 81st, 82d, and 83d paragraphs of the above-quoted circular, the present condition of the agricultural classes, the state of particular villages, the amount of the Government realizations, the prices of produce, and similar considerations, compared with those of preceding years, affording us the chief groundwork for determining satisfactorily what abatement or addition should be made to the existing jumma. We also, by a similar process, arrive at an opinion of what the rates of the different soils should be, and by applying these to the ascertained area and classification, we find what amount of jumma these rates will produce, and by examining whether this is as much in abatement or excess of the existing jumma, as our previously formed opinions had led us to think necessary, we are enabled to correct our first estimate of the appropriate amount of jumma, and thereby finally settle our rates. This is in effect, as we understand it, the North-Western system, with little modification.

*Vide 92d para. of  
Sudder Board's Re-  
venue Circular,  
dated 9 April 1839.*

16. In the North-Western Provinces further modifications have been made in the assessment of particular estates, in order to accommodate the present settlement to that previously existing, and which appear to have been rendered necessary by the marked difference of industry and agricultural skill in the various communities of proprietors and cultivators located in the different villages. The Board regret the existence of such a necessity, and it has been their object to equalize, as far as possible, the Government demand. Here, however, such marked distinctions in the several classes of cultivators are not observable, and have never been recognised as a reason for exemption from assessment. The modifications in question are, therefore, happily unnecessary, and all villages possessing equal advantages of position, water, soil, and climate, have been assessed alike.

17. From the difficulty of ascertaining the true rent of different descriptions of land, we have not assumed any theoretical proportion of this for the standard of our assessment; but we fully coincide in the justice of the principle of limiting the Government demand to a portion of the true rent, and believe 50 to 80 per cent. thereof, as laid down by the Board, would form a liberal assessment, and that this principle, if capable of being carried into practice, would prove an invaluable blessing to the agricultural classes of India, and introduce a new era in their history. And we further ascribe to the fact of a portion of the rent having been seldom, if ever, left to the proprietor or cultivator in India, the characteristic wretchedness of its agricultural population, rather than to any peculiarities marking its different systems of revenue management.

## III. WASTE LANDS.

18. We have already, in para. 6th of this letter, made some remarks upon waste lands, but we may here take occasion to record our belief, that the absence of any extension of cultivation in the Madras districts, brought to notice by the Board under this division of the subject, was not a consequence of the waste being assessed, but of both it and the cultivated land being over-assessed. Cowles may be necessary under over-assessment to prevent a rapid diminution of cultivation, as by their means the cultivator is enabled to pay from the produce of his cowlee land the full rates of assessment upon the rest of his holding, which would otherwise be impossible, and wherever they exist, there we should at once expect to find over-assessment.

*Vide paras. 43 to 66  
of Board's letter,  
dated 20 March 1838,  
No. 102.*

19. Under a fair and equitable assessment, we think cowles not only unnecessary, but injurious; for their inevitable effect is to stimulate the cultivator to engage for more land than he has the means of profitably cultivating, and by so doing, to retard the agricultural advancement of the country in which they obtain. We have already stated that, in the districts settled by us, cultivation is rapidly extending, without any adventitious aid whatever, as we believe would be the case anywhere under a liberal assessment; and we therefore think it unnecessary to offer any further observations on this head.

## IV. MODE OF SETTLEMENT.

*Vide paras. 57 to 61  
of Board's letter, last  
quoted.*

20. The mode of annual settlements described by the Board as existing in the Madras districts does not differ materially from that hitherto followed in the Deccan. The complexity

\* In choosing a field, a ryot does not look to the assessment alone, but also to the convenience of its position with reference to the rest of the farm, and many other evident considerations which it is needless to particularize.

plexity and detail observable in this, however, are almost wholly due to over-assessment, and to the absence of any uniform and simple system of accounts; this important part of revenue management having hitherto been left to the discretion of the collector, or his native establishments for the time being.

21. The tour made by the mamlutdar and his establishments, for the purpose of taking engagements from the cultivators, and ascertaining what lands they wish to give up, or take, in addition to their previous holdings, is not only unnecessary, but highly prejudicial. It is sufficient for Government to know what lands are actually under cultivation in each year; and this information may be fully obtained by one annual field inspection, conducted by the village officers in concert with a carcoon from the district establishment. The correctness of this return could be tested with facility by the mamlutdar and his chief carcoon, as well as by the collector, his assistants, or trustworthy members of their establishments, deputed for the purpose; and this duty, even now, though capable of being greatly simplified, is executed with exactness; in proof of which we may mention, that in the whole course of our duties as superintendents of survey, and assistant collectors, which have entailed a most extensive examination of the lands of villages, we have only met in the Deccan with some six or seven instances of concealed cultivation. Some instances of one cultivated field being entered in the accounts in the place of another have indeed been noticed, but the introduction of maps under the new settlement will prevent the occurrence of such errors. From this annual inspection of fields, the village accountant frames an asameewar statement, from which the mamlutdar makes an abstract for each village, and from these again one for his whole district; and these comprise everything requisite for the completion of a ryutwar jumma bundee.

22. The revenue is collected by the village officers, and paid into the mamlutdar's treasury by regular instalments of so many annas in each rupee; and to prevent fraud on the part of the Government officers, every ryut is furnished with a receipt-book, in which his payments are required to be immediately noted by the village accountant, and signed by him and by the patell. The same operation is repeated in the day-book and ledger of the accountant, and in like manner the revenue due from each village, and all payments on account thereof, are entered in the books of the mamlutdar. So effectively does this plan work, that frauds of any description have become, as you are well aware, matters of rare occurrence.

23. The variations of the annual demands in Madras are attributed by the Board to six causes; but in districts where our settlements have been introduced, such variations are limited to two, viz.:

I. An increase or diminution of the quantity of land in cultivation.

II. Remissions on account of failure of crops or poverty of ryuts.

24. The first is essential to our system, and we hold it to be one of its greatest advantages, as leaving the ryut at perfect liberty to enlarge or contract his cultivation as his individual circumstances may render expedient.

25. The second must, we apprehend, be to a greater or less extent attendant upon any settlement in India, where seasons are so very uncertain, and general failures of the harvest by no means unfrequent. Under the new settlements here, remissions have already become quite inconsiderable, and we have reason for believing that in a very few years more, as the circumstances of the cultivators improve, they ought in ordinary seasons to be little more than nominal.

#### V. BALANCES OF REVENUE.

26. Upon this head we have merely to record our impression that no balances on account of land revenue, contracted subsequent to the new settlement, exist in any of the revised districts, nor do we apprehend the slightest danger of such hereafter accumulating, under the most ordinary exercise of care on the part of the collector.

*Vide* paras. 63 to 66 of Board's letter of 20 March 1838.

#### VI. AVERAGE RATE OF ASSESSMENT.

27. We forbear offering any remarks upon this division of the subject, under a belief that no useful conclusion can be derived from its discussion, without an intimate acquaintance with the various capabilities of the country brought under comparison.

*Vide* paras. 67 to 70 of Board's letter of 20 March 1838.

#### VII. SALEABLE VALUE OF LAND.

28. Owing to the racking system prevalent in the latter years of the Peishwa's Government, and over-assessment throughout our administration, sales of land have become as little known in the Deccan as in Madras. Irrigated land, however (which is of inconsiderable extent in the Deccan), has generally retained some small marketable value, and a large proportion of this land is now under mortgage. Notwithstanding this annihilation of the value of land, little revolution of property has taken place, owing to the peculiar nature of the meerasce tenure, which, until of late years, seems to have prevented it being sold either in execution of judgment of courts or for arrears of revenue—a fortunate result in one point of view, as having enabled the ancient proprietors to retain possession of their lands until the present time, when there is every prospect of their acquiring a considerable value. The new settlements have nowhere been in operation for a sufficient period to admit of any certain or general conclusions being drawn regarding their effect on the value of land; but the eagerness of

Paras. 71 to 79 of Board's letter of 20 March 1838.

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meerasdars to become repossessed of such portions of their estates as have fallen into the hands of others, and the competition of different cultivators for portions of waste, would seem to indicate that all descriptions of land are rapidly acquiring a value; and we have little doubt but that in the course of a few years they will become saleable with the same facility as other descriptions of property.

#### VIII. EXPENSES OF COLLECTIONS.

*Vide* paras. 80, to 80  
of Board's letter of  
20 March 1838.

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29. The Board discuss at some length this question, but more with the view of disproving the vast superiority that has been claimed for the ryutwar over the village plan of settlement, on the score of economy, than of deciding absolutely as to the expense of the two systems. We see nothing to be gained by the continuance of this discussion, which would also require more detailed information than is in our possession, and can hardly, in our opinion, be considered a practical question with reference to this part of the country, where great part of the expense of collection is made up of land and shares of the jumma alienated to hereditary district and village officers, which are vested rights, and could not be got rid of under any system.

#### IX. DEPENDENCE ON NATIVE FUNCTIONARIES.

*Vide* paras. 90 to 105  
of Board's letter of  
20 March 1838.

30. We fully concur with the Board in ascribing the prevalence of fraud in the Madras districts to the peculiarities of the system of management there followed, which offer so many opportunities for extortion and speculation as, in our opinion, to render their prevention impossible by the most active vigilance and care on the part of the European authorities; and we also believe that the aid of informers, and the enmity of one man to another, relied upon by the Madras collectors as some check upon the evils of their system, are as little to be trusted to for the protection of the interest of the cultivators and Government as they are certainly calculated to arouse the worst passions of our nature, demoralize the native community, and bring the European character into disrepute.

*Vide* 90th para. of  
Board's letter of  
20 March 1838.

31. The Board justly observe that, "in addition to the sources of speculation arising out of the collections of a fixed demand, which exist equally in the North-Western Provinces and in the Madras districts, there are in the latter all the opportunities arising out of a fluctuating demand;" an objection, however, which does not apply to the system here, where the demand during the period of the settlement is as certain and invariable as in the North-Western Provinces; that is to say, that the person who engages for the cultivation of any number of fields is perfectly aware beforehand of the amount of assessment he will have to pay in consequence, while he has the most perfect liberty to cultivate them in what manner, to raise what crops, and to effect what improvements he pleases, without the amount of his annual payments being thereby in any way affected; and we apprehend this to constitute a degree of security and certainty as perfect as can be wished for. With us the collector has no power to modify the demand as fixed upon each field for the term of the settlement, except when abatements are required in particular instances on account of failure of crops; but such, as we have already stated, will become less and less necessary by perseverance in moderate assessment, and the improvement in the circumstances of the proprietors that will thereby be occasioned. Practically speaking, the amount of these remissions has become so trifling in the districts settled by us as to leave very little opening for fraud or collusion.

32. One great advantage of a fixed field assessment is the freedom and independence it secures to every proprietor or cultivator within the village, by the safeguard it offers against oppression or over-exaction on the part of our revenue officers or other influential persons; for (with a full knowledge of the prevalence of abuses in former years) we conceive it hardly possible now that a Deccan ryut should not know the amount of assessment on the fields he holds in cultivation, or should submit to pay more without immediately bringing the grievance to the notice of the mamlutdar, mahalkurree, or European authority.\*

33. In the North-Western Provinces, owing to the greater size of the portions of land on which the assessment is fixed, these advantages must necessarily, in our opinion, be less. With us, if the field be the property of one person, he can be in no doubt as to the sum he has to pay, and he cannot be obliged to pay more than is due by the oppression or defalcation of his neighbours; while, if it be the property of more than one, yet the number of the co-parceners must be small, and the intricacy of the relations constituting their dependence upon each other, and their consequent liability to injury from one or more of their body proportionably less, as our fields are smaller than the mahals or estates of the North-Western Provinces; and we cannot but think that the number and complexity of interests involved in making up the demand payable on these estates must give opportunity for much oppression on the part of the richer and more influential members towards the poorer and feebler portion of the community; and this opinion is confirmed by the statement of the  
vast

\* By the appointment of mahalkurries, the catchery of a head native revenue and police officer has been brought within a day's journey of every village; and you are well aware that the avenues of redress thus opened up to the ryut are fully equal to the occasion, and that cases of oppression or over-exaction on the part of the village officers have become as rare as they were once common, while the checks established upon the conduct of the mamludars and mahalkurries, added to the confidence acquired by the cultivators in their ability to obtain redress from the European authorities, render it almost impossible for the former to stifle complaints, or at least much too dangerous to attempt under any but most extraordinary temptation.

vast number of cases connected with land brought before the courts for adjudication subsequent to the introduction of the present settlement, and also by other parts of the correspondence before us. Mr. Thomason, indeed, states in the 49th para. of his report on Azimgarh, that "a wealthy and intriguing man, who once gets a footing in a village, will soon contrive to bring the interests of all the others to sale, and, by purchasing them, become himself the sole proprietor;" and this extended system of compulsory joint responsibility would also appear to be unfavourable to industry and agricultural improvement, which, in common with other sources of national prosperity, will generally flourish in proportion to the degree in which the efforts of individuals working for their own advantage are left unshackled.

*Vide* 102d para. of Mr. Thomason's Report on the Settlement of Azimgarh.

#### X. PRESERVATION OF INDIAN TENURES.

*Vide* paras. 106 to 120 of Board's letter of 20 March 1838.

34. The existence of proprietary rights in the Madras districts, argued for at some length by the Board, has, we are told, been denied or doubted, and we can understand the feeling of surprise with which such assertions must have been received; for, however the value of this right may have been affected by taxation, it is difficult to imagine over-assessment to date from a period as remote, and to have been so unvarying in its nature, as to have prevented this right ever rising into existence, or when once risen, to have continued so long as not only to have destroyed its value, but obliterated its very remembrance.

35. But the Board would seem further to infer, that this right existed in the form of joint proprietorship, as corporations, communities, municipalities, republics; and for this opinion, in particular instances, there are probably sufficient historical grounds; but such tenures, where involving a common ownership and participation of liabilities and advantages, appear to us in opposition to nature, and such as could only be called into existence by the force of peculiar circumstances.

36. In the ordinary course of affairs, men naturally desire to separate their interests as much as is possible. It is inconvenient even for brothers to possess the same bullocks, the same plough, the same fields, and the same house. The joint management and responsibility instituted by the Jesuits in Paraguay was productive of the worst results. Under such a tenure, the industrious find that they are working for the idle, and the idle never feel the spur of want to urge them to exertion; and these inconveniences have been so severely felt as to have occasioned a separation of interest, and rendered individual proprietorship general in every civilized country. If allowed the freedom of choice, six persons would, we apprehend, divide an estate into six parts, rather than hold it in common. The joint owners of 1,000 guineas would not long keep them in a common purse. A family of brothers would soon cease to live in the same room, and, though the reverse of this might hold good for a single generation, it is impossible to imagine it continuing through a long course of ages.

37. We would not be misunderstood, however, as asserting that a common agreement for the purposes of Government is unnatural or uncommon; but we mean to say that a combination of interests for the purpose of dividing the profits of an estate, where this is found to exist, is unnatural, although we fully agree with the Board in thinking that the inhabitants of every village usually made their own arrangements, and were jointly responsible for the payment of the Government assessment in olden times. We do not, however, infer from this the existence of a common property in the village lands, or the joint ownership we are told is so common in the North-Western Provinces. Joint responsibility for the payment of the revenue, and joint village management, were, perhaps, universal in the Deccan, but we can find no traces of joint ownership, and must believe that it never existed. The villages here are much larger than those of the North-Western Provinces, but generally contain a number of thuls or tickas, about the size of the mehals or estates of the latter, which, though divided off into distinct fields, are commonly the property of persons of the same family. Yet in these also, we have no hesitation in stating our belief that joint ownership did not commonly exist; but we are, at the same time, perfectly satisfied that with a distinct and recognised division of fields and property, a common responsibility for, and joint payment of revenue did at one time, and in fact up to the accession of our rule, exist. Each field of this "thul" or "ticka" had its distinct owner, its recognised proprietor, and had also its established rate of assessment, fixed in some cases by Government, and in others by the village community, forming the limit of its owner's liabilities, except in the case of the defalcations of other cultivators, which, in consequence of the revenue being collected from the village in the lump, the community at large was required to make good, and this was generally effected by an extra cess on its several fields or estates in cultivation, in proportion to the amount of their regulated assessment. It is clear, therefore, that this joint responsibility was the act of Government, and resulting from the mode in which its revenues were collected, but is altogether distinct from the question of ownership. Even under this system, however, the utmost care was taken by the community to ensure the proper proportion of the revenue being paid by each cultivator, and it was only in the last resort, when all other means had failed, that any defalcation was made good by a general cess on the lands of the village.

38. The practice of imposing a distinct assessment upon each field, followed in our plan of settlement, is therefore strictly in accordance with ancient custom; but the system of joint payment and responsibility, which is unjust in itself, and could not be permitted without again throwing the mass of cultivators and proprietors into the power of the village officers and more influential members of the community, has been studiously avoided, and by this means every man's liabilities have been confined to his own concerns.

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*Vide* paras. 123 to  
141 of Board's letter  
of 20 March 1838.

GENERAL REMARKS.

39. The Board conclude their letter with a lengthened and impressive summary of the evils deemed by them inherent in the ryotwar system, as evidenced by the wretched state of the Madras districts, which they contrast with the flourishing condition of the North-Western Provinces under the present settlement, and thence deduce the immeasurable superiority of the village plan of management; but, in our humble opinion, the immeasurable superiority observable in the North-Western Provinces is the result of the moderation of the Government demand; the undeniable inferiority in the Madras management arises from the error committed of imposing exorbitant and illiberal assessments.

40. Many of the remarks made by the Board on the evils of the ryotwar system appear to us to be true, and true only of over-taxation, whatever the system with which it is connected. And in characterising any system where over-taxation has prevailed, we would say with the Board, that "it is found in connexion with the lowest state of pauperism and dependence. It cannot be said to be preservative of Indian tenures—where it exists there can be no leases to uphold, and a possessory right will not be even claimed. That any system, when over-taxation exists, can be dear to the people, can only be believed when men feel a pleasure in seeing their dearest possessions torn from them to be given to others, and unless men are found indifferent about the occupancy of fields, on which they have bestowed their labours in previous years, being at all times ready to change from one field to another, as the assessment suits their fancy or convenience; and under such a system there must always be necessity for Government interference, and the surveillance of Government inquisitors." "Every man must be degraded in his own opinion, and relegated to a state of perpetual pupilage. The honest manly bearing of one accustomed to rely on his own exertions can never be his—he can never show forth the erect and dignified independence of a man indifferent to the favour or frown of his superior, accustomed as he must be to prefer perpetual remonstrances and solicitations, and abide the result with the most enduring patience. His earnings, while his rent continues more than he can pay, are limited by the will of some meddling speculator; if they are brought to light, he must pay for his industry; if they are concealed, he must pay for the collusion."

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*Vide* 123d, 124th  
and 126th paras. of  
Board's letter of  
20 March 1838.

*Vide* 133th para. of  
Board's letter of  
20 March 1838.

41. All of these remarks are clearly applicable to over-taxation, although brought forward in proof of the evils of a ryotwar settlement; and that over-taxation, to a ruinous extent, has existed in Madras, the Board themselves supply us with sufficient proof, when they state that in Coimbatore the average annual settlement for the last ten years is about one-third, or 11,62,463 below the maximum demand; and that in Canara, in 1243 Fuslee, out of 51,449 vergs, only 31,835 paid the maximum, and in 20,164 vergs, temporary or permanent deductions were allowed; and the Board truly observe, that "under such circumstances, however the cultivators may exert themselves, the hope that by their industry they may attain the standard assessment, and thereby reach a limit to the Government demand, is absolutely vain; thence must result inaction, poverty, dejection, and all the worst concomitants of oppressive over-assessment."

*Vide* 139th para. of  
Board's letter of  
20 March 1838.

42. The North-Western Provinces, from the reports before us, would appear to be naturally very productive, and to have had the benefit of a generally moderate assessment throughout the term of our administration. Enjoying also the security afforded by the stability of the British Government; it is not to be wondered at that they should have greatly improved in this period, and it can hardly be doubted that they will continue to do so, while this liberal management, which has been confirmed and prolonged by the new settlement, continues. In Madras, on the other hand, by a long course of previous oppression and misrule, the country had become greatly impoverished when the ryotwar settlements were introduced, and these last were unhappily fixed to an amount so oppressive as to render their realization impossible, and give occasion for annual abatements, at the discretion of the collector. This proved, as might have been expected, the source of fraud, villany, and oppression, to an almost unparalleled extent, and also gave occasion to the vast and almost interminable details of the accounts, the minute investigation into the concerns and the means of the cultivators, and the tyrannies and oppressions of the Government officials, so much deprecated by the Board; but all which evils, it appears to us, might be as easily avoided in a ryotwar settlement as in any other.

43. When the Board shall have proved that a ryotwar settlement is necessarily accompanied by over-taxation, and that moderation of demand is impracticable in connexion with it, then, and not till then, shall we be prepared to admit the justice of their remarks in condemnation of this plan of settlement. For it appears to us that moderation and certainty of assessment, security of property and proprietary rights, long leases, and whatever is necessary to the well-being of a country, are as attainable without a village settlement as with it, and that their free working and beneficial effects must be impeded rather than advanced by a forced system of joint ownership and joint responsibility.

44. We further believe many most important elements of national prosperity to be secured by the plan of settlement now being followed in the Deccan, among which may be enumerated,—a moderate and equal assessment, leaving a portion of the rent with the proprietor or holder—the settlement confirmed for 30 years—security against increase of demand, on any account whatever, during the term of the settlement—the consequent accrual of all benefits arising from improvements to those who make them—limitation of joint responsibility to a few cases, where fields are held in common, or have been subdivided by coparceners—recognition of property in the soil—and perfect freedom of management with regard to rent from sub-tenants, and sale, secured to its owners—facilities for effecting sales or transfers of land afforded, by the apportionment of the assessment on fields or such limited portions

portions of land as would, in the circumstances of the proprietors of this country, be naturally made the subject of such transfers—collection of the assessment from cultivated land only, and thus permitting the ryot to contract and extend the sphere of his labours according to the means at his immediate command, a privilege of immense importance in a country where the capital of the agriculturist is not only small in itself, but subject to great fluctuation, from the effect of variation in the seasons.

45. Such are some of the advantages of the system; and although our views of human nature are not sufficiently favourable to permit our indulging in expectations so fair and promising as those portrayed by the Board in their pleasing picture of the anticipated effects of the village system of the North-Western Provinces, where families will be united by the closest bonds of concord and sympathy—where the poor will be supported by the affluent, and widows and orphans encouraged to look for protection from their natural supporters—we yet expect that our settlements will confer real and substantial benefits upon the people, and augment, at the same time, the resources of the state.

46. We trust by the preceding observations to have successfully vindicated our settlements from the many evils attributed by the Board to those of Madras; and while seeing much to admire in the system upon which the North-Western Provinces are being settled, we do not think that any portion of it could be advantageously engrafted on our plan of operations here; while, as a whole, it appears quite unsuited to the circumstances of this part of the country. We have here few considerable landed proprietors or other capitalists, who would be willing to engage for the revenue of our large villages under any system calculated to preserve proprietary rights, and prevent oppression on their part; and were the case otherwise, we are certain that any attempt to constitute them zumeendars would be viewed with the utmost dissatisfaction and dismay by the whole agricultural community. We shall probably be considered prejudiced judges of our own operations, but as our opportunities of ascertaining the feelings of the people regarding them have been great, we shall venture to assert that our settlements have been received almost universally with feelings of great satisfaction; and should confirmation of this assertion be needed, we unhesitatingly appeal to the experience of every officer who has been employed in districts where the new settlements are in operation.

47. We have already stated our belief that no part of the North-Western system of operations differing from our own can be advantageously adopted here; but it will be as well to treat this portion of the subject a little more in detail.

48. We have not the means of ascertaining what degree of accuracy has been attained in the Khusreh, or detailed measurements and maps prepared by the ameen in the North-Western Provinces. A method, however, of verifying the Khusreh is recommended for adoption by the Board in the 66th para. of their circular of the 9th April 1839; but it does not clearly appear from this, or any other parts of the correspondence forwarded for our perusal, that this included a systematic remeasurement of a portion of the ameen's work, and if not, the method would appear unequal to the detection of any but gross instances of his mismeasurement. In our system, every field is subjected to a careful examination during the progress of the classification, to prevent any gross errors of measurement remaining undiscovered, but we place no confidence in this as a means of ensuring accuracy and care on the part of our native measurers, for which we rely wholly on the test of remeasurement made by the European officer, and already described in our 7th para. The ascertainment of the area of the whole village, or even of the cultivated and uncultivated portions from the professional survey, forms, we think, no safeguard against fraud on the part of the native measurer, who would in all cases take care that the total results of his measurements were not affected by particular deviations from accuracy which he might think his interest required him to make in recording the area of individual fields.

49. The professional survey of the village boundaries, however, is a feature of the North-Western system to which we have nothing similar here; but we apprehend that the utility of this measure should be considered almost solely with reference to topographical purposes. It seems doubtful whether the information obtainable from such a survey would in practice be found of much use towards the settlement of future disputes, caused by the fraudulent removal of boundary marks; for in order to render it available, it would be necessary to depute a professional surveyor to the spot, which might not always be possible, and if so, would involve a greater expense than the importance of the land in dispute would generally warrant.

50. Should Government, however, deem it necessary that a professional survey of village limits be instituted, with the view of being applied to topographical and geographical purposes, we are decidedly of opinion that this object would be best attained by means of a separate agency, acting under the instructions of the surveyor-general. The duties of the officers of the Deccan surveys are already ample, and the superaddition of a professional survey would necessarily retard the general progress of the work, without proving of any service in settling the assessment, which forms the grand object of our present operations. We consider, also, that the qualifications requisite for the conduct of a professional survey of this kind are quite distinct from those necessary to fit an officer for the superintendence of our present system, and that any attempt to combine the two employments would certainly endanger, if it did not render impracticable, the successful accomplishment of both. The professional survey, in our opinion, could be successfully and economically prosecuted only by a department appointed for the purpose, as in the North-Western Provinces.

51. We have not the means of forming any proper estimate of the cost of such a survey in this part of the country, but from the scarcity of qualified agents, it is probable that, for some years at least, it would be more expensive than that of the North-Western Provinces,

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notwithstanding the large size of our villages, which may average three square miles each. From an extract of a letter from the Secretary to the Board of Revenue to the address of the Secretary to the Lieutenant-governor of the North-Western Provinces, and dated 1st September 1837, we learn that up to that period the cost of the professional survey had varied from Rs. 61. 4. to Rs. 20. 10. 6. per square mile; but it was anticipated that, under a modification of the system proposed by the Board for adoption, this would be reduced to Rs. 12. 8. 7½ per square mile. Whether this reduction of expense has been effected or not, we are not informed; but even on the supposition of the work being executed here at the lowest of the estimates, its cost would be considerable. We have not at command any record of the number of square miles in the Ahmednuggur, Poona, and Sholapoor collectorates, in which the survey is now in operation; but you may possibly be able to supply this information from your office, and state what the expense of the work would amount to, on the preceding supposition.

(10) 52. The demarcation of village boundaries, and the settlement of all existing disputes, are also effected during the progress of the survey in the North-Western Provinces. We fully acknowledge the importance of these measures, but have been hitherto unable to give them effect here, in consequence of the defective provisions of Regulation X. of 1827, of the Bombay code, which forms the present law on this subject. We hope, however, that a new enactment will shortly be framed, in supersession of the latter, and enable us to effect a permanent settlement of village boundaries.

53. At present, all village boundaries, regarding which no dispute exists, are described, and their position indicated, in the village maps. All disputed portions are also measured and mapped as such, leaving the title of the contending parties for future adjudication; by which arrangement the extent and position of all disputed land, as it now exists, is ascertained and recorded, and the occurrence of fresh disputes prevented. In the districts to which our operations have yet extended, with one exception, disputed boundaries are few in number, and not otherwise important, which has prevented the want of means for their final settlement being severely felt.

54. The mode of classifying land followed by us, as well as the accuracy attainable by it, have been already described in our 12th and 13th paras. That of the North-Western Provinces appears to us to be of much too general and cursory a description to be applicable to a field assessment like ours, where the apportionment of the jumma on each field is made with reference to its natural fertility and extent, which therefore require to be nicely ascertained. In the North-Western Provinces all varieties of soil appear to be referred to three classes, but greater importance is attached to the circumstances of the land being capable of irrigation or not, and to the description of crop grown upon it. But that even these particulars are not always ascertained with accuracy may be gathered from many parts of the correspondence before us, among which may be mentioned the following passages. In the 67th para. of the Board's Revenue Circular, an extract of a letter from one of the settlement officers is given, and in this it is mentioned that "if not sufficiently bribed, the ameen enters an unduly large number of fields as irrigated, and as consisting of the better descriptions of soil, and an unduly large amount of cultivation of the better sorts of produce. On the other hand, where it suits him, he not only acts on the reverse with respect to these cases, but puts down many fields as uncultivated for many years." And again in the 69th para., "In order to diminish the labour of going over the fields as much as possible, every number of the Kusreh which has been measured as now irrigated is first marked in the field map with a small cross in red ink. When this is done (which takes little time), a glance at the map will show on which side of the village the great mass of irrigated land is situated. The examining officer then begins first in that quarter, and if he discovers the existence of error, he proceeds to every field which is marked as above described, and records on the spot whether each number is really capable of being watered or not." From this it appears that the classification is not such as to lead the settlement officers themselves to anticipate any great accuracy in it, or to place any great dependence on it. An opinion which is borne out by the following extract of Mr. Muir's report on the settlement of some districts in Bareilly, dated 5th September 1838.

55. In para. 21 he states that "the classification of mouzahs according to their general capabilities renders the more uncertain classification of kinds of soil in individual mouzahs of but secondary importance. The classification of soil in mouzahs is recorded under the heads of Surraeen and Bhoor, the former including all the laud entered in the Kusreh as Doomut and Mutteewar, and the latter only that entered as Bhoor. With a mouzawar classification, however, much reference to these returns for the purposes of assessment is, in a great measure, dispensed with. I have to observe, also, that there is an immense difference between a good and a bad Surraeen soil. Thus the unproductive hard soils called by the people Khaput and Burkhuttee, come under the head of Surraeen, because they are recorded in the Kusreh as Mutteear, which they really are, although the worst description of Mutteear. This species of Surraeen, therefore, is of as bad a quality as the poorest Bhoor. Again, there are some kinds of Bhoor approaching to Doomut, which are almost as productive as the best Surraeen. I make these remarks that no misapprehension may occur regarding the kinds of soil recorded in the village forms, as they have little to do with the grounds of assessment, which was based on a classification of mouzahs." We need hardly add, that a classification which is not even trusted to for conveying a general idea of the average capabilities of different mouzahs, would be utterly inadequate to determine that of particular fields.

56. The plan followed in the North-Western Provinces, of fixing the assessment upon each village or estate, chiefly with reference to its actual condition at the time of settle-  
ment,



ment, must; we think; offer strong inducement to the proprietors to endeavour by collusion with the ameens to have the quantity of land in cultivation, as well as its general quality, fraudulently under-estimated; and that attempts of this kind have been frequently made, and not always unsuccessfully, appears abundantly evident from the papers before us.

57. Frauds of the foregoing description we believe to be hardly practicable under our system of superintendence; but the laxity, to our ideas, observable in the execution of the field measurement and classification of the North-Western Provinces is perhaps accounted for by the inferior place these operations hold in the general plan of settlement there, compared with the important position they occupy in our system here. Comparatively little use seems to be made of them in fixing the amount of assessment to be levied from each mouzah or estate; and in addition to the remarks on this point already quoted, we learn from Mr. Elliot's report on some districts of the Dooab, that "the classification of many villages there was omitted to be recorded through negligence; and that these officers' settlements frequently preceded the preparation of the field measurement and classification altogether;" and these further appear to be of little service in apportioning the jumma among the several proprietors, sub-tenants, and others having rights in the same village, which is done by the interested parties themselves, and recorded as they agree upon, however much this may be at variance with the estimates of their respective liabilities, obtainable from the Kusreh. Great difference of opinion, indeed, appears to exist regarding this document; and Mr. Elliot, in the 77th para. of his report above quoted, regards it as the most important of all, although he states, having heard that some collectors have given it as their opinion, that the Kusreh is an almost useless document, and this not only where cultivators are tenants at will (in which case they may be in a measure justified), but under other circumstances, where he considers it indispensable.

58. But although no apportionment of the assessment of a village or estate is made on the basis of the measurement and classification of the several holdings or fields composing it, yet this is done according to agreement among the villagers themselves, and the record of this specifies, not only the proportion of the jumma to be paid by each proprietor or shareholder, but also the amount leviable from every cultivator entitled to hold land at fixed rates, and the usage of the village with reference to those who are mere tenants at will. This statement, which is intended to define and confirm the right of every individual in any way connected with the village, appears to involve not only as minute, but a much more minute inquiry into the private concerns of the ryuts than is even attempted under what is usually termed a ryotwar settlement, and we should think it must be difficult in the extreme to draw out such specification of private rights and usages with any tolerable degree of accuracy. But supposing it done correctly at the time of settlement, what provision can be made for recording the thousand changes by succession, transfer, and sale, continually taking place in every community? And if these be not recorded, what relation to existing circumstances will the present survey papers present twenty, or even ten, years hence?

59. Thus it appears that in reality the assessment of a village is broken down into as small parts, and apportioned on as minute divisions of land in the North-Western Provinces as with us, and that there, a much more minute interference with the management of property is made than here. This interference, we should apprehend, would not only fail of effecting the object of securing the rights of all parties, but might even be made a means of destroying them; and the former, in our opinion, would have been more satisfactory if made according to the ascertained value of the several puttees, thakes, and fields forming an estate, instead of by the opinion of the villagers themselves. Here at least we can state from experience, that if the alternative of apportioning the jumma were offered to a village, all but the most influential inhabitants would instantly decline it, and beg that the duty might be performed by the officers of Government.

60. And in consequence of the appointment of the jumma being left to the ryuts themselves, it is not probable that much trouble will be taken to inspect the boundaries of fields, and to perpetuate the usefulness of the Kusreh measurements by the preservation of the divisions of land which it records. We do not learn, indeed, from the papers before us, that any provision has been made for this important object; and our impression, from a review of the whole system, is, that upon occasion of a future modification of the Government demand, a new survey and classification will be necessary in order to apportion it; for the Kusreh measurement and records of the present settlement would no longer give any information of the distribution of landed property, or the rights and liabilities of holders.

61. We have no means of ascertaining how the revenue management of the North-Western Provinces is now conducted, but from the complexity and variety of tenures and liabilities recorded in the present settlement, we should anticipate that a much closer supervision on the part of the Government would be requisite to ensure its proper working than in the more simple mode of assessment introduced here; and it is perhaps little in favour of the former, that every necessary adjustment is required to be made through the medium of the civil courts, for however this may simplify and lessen the work of the collector's establishments, it seems doubtful whether it will tend in any way to prevent a hurtful and inquisitorial interference with the concerns of cultivators, while it can hardly fail to give rise to a litigious spirit throughout all ranks of the people. With us, the possible occasions of doubt and dispute regarding the payment of the assessment are few indeed; being limited to cases where fields are possessed by more than one individual, and of these hardly one would be made the subject of civil action, because capable of easy and satisfactory settlement through the agency of the village or district revenue authorities, to whom the parties interested would naturally, in the first instance, refer it.

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62. In conclusion, we would point out the impossibility of instituting a fair comparison between the measurement and classification or other executive details of the system here, and similar operations, as practised in the North-Western Provinces, apart from the mode of settlement to which they are subservient; for under different modes of settlement, different degrees of accuracy in measurement and classification, and even different methods of performing these operations, may be permitted. We have not, therefore, ventured to express our opinions upon any part of the North-Western plan of operations, except with reference to its applicability to this part of India.

63. We have endeavoured, however, throughout this report to express our conviction, that the settlement of the North-Western Provinces is being made on liberal principles, and our belief that any settlement, based on the principles of moderation, would prove a great blessing to this country, and could hardly, under any attendant peculiarities of system, fail of advancing its prosperity.

(12) 64. But while we acknowledge the North-Western settlement to possess the first of requisites, liberality, it has other features to which we cannot yield our approval, and we still remain unshaken in our belief of the superiority of a fixed field assessment, as, in our humble judgment, of simpler execution in the first instance, and likely to require fewer adjustments afterwards, as interfering less with the existing tenures of landed property, and offering greater facilities for effecting its sale and transfer, while affording to the poorer and less influential portion of the community a better protection against injustice and oppression.

We have, &c.

(signed) *H. E. Goldsmid,*  
Civil Service.

*G. Wingate,*  
Lieut. Engineers,

Superintendent of Survey and Assessment in the Deccan.

No. 167 of 1840.

To *J. Vibart, Esquire, Revenue Commissioner, Poona.*

Sir,

Bembeh, 30 December 1840.

I HAVE the honour to acknowledge the receipt of copies of correspondence noted in the margin, forwarded with your letter of 5th instant, in which you request me to report whether a system of mapping each village could not be grafted on my present operations, and also furnish a succinct account of the latter, with a description of the actual operations in any one village, as a specimen.

2. The information and opinions here called for, have been already in great measure supplied in the joint report lately submitted to you by Mr. Goldsmid and myself, in which our present system of operations is compared, in detail, with that of the North-Western Provinces. To go again over the same ground would be at once a tedious and unnecessary task, and I propose, therefore, in the present communication, to confine my attention to the elucidation of such points, arising from the correspondence now under consideration, as have not in the previous report been touched upon or sufficiently explained, and to an attempt to furnish a brief and intelligible account of the process of surveying a single village, which may serve as a specimen of the whole system.

3. Before proceeding further, however, I would direct your attention to several serious misconceptions entertained by the Government of India in regard to the nature of the operations connected with the Deccan survey, and which it is the more important to bring forward in this prominent manner, as from them have originated the various objections preferred against the system.

4. Mr. Colvin, throughout his note of the 9th August 1840, rests his arguments on the supposition of the assessment being here fixed on the basis of conjectural estimates and calculations of produce, and similar uncertain grounds, instead of on the safe and practical considerations arising from a constant reference to former regular and easy payments, which he claims as the distinctive character and merit of the system followed in the North-Western Provinces, and distinguishing it broadly from others. From the adoption of this view he is led to apprehend as an almost necessary consequence of the Deccan survey the worst of evils, over-assessment. No assumption, however, could be more unfounded; for the amount of revenue fixed for each district here has, as you are well aware, been determined almost solely with reference to practical considerations, and mainly on a consideration of past realizations; while the unexampled rapidity with which cultivation has everywhere extended, consequent on the introduction of the new settlement, is, of itself, abundant proof that whatever the objections to which they are open, among them over-assessment can have no place. On the contrary, the survey was instituted for the express purpose of effecting a just and equable reduction of assessment, and the new settlements have been deemed by some to exhibit an uncalled-for degree of liberality, but I think without sufficient reason; though if such were the case, "the loss on this account," as observed by Mr. Colvin, "would be far overbalanced by the prospect of escaping the contrary and greater evil."

5. A further

Mr. Reid's letter to Revenue Commissioner, dated 27 October 1840.

Mr. Halliday's letter to Mr. Reid, dated 17 Aug. 1840, No. 137. Mr. Colvin's note of 9 Aug. 1840.

Governor-general's despatch to the Honourable the Court of Directors, dated 18 Aug. 1838, No. 3.

5. A further mistake into which this gentleman has fallen is, in believing the assessment here to be fixed upon all the resident ryots or single cultivators in villages. The assessment is fixed upon fields, or divisions of land, which have existed in most villages from time immemorial; but without any reference to the circumstance of their being waste, or cultivated by one or several individuals. These fields do not, therefore, materially differ from the mehals of the North-Western Provinces, except in being of smaller size, and generally cultivated by, or the property of, one individual.

6. To the foregoing misconceptions regarding the basis of the Deccan settlements may be traced most of the doubts and apprehensions entertained by the Government of India of their beneficial tendency; but they do not require a detailed elucidation, as this has already been afforded in the report already alluded to.

7. His Lordship the Governor-general in Council has expressed surprise to find in the new Deccan survey, by which all old errors were to be corrected, that the operations are so conducted as to be absolutely of no value for geographical or topographical purposes, and it is much to be feared of little more than temporary utility even for merely revenue purposes.

8. The latter objection has been already fully discussed, and I trust satisfactorily disposed of; and with regard to the former, here again a serious misunderstanding of the real circumstances of the case seems to exist. The present Deccan survey is not a new survey, but was instituted for the purpose of revising and correcting, where practicable, Mr. Pringle's operations; and in accordance with this design has the work been carried out. Complete remeasurements of villages have rarely been necessary, and consequently no opportunities offered for the introduction of a more complete and scientific system of survey. The measurements made may be rather likened to the furtalling operations of the settlement officer in the North-Western Provinces. The present survey, moreover, was instituted for purely revenue purposes, and the question of rendering it subservient to those of geography and topography is now mooted for the first time. It can hardly, therefore, be in fairness objected to the plan of operations, that it does not include the accomplishment of objects that were not contemplated at the time of its formation.

9. I would here beg it to be understood, however, that not one detail of the operations already gone through, or one rupee of the expense incurred, could have been saved by the institution of a circuit survey of village boundaries similar to that of the North-Western Provinces. Every thing now done would have been equally required on this supposition, and neither labour nor money has therefore been lost by the omission. If a scientific survey be considered necessary, it may be as conveniently and economically entered upon now as it could have been then, for in any case it could afford no materials for fixing the details of a field assessment, and it is therefore immaterial whether it precede or follow the latter operation.

10. I have mentioned that the present Deccan survey was organized for the purpose of correcting Mr. Pringle's operations, but in the Sholapoor collectorate there are some districts to which the latter did not extend, and which it, therefore, has become necessary to survey *de novo*, and I shall now endeavour to describe the operations followed for this purpose in these last, as being complete in themselves, and admitting of a more simple and intelligible description than the methods taken for ascertaining what portions of Mr. Pringle's survey require amendment. The latter, also, would prove of little service towards the determination of the system of survey best suited for general purposes, which is the question now under the consideration of Government.

11. To render intelligible the operations of the survey, it is necessary to bear in mind that, throughout the Deccan, the lands of every village are composed of an aggregation of fields, generally of moderate size, of which the village accountant has always a record more or less complete, and according to which the whole of his revenue accounts are drawn out. In surveying any village, therefore, it becomes requisite to ascertain, not merely the area and average quality of its land as a whole, but also the extent, position, and peculiarities of soil of each of its component fields, whether entered in the accountant's records or not, and likewise the area of wastes, roads, rivers, sites of buildings, &c.; each of these divisions is measured in detail, and the sum of the whole gives the area of the village.

12. The first step taken is to send an order to the village authorities, intimating that on a certain day a carkoon will arrive at their village for the purpose of effecting its measurement, and directing them to inform every owner of a field or cultivator to have in readiness stones of a certain size to be sunk as land-marks by the measurers at each corner or bend of his field during the progress of its measurement. The patel and accountant are also required to be present, and to accompany the measurer daily into the field, with the bullotheadars, mahars, &c., of the village, in order to point out the proper boundaries of each field, and fix the boundary marks.

13. A measurer is then appointed to survey the village according to detailed instructions, which will be understood from the following description of his operations.

14. For the purpose of recording the particulars of his measurement, he is provided with a field-book, every page of which is numbered and signed by the European officer under whom he may be employed. In this book no erasures or obliterations are permitted, any erroneous entry being indicated by a line drawn through it so as to leave the original writing easily legible, and the corrected entry written immediately over it. By this precaution, an entry once made cannot be subsequently altered, so as to prevent discovery, by fraud or collusion. The record of the measurement of each day is also required to be pre-  
faced by a list of the village officers who accompany the carkoon to the field, who thus feel

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themselves made responsible for the accuracy of the boundaries pointed out, while a list of witnesses to the operations of the measurer at every period is also thus preserved.

15. In commencing his survey, the measurer selects a field adjoining the village, usually in front of the principal gate, which he enters in his field-book as No. 1, and also the number by which it is known in the village accounts. He then enters its position to the village, with reference to the cardinal points; its name; in what "thul" situated; the name of its owner, if "meeras"; waste or cultivated,—if the latter, by whom; and the number of beegas or other land measures obtaining in the village which it contains. These particulars are obtained from the accountant's records, or if wanting in these, from an oral examination of the village officers, and owner or cultivator of the field.

(14)

16. The measurer then chains the boundary of the field, laying down the land-marks, and making a sketch of its shape in his field-book as he goes round, on which he notes down the number of chains each side is long; the length of the several sides of the field are roughly laid off in his field-book from a scale of equal parts, by which he is enabled to make his sketch very nearly in accordance with the actual shape of the field; this he is afterwards enabled to correct, and make to approximate very closely to the truth, for transference to the village map, by a process which will be shortly described. The area of the field is obtained by dividing it into triangles, and measuring the lengths of the bases and perpendiculars, the position of the latter being obtained by means of a cross-staff, and the directions of these various measurements are indicated on the sketch by means of dotted lines. Should there be a well in the field, or a road or watercourse traverse it, these are also shown upon the sketch. The measurement completed, he describes in his field-book its situation with reference to adjoining fields, and the points where he has laid down boundary marks. Having completed the measurement of one field, he proceeds to the next adjoining, and so on until he completes his survey of the village; any road or rivers not within the boundaries of the fields are subsequently measured, and the area of the village obtained.

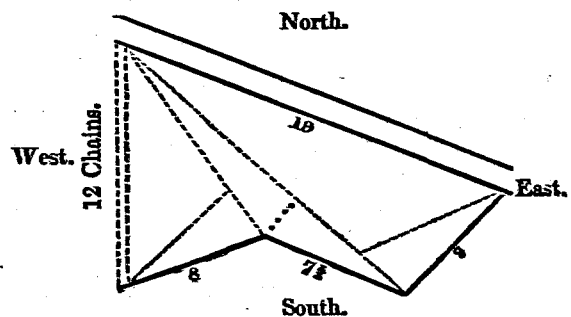
17. The preceding description will be rendered more intelligible by the following example of the method of recording the measurement in the field-book:—

Saturday, the 19th of December 1840, and native date.

## PRESENT IN THE FIELD.

<i>On the part of Government.</i>	<i>On the part of the Village.</i>
Hurree Gopaul - - - - Measurer.	Bappoo Wil. Sooltana - - Mokuddum P.
Sheik Adam - - - - Peon.	Hurree Wullud Appa - - Patel.
	Bappoo Shreeput - - Coolcurnee.
	Rama - - - - Lohar.
	Krishna - - - - Purreet.
	Rama - - - - Sonar.
	Balla Wullud Bappoo - - } Mahars.
	Ramnae - - - - } Mahars.
	Apnac - - - - } Mahars.
	Hurree - - - - } Mahars.
	Bullee - - - - } Mahars.
	Kimdoo Wullud Appa - - Mangh.

No. 1. (No. 6 in Coolcurnee's Records.)  
—Situated north of the village, in front of the great gate. The meeras of —; but now cultivated by —. This field is named "Gaon Khoos," being part of thul "Jadow," and contains 15 kuddeem beegas, according to the village papers.

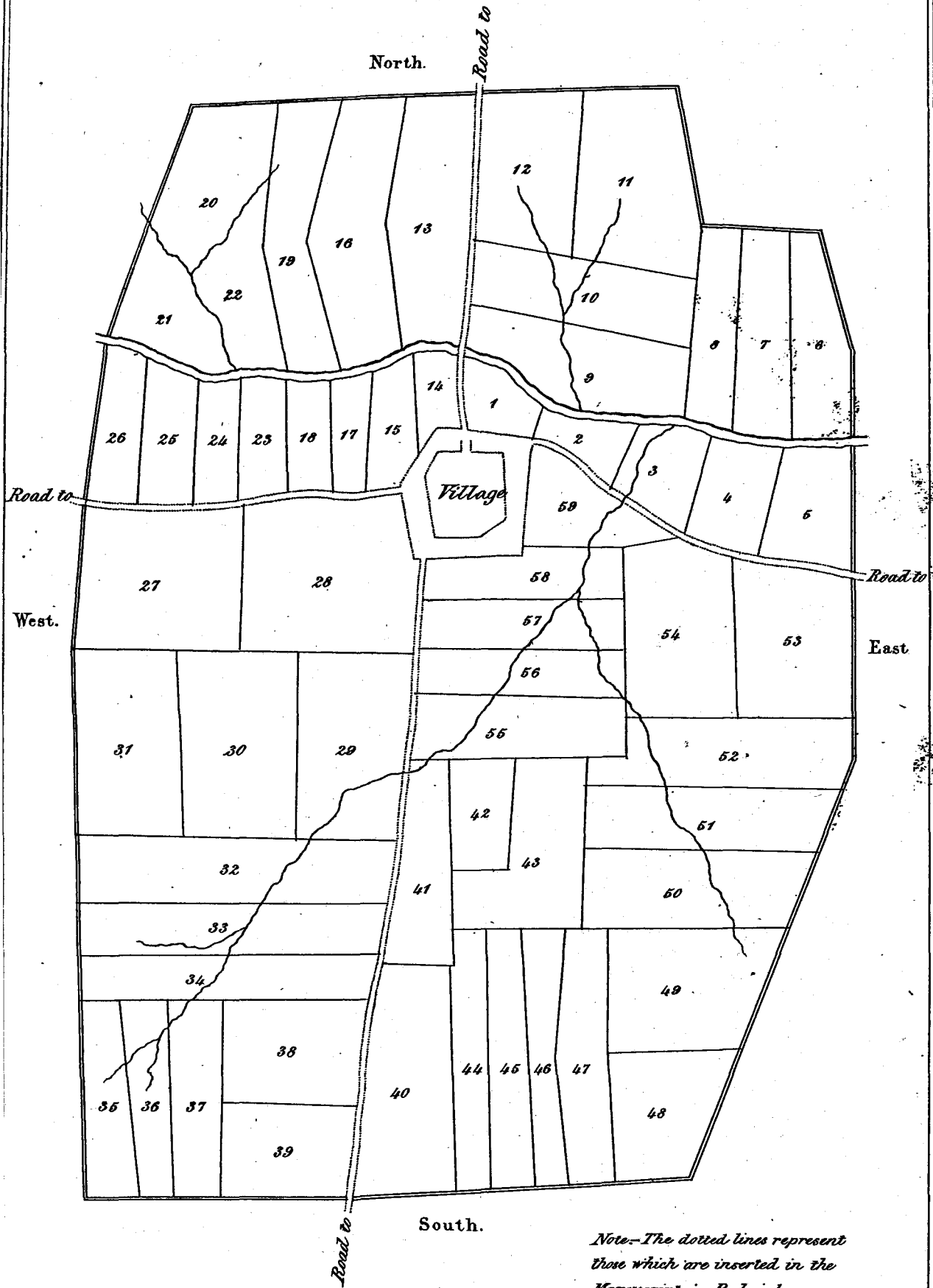


The length of the bases and perpendiculars shown by the interior dotted lines, and the calculation of the area of the field, are here inserted.

North boundary 19 chains long, formed by large nulla. East boundary 7 chains long, not well defined; two large stones have been sunk at the two corners. South boundary 15½ chains long, formed by a prickly pear hedge. West boundary 12 chains long, formed by road to —. This field is bounded on the North by the village nulla, beyond which is No. 9 "Gutkool," cultivated by —; on the East by No. 2, the meeras of —; on the South by a prickly pear hedge, beyond which is the village site; on the West by road to —; beyond which is No. 14, the meeras of —.

18. The foregoing example, which will be found to correspond with No. 1 of the map in the opposite page, will, I trust, have made the entries in the field-book intelligible; and it will also be evident, that the field thus measured can be easily and correctly laid down upon paper, by means of the interior and bounding measurements shown upon the sketch. This is accordingly done by the measurer, after his return from the field, each field being plotted

[To face page 374.]



plotted separately, and then transferred by means of tracing paper to its proper place in the general map, which may in this way be constructed with great accuracy by natives wholly ignorant of the European methods of surveying. With every care, however, a good deal of adjustment will be required to make all the fields fit into their relative positions, or, in technical language, to make the work close, in a map constructed in this rude fashion; and to assist in effecting this object, the position of each village, and that of two or three of the principal roads or nullas intersecting its adjoining lands, are sketched in the European method, by means of a surveying compass or theodolite. Thus, in the example given in the opposite page, the position of the village and diverging roads, marked in red, are obtained by the European method of detailed survey; and the whole village lands being thus divided into sections of moderate size, the limited number of fields comprised in each are easily adjusted, in position approximating very closely to the truth, from the map prepared by the native measurer.

(15)

19. Now, though maps of this kind would prove of little service for geographical purposes, they yet exhibit the topographical features of each village with considerable accuracy and great minuteness of detail, showing not merely the interior divisions of the lands of the village into fields, but also the directions of the various roads, footpaths, and watercourses, found within its limits. With the addition of a scientific circuit survey of village boundaries, these maps might be rendered sufficiently accurate for every purpose, even to their minutest details; but it appears to me that this additional degree of accuracy is hardly an object of sufficient importance to repay the large expense required to obtain it. The whole of the Deccan has already been surveyed and mapped on a scale of four inches to a mile, which is abundantly detailed to serve every purpose of the collector, magistrate, and judge. This question, however, has already been sufficiently discussed in the joint report already quoted.

20. The measurement of a village being completed, with its field map as above described, the accuracy of the work is tested by the European officer, who re-surveys and maps a proportion of the interior fields.

21. The classification of the village is then proceeded with, and in this operation every field is again subjected to examination, the accuracy of each entry in the measurer's field-book tested and established, and the varieties and proportions of soils in each field, with a minute description of every well or other source from which water for the purposes of irrigation is obtained, are entered by the classifier in his field-book, which is kept and numbered much in the same manner as that of the measurer.

22. The work of the classifier is again subjected to examination by the European officer, who re-classifies a portion of his fields, as he had previously re-surveyed those of the measurer.

23. In the field work, therefore, connected with the survey of each village, there are five distinct operations:—

(1.) Every portion of land comprised within the village limits is measured by native surveyors in detail, by means of a cross-staff and chain; the particulars regarding every such portion are detailed in a field-book kept for the purpose, and also shown upon the village map, which is constructed from actual measurement.

(2.) The accuracy of this measurement and map is ascertained by systematic test, executed by the European officer.

(3.) Every portion of land within the village is again submitted to examination by the classifiers, by whom also the nature and peculiarities of its soil and capabilities are ascertained and recorded.

(4.) The preceding classification is systematically tested by the European officer.

(5.) The site of the village and the position of the principal roads and watercourses traversing its adjoining lands are fixed by the European method of detailed survey, for the purpose of correcting and adjusting the details of the village map, so as to make them approximate very closely to the truth.

24. Under these heads are comprised the distinctive features of the field operations, and they compose a system of revenue survey, I have no hesitation in saying, more accurate and complete than that embracing similar operations in the North-Western Provinces. It does not, indeed, include a settlement and demarcation of village boundaries; but this defect has been fully accounted for, and a remedy suggested, in Mr. Goldsmid's and my report already noticed; nor is it available for geographical purposes at present, but may be made so if the objects be deemed of sufficient importance, by the superaddition of a scientific survey, as shown in my 9th paragraph.

25. During the progress of these operations, a tabular statement is framed of the whole village lands, in which are recorded the designation by which each field or division is known, the name of the cultivator and proprietor, the tenure by which it is held, the number of years it may have been in the possession of its present holders, and the proofs by which each claim to exemption from assessment is supported. Copies of all sunnuds or other documents connected with grants of land are taken, and a list made of all old papers connected with the management of the village in possession of the hereditary accountant. A census is also taken of the inhabitants, in which the name, caste, and occupation of every householder, the number of his family, servants, slaves, cattle, ploughs, &c., the description of tenement he inhabits, and such other statistical information as can be obtained, are embodied.

26. The manner in which the various information collected during the progress of the survey

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survey is made to bear in determining the question of assessment, has been fully explained in the joint report by Mr. Goldsmid and myself, already so frequently noticed, and it would be needless to fatigue you with a recapitulation of its statement in this place. They will have proved to your satisfaction, I trust, that the various precautions adopted in the North-Western Provinces, to guard against error of judgment on the part of the settling officer, have been carefully attended to here, and that a liberal standard of assessment, based upon the safe and practical considerations of past payments, in opposition to merely theoretical conjectures, is equally characteristic of both systems.

(16) 27. Before concluding, and also in the hope that the observations I am about to make may prove serviceable towards enabling Government to organize an efficient system of survey generally, I must beg to allude to one point of the constitution of that under my superintendence, which I deem essentially defective, and certain, while it continues, to prevent the department acquiring that degree of efficiency of which it is capable. I allude to the inadequate remuneration of the European officers engaged in its superintendence, offering in this a striking contrast to the case of the revenue survey of the North-Western Provinces, where the services of the most able and experienced officers in the civil and military services are retained by means of a liberal and graduated scale of emolument. In the Deccan survey, on the contrary, there is no prospect whatever of advancement; and the experienced officer who has laboured for years in the department—made himself intimately acquainted with every part of his duties—and whose services to Government are consequently doubly enhanced in value—finds himself in no better position than he occupied when he entered the department, and had everything to learn. The necessary consequence of this is a very general feeling of disappointment at their present position and prospects entertained by the survey officers, rendered keener, perhaps, by the very arduous nature of their duties, and by the knowledge that theirs is a singular instance of equally responsible and important duties, having been performed on the same terms.

28. I took occasion to propose a remedy for this state of things in my letter to your address of the 3d October 1839, and had the satisfaction of subsequently learning that the justice and expediency of the measures therein proposed were fully acquiesced in by Government. I trust, therefore, that on the present occasion, when the system of revenue survey in this Presidency is under the consideration of the Supreme Government, that advantage will be taken of the opportunity by the Honourable the Governor in Council to obtain a satisfactory settlement of the important points now noticed; for we shall vainly expect to prevent a constant and most hurtful succession of changes among the European officers employed on the survey while the emoluments and advantages of their appointments continue in every respect inferior to those of most subordinate grades in other departments of the public service.

I have, &c.  
(signed) *G. Wingate,*  
Superintendent Revenue Survey.

No. 229 of 1841.—Territorial Department, Revenue.

From the Revenue Commissioner to Mr. Chief Secretary *Reid.*

Revenue Commissioner's Camp, Bombay,  
15 February 1841.

Sir,

I HAVE the honour to acknowledge the receipt of your letter, No. 3302, of the 27th October last, forwarding a copy of Mr. Junior Secretary Halliday's letter, No. 137, of the 17th of August, and its accompaniments, and requesting that, after consulting with Mr. Goldsmid and Lieutenant Wingate, I would submit my opinion on the questions raised by the Government of India, to consider and report whether a system of mapping every village could not be engrafted on the present operations, and to procure from Lieutenant Wingate a succinct account of the manner in which the survey is conducted, with a description of the actual operations in any one village, as a specimen.

No. 2590. 2. I take this opportunity of resuming the subject of my letter, No. 1587, of the 29th August 1839. It will be in Government's recollection that I was favoured, under date the 15th of the same month, with a copy of a letter from the Honourable Court, dated the 19th of April preceding, communicating its sentiments respecting the new survey and assessment now in progress in the Deccan, and directed to state whether I would recommend an application being made for copies of such documents, connected with the survey in the North-Western Provinces, as the Right honourable the Governor-general might consider would be useful to this Government.

3. The despatch of the Honourable Court, it will be recollected, after approving of the decision of this Government in setting aside Mr. Pringle's survey and assessment, as the basis of the general revenue settlements, expressed a wish to have a somewhat more precise account of the exact means by which it was proposed to regulate the assessment which was to be substituted for that set aside; indicated various points on which the information before it, as regarded this part of the question, was defective; and desired that, if the work were not proceeding in as satisfactory a manner as this Government could desire, the Government of India should be applied to for such information, regarding the survey and assessment now in progress in the North-Western Provinces, as might be considered calculated to throw  
light



ight on the general question of the revision of assessment, and guide us to a more effectual course of proceeding, for the purpose of obtaining a just and equitable assessment.

No. 1587, of 29 August 1839.

4. In my reply to your letter, I expressed a hope that the correspondence to which I referred, and which must have reached the Honourable Court subsequent to the despatch of their letter in question, would have in a great measure satisfied their doubts, and cleared up the obscurity in which many of the points they referred to were involved, and suggested that the Government of India should be requested to furnish copies of any documents tending to explain the principles and mode of operation followed in the North-Western Provinces, not because I saw any reason "to apprehend that the work" in the Deccan "was not proceeding in the satisfactory manner anticipated," but because all information regarding similar operations in other parts of the country could not but be useful to the officers employed in the Deccan.

(17.)

5. A great number of documents of the nature indicated were received from the Government of India, forwarded to me with your letter of the 10th February 1840, and referred by me to Messrs. Goldsmid and Wingate, with a request that they would favour me with their opinions as to the expediency of adopting any measures, forming a part of the system followed in the North-Western Provinces, which they (Messrs. Goldsmid and Wingate) might deem calculated to improve the plan of operations for the survey and assessment of the Deccan.

No. 509.

6. Those gentlemen have accordingly drawn up a joint report, which I have now the honour to submit, together with a separate letter from Lieutenant Wingate, containing the information which, in your letter of the 27th October last, I was desired to call on him to furnish. Mr. Goldsmid's letter\* on the same subject has been already submitted to Government, as referring principally to the proposed survey of the Southern Mahratta country, and containing propositions which, if complied with, it was necessary should be considered and decided on without delay; and the greater part of his report, on the survey and assessment of two turufs of talooka Chandore, forwarded with my letter, No. 52, of the 8th ultimo, might with propriety have accompanied the letters now forwarded, and will be frequently referred to, as containing a very full and able general exposition of the objects and mode of proceeding in the survey of the Nassick sub-collectorate.

7. A perusal of the documents just enumerated will, I have little doubt, afford equal satisfaction to the Governments in this country, and the Home authorities, as explaining many parts of the system pursued in the Deccan which were before involved in obscurity, showing that some of the most valuable parts of the system pursued in the North-Western Provinces already form part of the plan of operations in the Deccan, and that, where the methods differ, that pursued in the Deccan has been adopted in consequence of local peculiarities, which, as now explained, will, I confidently anticipate, be allowed to form good grounds for considering the system preferred for the Deccan the best adapted to the peculiarities of that province. A perusal of the documents now forwarded will further, I have little doubt, give additional strength to Government's confidence in the admirable qualifications of the agents it has selected to carry its designs into execution.

8. The objections of the Honourable Court to the plan which it was at first proposed to follow, in revising the survey and assessment of the Deccan, were the want of any clearly-defined mode of proceeding, which promised sufficient security for the correctness of the assessment. No principle, it was observed, was laid down to guide officers in the selection of any particular mode of settlement, and the amount of assessment was left too much dependent on the discretion of the settling officer, without any means of checking or correcting it, except by a re-examination of the land itself by another officer, not inferior in qualification to the first.

Vide the 6th and following paras. of their letter above alluded to.

9. The uncertainty as regards the mode of settlement had, as already observed, been in great part removed previous to the receipt of the Honourable Court's despatch, as explained in the letters from Government referred to in the margin. The uncertainty as regards the amount of assessment will be explained in considering the questions raised by the Government of India in their letter of the 17th August last, to which I would now beg to refer.

No. 1015, 17 March 1838.

No. 1813, 14 May 1838.

No. 2732, 19 July 1838.

No. 4739, 31 Dec. 1838.

10. The greater part of the letter in question relates to the proposed survey and assessment of the Southern Mahratta country, on which, as the province in question is not within my range, it is unnecessary for me here to remark. On such parts of the letter and its accompaniments as refer to the surveys now in progress in the Deccan, I propose pointing out those parts of the documents enumerated in para. 6, which contain the information required, and which, as far as a description of the mode of operation goes, appear to me sufficiently full and accurate to preclude the necessity of any additional remarks of my own. In following this course, I shall have to state my reasons for recommending the adoption or rejection of the system pursued in the North-Western Provinces, wherever it differs from that followed in the Deccan, and thus comply with the first requisition of your letter under reply, viz., to submit my opinion on the questions raised by the Government of India, without traversing step by step the same ground as that gone over by Messrs. Goldsmid and Wingate in their necessarily very voluminous reports.

(18.)

11. The objects of the operations which those officers are employed in superintending are pretty nearly the same as those of the survey, &c., of the North-Western Provinces, as described in the Governor-general's letter,† except that their agency has hitherto been made

Objects of the survey and assessment in the Deccan.

comparatively

\* No. 154, of 16 December, with my letter, No. 54, of 8 January 1841.

† Para. 4 of the Right honourable the Governor-general's letter to the Honourable Court, No. 3, of 18 August 1838.

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comparatively little use of in re-dividing and re-modelling the various divisions of the country, with a view of rendering the several districts compact and equal, and to "ensure the coincidence of the jurisdictions of the several functionaries in the different departments of the administration," as no necessity for any extensive alterations of such a nature has ever, I believe, been complained of. The same may be said of alterations in the public establishments, with a view of better adapting them to the ascertained extent, population, and wealth of the various districts. Some alterations of this kind, as well as in remodelling the divisions of districts, &c., have been made at the suggestion of the officers employed in the survey and assessment; but the necessity for much reformation in the points indicated has never, that I am aware of, been shown to be great, and it therefore forms no prominent part of the objects of the survey and assessment.

\* Survey.  
Para. 5 of the Go-  
vernor-general's  
letter.

12. "An accurate survey of the land, with a specification of the quantity barren and culturable," and a classification of the latter, are here, as in the North-Western Provinces, necessary steps towards the attainment of the objects proposed. To ascertain and record the relative proportion of culturable and cultivated land is here, from the nature of the prevailing tenures, a necessarily annual operation; and the scale of classes of soil, though in principle that which is perfectly familiar to the people, is, of course, more systematic.

Measurements.

13. In the survey operations under Lieutenant Wingate, in the Poona collectorate, and those districts of Sholapoor which belonged to the old sub-collectorate, the duty of the surveying officers, as far as the measurements are concerned, is confined to testing and correcting those of Mr. Pringle's survey, which have been there acted on since its completion in the other districts of Sholapoor; and in the survey under Mr. Goldsmid's charge, all the measurements are made *de novo*, for though parts of the Nassick districts were surveyed by Mr. Pringle, his survey was never acted on, and its correction would consequently at this distance of time have entailed more trouble than an entirely new survey. Both in the northern and southern Deccan the classification is entirely new, that of Mr. Pringle's, where it existed, having been found generally too faulty to admit of correction.

Classification.

Governor-general's  
letter, paras. 6 to 16.

14. The first step preparatory to a survey in the North-Western Provinces appears to be "an accurate adjudication and demarcation of the boundaries of every village by the revenue officers."

Demarcation of vil-  
lage boundaries.

15. While the survey operations in the Deccan were confined to districts which had been once before surveyed by Mr. Pringle, and where, from that and other causes, the cases of disputed boundary were comparatively few and unimportant, the necessity for any distinct class of operations, having for their object the demarcation of village boundaries, was never very strongly felt; and while the provisions of the regulation for adjudicating disputed boundaries were so cumbrous as to bar their being applied in ordinary cases, the cases themselves were seldom of sufficient importance to justify an application for an alteration of the law. When, however, the survey was extended to districts which had not previously been the theatre of any operations of the kind, the case was found to be different, and the want of some means of deciding and marking the village boundaries, in a more expeditious and effectual manner than was practicable under existing regulations, was so severely felt, that Lieutenant Wingate gave it as his opinion that without it the operations of the survey must be comparatively valueless. The subject has been discussed at considerable length in the correspondence which preceded my letter, No. 147, of the 29th ultimo, in which I submitted a draft of an Act for making village boundaries, and deciding such as were disputed, founded in a great measure on the system which appears to be in force in the North-Western Provinces, the manifold advantages of which, as detailed in the Governor-general's letter to the Honourable Court, are sufficiently evident. With the assistance of an enactment such as that proposed, the officers of the Deccan surveys will be enabled to assimilate this branch of their system very closely to that followed in the North-Western Provinces.

Scientific circuit sur-  
vey of village bound-  
aries.

16. The next step in the system followed in the North-Western Provinces appears to be a scientific survey of the boundaries and areas of every village, showing in a general way the principal variations of soil and surface.

Governor-general's  
letter, paras. 17 to  
26; Mr. Private  
Secretary Colvin's  
note, paras. 4, 5,  
and 8.

17. The objects of this survey are apparently chiefly of a geographical and topographical nature. It does not appear that, beyond a correct protraction of the village area, and of the more prominent features of the country, much correctness is aimed at; as Mr. Colvin states, that "as the measurements" (of the fields of every village by the native ameens, under the general superintendence of the scientific surveyor) "are not subjected to any check, excepting as to the total area, and the extent of its principal subdivisions, by the professional survey, it is said that this part of the work is of little value, and that these interior village or field measurements have, in fact, to be done afresh, at a time, to be explained in the sequel, by the collector's establishments." I should infer, indeed, from paras. 20 to 25 of the Governor-general's letter, that it was in contemplation to omit altogether at this stage of the process the delineation of any but the very prominent and permanent interior features of the village, and that the scientific survey now only lays down the boundary of the village, and the chief geographical features.

(19.)

18. To this, the first or scientific circuit survey of village boundaries, there is nothing analogous in the surveys on this side of India, and it appears to have been from the want of it that the Government of India has been led to express its surprise "to find that the operations are so conducted as to be absolutely of no value for geographical or topographical purposes, and, it is to be feared, of little more than temporary and doubtful utility even for merely revenue purposes.

Not requisite for  
revenue purposes in  
the Deccan.

19. Before adverting to the question raised regarding the value or otherwise of the data collected by the Deccan surveys for topographical and geographical purposes, I would beg to remind

Government

Government that all the districts in which revenue surveys are now going on in the Deccan have been long since surveyed by the officers formerly under the superintendence of Major Jopp; and maps have been compiled, one or more copies of which are, I believe, in the office of every collector. These maps show the villages, hamlets, nullas, rivers, roads, and all the considerable inequalities of surface, with great minuteness; what greater detail or difference in the scale of the maps might be necessary for scientific purposes, I am not competent to judge. Possibly, if the existing maps are deficient in these respects, others might be compiled from the same materials, from which I have always understood maps might be drawn on a scale very much larger than those in use in the collectors' offices, the scale of which is, I believe, four inches to a mile. Of these latter, however, I can speak with safety, that they are amply sufficient for every purpose for which a collector can desire a map which does not show the divisions into fields, and to effect all the purposes stated in the Governor-general's letter to the Honourable Court, as among the objects of the professional survey, viz., "to serve, as it were, as an index to the native village maps; to show at once the position of a village, its proximity to the market, facilities of communication, and the tract in which it lies, which may be marked by peculiarity of soil, scarce or abundant means of irrigation, or other circumstances which are found by experience to affect tracts of country or groups of villages."

20. But even if it were otherwise, and there were no such maps of any use as geographical or topographical documents, I confess I cannot think that it could be charged as a fault in the Deccan surveys that they did not supply the deficiency. They were undertaken solely at the instigation of revenue officers, with no other end in view but that of furnishing revenue surveys, and up to the present time the collection and record of geographical and topographical data was never proposed as even a collateral object.

21. Still, however, though in drawing them out no particular reference was had to the scientific objects alluded to by the Government of India, the information collected, and the village maps made out by the Deccan revenue surveys, must be, I should conceive, of considerable value for topographical purposes; and with one of Major Jopp's maps as a general index, and the village maps, drawn out by the native establishments in the manner hereinafter to be stated (and a specimen of which will be found among the accompaniments), I own I am at a loss to know what further can be required for any present practical purpose. However that may be, I would beg Government's attention to the opinion expressed by both Mr. Goldsmid and Lieutenant Wingate, that for revenue purposes a scientific circuit survey of village boundaries, as a preliminary to the present operations, could save no part of the labour and expense of the latter, nor add anything to their value; they could prove no check on fraudulent mismeasurements in a detailed field survey; since whatever might be the error in individual fields, the field measurers could never find any difficulty in making the total of any large area (to the measurement of which the operations of the scientific survey must necessarily be confined) correspond with that brought out by themselves.

22. I would beg, therefore, to state my full concurrence in the opinion expressed by Messrs. Goldsmid and Wingate, that the expediency or otherwise of grafting on the present operations a professional survey of village boundaries, similar to that of the North Western Provinces, should be considered solely with regard to its necessity for topographical and other scientific purposes; as it would add enormously to the expense, without in any degree adding to the value of the revenue survey, as such; and should its execution, when considered on such grounds, be deemed advisable, I would beg Government's attention to the opinion expressed by Lieutenant Wingate, that as its previous execution would not have saved one rupee of the expense, or a single detail of the present revenue survey, so no alteration in the system of the latter would have saved any of the labour or expense incident on a scientific survey of village boundaries.

23. For further details on this point, one of the most important raised by the Government of India on the present occasion, I would beg to refer to the parts of the correspondence now forwarded, which are specified below.\*

24. The next step in the system pursued in the North-Western Provinces appears to be the transfer of the results of his labours, by the scientific surveyor, into the hands of the settling officer, and before showing by what means the necessary maps and returns for the foundation of an equitable assessment are obtained in the Deccan, I would say a few words on the objections to entrusting the survey and assessment to one and the same class of officers. The disadvantages of such a combination of duties are pointed out in Mr. Colvin's note, viz., a tendency to fix the demand of revenue too much upon speculative and uncertain grounds, and consequent over-assessment.

25. The means which are here taken to guard against this result, which is justly termed the worst which can follow any attempt at assessment, will be pointed out when we come to consider the mode in which the assessment is fixed. I will here only explain why I do not apprehend any such consequence from entrusting the two operations to the same agent, in the survey under Lieutenant Wingate.

26. It will be in Government's recollection that at the commencement of the revision of Mr. Pringle's survey, the system followed in the North-Western Provinces was so far acted

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Para. 18.

The supply of topographical or geographical data no part of the original plan of the revenue survey.

Nevertheless, even for such purposes, the information collected by the revenue survey is of considerable value.

In the Deccan, the expediency or otherwise of a scientific survey of village boundaries not a revenue question.  
(20.)

Para. 9.

Governor-general's letter, paras. 32 and 33; Mr. Colvin's note, paras. 6 to 10, and 2 and 3.  
Question as to the necessity of entrusting the survey and assessment to different officers.  
Paras. 2 and 3.

\* Paras. 7 to 9 of Lieut. Wingate's letter of 30th December.

Paras. 49 to 51 of the joint report of Messrs. Goldsmid and Wingate, and paras. 5 and 7 of Mr. Goldsmid's report of the 16th of December, forwarded with my letter, No. 52, of the 8th ultimo.

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Para. 3.

Para. 4 of Lieut.  
Wingate's letter of  
the 30th December,  
and para. 3 of Mr.  
Goldsmid's of the  
16th idem, forwarded  
with my letter,  
No. 54, of the 8th  
ultimo.

(21.)

Governor-general's  
letter, para. 32, and  
Mr. Colvin's note,  
para. 4.

Preparation of village  
maps, measurements,  
and mode of testing  
ditto.

Lieut. Wingate's re-  
port of 30th Dec.  
paras. 12 to 20; joint  
report, para. 48; Mr.  
Goldsmid's report of  
16th Dec., para. 2d;  
ditto on Chandore,  
paras. 39 to 61 (this is  
the report forwarded  
with my letter, No. 49,  
of the 9th January).

on, that Lieutenants Wingate and Nash were sent as survey officers under the general superintendence of Mr. Goldsmid, by whom the settlements were to be made. When the latter officer quitted the superintendence of the work in that part of the Deccan, Lieutenant Wingate was selected to succeed him, not from any insensibility to the general advantages of having the two duties of surveyor and settlement officer conducted by separate individuals, but from the very peculiar qualifications which Lieutenant Wingate had manifested as a practical revenue officer—the intimate acquaintance he had obtained with the districts to be surveyed, and with the views and plans of Mr. Goldsmid—all which circumstances, I believe, led Government to the conclusion that no one was better fitted to carry on the latter gentleman's duty as settlement officer than Lieutenant Wingate. How far this conclusion has been justified by the mode in which Lieutenant Wingate has discharged the duty entrusted to him I need hardly stop to point out, Government having so decidedly expressed its approbation at almost every step of his proceedings; but I may be allowed to remark, that the result has certainly not been over-assessment, as far as we can at present judge; the only fault that any of the local revenue officers have found, or rather expressed their apprehension of, has been that the assessment was too low. Had this apprehension been well-founded, it might have been an instance of the kind alluded to by Mr. Colvin, where Government did not get the whole of its fair revenue, and would, as he justly remarks, have been overbalanced by the prospect of escaping the contrary and greater evil; but where, in the case in question, further inquiry showed that the effect of the reduction in the nominal assessment had been to give such an impulse to agricultural industry, and so to extend cultivation, that the sacrifice of revenue was merely temporary, and that sometimes, before more than a single season had elapsed, Government derived from the district an actually larger revenue than the average of their former collections, paid without the slightest difficulty or distress, it became evident that the fear of Government's having suffered even a temporary loss in extending relief to the over-taxed cultivators was groundless. On this point, I would beg more particularly to refer to the parts of Mr. Goldsmid's and Lieutenant Wingate's letters noted in the margin, and to almost every para. of their joint report, and will only further remark,—1st, that the practice followed here, of requiring all the survey reports and propositions regarding the assessment to be forwarded through the collector, secures sufficient check against over-assessment, provided the collector be even less qualified for his situation than would be required if he were to be made, as it appears he frequently is in the North-Western Provinces, the settlement officer; and 2dly, that the survey under Lieutenant Wingate is the only one in which the two duties of survey and settlement officer are combined, and that, whenever the state of the public service may admit of an addition to the number of his assessments, so as to make his duties as superintendent and settlement officer more onerous, and his services as a surveyor less necessary to the completion of the work within a reasonable period, there can be no difficulty in confining his attention exclusively to the former class of his duties, by placing the surveying and assessing establishment, now under his immediate control, under that of one of his assistants. In the Nassick survey, as Government is well aware, the survey is conducted by officers under Mr. Goldsmid, whose duties are those of superintendent and settlement officer; and in his plan for a survey of the Southern Mahratta country, submitted with his letter dated the 16th December last, he proposed that the two branches should be kept perfectly distinct.

27. It is unnecessary that I should enter into any lengthened detail to show how the maps and other documents, which are to furnish the data for the settlement, and which would, in the North-Western Provinces, be in part prepared by the professional survey, are provided in the Deccan, as the sketch of the operations of their establishments, given by Messrs. Goldsmid and Lieutenant Wingate in those parts of their reports noted in the margin, will explain better than any abridgment I could offer, the whole course of operations—the provision of good field boundaries, the measurement of the individual fields, and the mode in which those measurements are recorded, the plotting each field roughly in field-book, and the subsequent transfer of it to its proper place in the village map, and more especially the mode in which a certain portion of the work in every village is tested by the European officers, in a way to render as certain as possible the detection of any error which may have been committed.

28. I would beg, however, not to be understood, from the observations contained in paras. 24 to 26, as expressing an opinion that it is at all desirable to entrust the superintendence of the survey, and duty of making the settlements, to different officers. It undoubtedly is desirable that the settlement officers should not be burdened with the immediate superintendence of any of the native surveying and classifying establishments; but I would certainly recommend that the survey department should be subjected to the control of the officer entrusted with the settlements, as by no other arrangement can we ensure that the survey establishment should procure the information required, of the kind, and in the shape, most useful for the settlement officer. In the Broach and Guzerat survey we have an example of the evils of a contrary mode of proceeding. Though the scientific part of the work was most ably executed, and the statistical and other information collected most minute and extensive, it is to this day comparatively useless, owing to the operations having been conducted without any reference to, or connexion with, the local revenue officers, so that the object of supplying the wants of the latter, by forming a foundation for future revenue settlements, was frequently lost sight of. This could not have been the case had the officers, like those of the Deccan survey, been constantly reminded that the end and object of their labours was to propose a new assessment, and that they must be prepared, not

not only to defend their propositions in theory, but to submit them to the test of being immediately put in practice. Nor, indeed, does the course I have recommended seem at variance with that followed in the North-Western Provinces, where the scientific survey seems to supply many of the data of a more general description, which are made use of by the settlement officers. All the measurements, &c., which are more immediately used in the settlements are either made or tested by the establishments under their own immediate superintendence.

29. As this is a branch of the work, the correctness or otherwise of which admits of being at once correctly tested, I would beg Government's particular attention to paras. 50 and 51, and note Z. of Mr. Goldsmid's report on Chandore, as a specimen of the extent and nature of the errors detected respectively by the European and Native testers of the measurements; and would remark that, though it is, of course, within the bounds of possibility that an error may remain undetected by either of these successive tests, the probability of its being so is reduced as low as appears practically possible; and that the system of subjecting a certain fixed portion of the measurements of every village to such a strict revision—that portion being selected in a manner which makes it impossible to say what particular fields will be re-examined—must render anything like systematic wilful fraud almost impracticable by increasing so greatly the likelihood of its being detected.

30. Before quitting the subject of the measurements, I would again beg that it may be borne in mind, that in all the districts of the old principal collectorate of Poona to which Lieutenant Wingate's operations have been hitherto chiefly confined, the measurements of Mr. Pringle's survey have been, in general, adopted; and that, in this part of the work, the duty of Lieutenant Wingate's establishment has been chiefly confined to testing, and, where necessary, correcting the measurements as already made and recorded by Mr. Pringle's survey.

31. The next step is to classify the land, which is effected in the manner described at length in those parts of the annexed documents mentioned in the margin. I would particularly beg attention to Lieutenant Davidson's memorandum on this subject (which forms an Appendix to Mr. Goldsmid's Chandore report), as a very clear explanation of a process, sufficiently simple in itself, but which, from a general description, might be supposed to be somewhat complicated and intricate; and also to the 9th to 14th paras. of Messrs. Goldsmid and Wingate's joint report, which are chiefly intended to show that the objections taken by the Board of Revenue for the North-Western Provinces, against the system of classification followed in Sir Thomas Munro's surveys in the Madras territories, do not apply to that followed in the surveys now in progress in the Deccan.

32. The whole of the information thus obtained is recorded in convenient forms for reference; and, during the progress of these various operations, the peculiar facilities which are offered to the officers employed are taken advantage of to obtain and record a great amount of statistical information, more detailed and correct, as may easily be supposed, than would be obtainable in any other way; all old documents, such as sunnuds, &c., connected with the land, and useful in showing the tenure on which it is now, or has been held and assessed, are registered and described, and, when important, copied.

33. It will be seen, then, from a perusal of those parts of the documents to which I have more especially referred, that at the point where the duty of the settlement officer in the North-Western Provinces begins, the officers in the Deccan survey have collected a mass of data considerably more detailed and minute than those required for a settlement in the North-Western Provinces, for the obvious reason that the nature of the prevailing tenure in the Deccan requires that the settlement should be considerably more in detail than, to judge from the documents with which I have been favoured, is thought necessary in the North-Western Provinces. I trust, however, that Government will at the same time be satisfied that this greater minuteness of detail has not been carried to such a length as in any way to render it a matter of difficulty to satisfy the superintending authority of the correctness of the work performed. This fault, one of the most prominent ones of Mr. Pringle's survey, is one which has been most carefully guarded against in the present operations, and I would beg particularly to point out that where minute correctness is attempted, it is not, as in Mr. Pringle's survey, and in many of those to which the observations in the letter from the Sudr Board of Revenue refer, in estimates of produce and expenses, profits, rents, &c., but in measurements and classification, where, with due care, a very high degree of correctness is very easily attainable, and is of the greatest importance to the fairness of the assessment. That such care has been taken, Government will, I trust, be satisfied, when the precautions which are taken to prevent error or fraud; and the repeated and severe tests to which the work is subjected at every step, are taken into consideration. On this point I would more particularly beg attention to those parts of the documents now submitted, which are noted in the margin.

34. Furnished with the data thus procured, the superintendent of the survey proceeds to the last and the most difficult of the operations with which he is charged, viz., to fix the assessment which is to be levied; and the mode in which this is effected will be found very fully explained in the documents to which I have so often had occasion to refer,\* a perusal of which will, I trust, satisfy the Government of India, that so far from the assessment now in progress in the Deccan being based on speculative and uncertain grounds, or upon conjectural calculations and estimates, as would appear to be apprehended by the Government

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Correctness of measurements.

Classification.

Paras. 62 to 76 of Mr. Goldsmid's report on Chandore, of the 1st Nov. 1840, No. 135, and the Memorandum from Lieut. Davidson appended to it; paras. 21 and 22 of Lieut. Wingate's report of 30th December, and paras. 9 to 14 of their joint report.

Forwarded with my letter, No. 49, of the 9th January 1841.

(22.)

Statistical information.

Lieut. Wingate's report, para. 25; Mr. Goldsmid's Chandore report, paras. 77 to 79.

Vide paras. 32 and 33 of Governor-general's letter, and paras. 6 and 10 of Mr. Colvin's note.

Lieut. Wingate's report, paras. 14 and 20 to 22, and clauses 2 and 4 of para. 23; joint report, paras. 8, 10 to 14 (especially 13), 48 to 54.

Mr. Goldsmid's Chandore report, paras. 41 to 76 (especially 41, and 43 to 49); and Mr. Goldsmid's report of 16 December, No. 154, para. 2d.

Determination of the assessment.

\* Mr. Goldsmid's Chandore report, paras. 83 to 89. Mr. Goldsmid's letter of the 16th December, No. 154, paras. 2 to 4; joint report, paras. 15 to 17; Lieut. Wingate's report of 30th December, paras. 3 to 5, and 26.

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Reports of the  
superintendent and  
his assistants.

of India, it is deduced from a consideration of all the particulars mentioned in the documents which relate to the North-Western survey, as allowed weight in fixing the jummas in the settlement of those provinces, and this consideration is more especially extended to the past realizations of revenue.

35. When all his inquiries are concluded, the superintendent of the survey submits to Government, through the collector and Revenue Commissioner, reports from himself and his assistants, who may have been entrusted with the immediate superintendence of the measurements and classification. In these reports are stated, generally, the result of the survey, with a description of the districts, and of any peculiarities in the soil, climate, population, state of agriculture, &c. &c., which are likely to affect its assessment, together with a particular history of its past revenue management and realizations, elucidated by diagrams, which show at a glance the proportions which the cultivation, assessment, and the collections have borne to one another during our occupation of the country; and by tables of prices, population, stock, &c., derived from the statistical information which has been collected; and stating, as clearly as is possible in such an operation, the reasons for the rates of assessment which the superintendent proposes.

(23.)

36. The collector and Revenue Commissioner, in forwarding these reports, have an opportunity of bringing the conclusions of the superintendent to the test of such local knowledge and experience as they may possess; and, if the propriety of adopting the rates proposed be made out to Government's satisfaction, the survey officers proceed to draw up, from the returns of classification, statements showing the rent at which each field is thereafter to be assessed, at least during the term of 30 years for which it has been declared that the present assessment shall remain in force.

37. As all that the Government of India required was a clear and precise explanation "of the duty assigned to the several parties in the business of survey and settlement, and of the safeguards on which reasonable reliance can be placed against excessive assessment," I trust that the documents above referred to will be found to contain the information desired, especially Mr. Goldsmid's report on Chandore (forwarded with my letter, No. 52, of the 8th January last), and Lieutenant Wingate's, now submitted; but as it is impossible to say beforehand what points we may have left obscure, from their relating to local peculiarities which are familiar to us, and appear therefore to require no explanation, I would respectfully beg that any such deficiencies which may be apparent should be pointed out, a final judgment on the point being deferred pending the receipt of what I confidently hope will prove a satisfactory explanation.

Over-assessment certainly not a fault of the Deccan system.

38. Of the result of operations which have been so lately commenced, and so frequently interrupted by the removal of the officers employed, when their regiments proceeded on active service, it would, perhaps, be premature now to speak; but I may be permitted to allude to the very general satisfaction which has been expressed by the parties more immediately concerned, the cultivating ryuts, in every district in which operations have been commenced, and to the uniformly concurrent testimony of all the local revenue officers, to the impulse which has been imparted to agricultural industry.

39. The operations of the survey must, in my opinion, be extended to a very much larger tract before any safe conclusions can be drawn from its results; but when in districts the cultivation of which has been long declining, and heavy balances of revenue accumulating, we find that, though the nominal assessment has been greatly reduced, cultivation becomes so extended as to recompense, and sometimes exceed, in the first and second season, the very heavy sacrifice which Government had made in reducing the jumma on the land in cultivation at the time the survey commenced; when this is effected at the same time that the greatest pains are taken to prevent any artificial inducement to extend cultivation; and when by setting up claims which had long been allowed to be dormant, and by resorting to various expedients to obtain possession of land which they cannot hope to cultivate for several seasons to come, the ryuts show that they consider the land to have acquired a value which it did not before possess, I cannot but think that whatever may be the fault of our system in other respects, we may safely take credit for having avoided that most fatal one of over-assessment, the correction of which was the chief object of commencing the present operations.

40. My reply to the question put in the 2d para. of your letter under reply has been anticipated by the foregoing observations. For every purpose for which a revenue officer can desire a map, those already furnished by the late survey under Major Jopp, and those now making out by the Deccan revenue surveys, of which a specimen is annexed, seem to me amply sufficient; and if anything more accurate or detailed be required, it must be, I conclude, for some purpose of speculative science, on the necessity or otherwise of which I am not required to express an opinion.

No. 167 of Dec.

41. In conclusion, I would beg Government's particular attention to the 27th and 28th paras. of Lieutenant Wingate's report. I have already respectfully tendered my opinion as to the inadequacy of the pay allowed both to the superintendent and his assistants, and will, therefore, here only express my hope that the Honourable the Governor in Council may see fit to take the present opportunity of requesting the sanction of the Supreme Government to paying the survey officers in these provinces on the same scale as that allowed to officers similarly employed in other parts of India.

I have, &c.  
(signed) J. Vibart,  
Revenue Commissioner.



## XI.

REPORT by Captain *G. Wingate*, Superintendent of the Revenue Survey in the Southern Mahratta Country, on the SURVEY and ASSESSMENT of the *Bunkapoor* Talook in the Zillah of *Dharwar*.

XI.  
Report on the  
Survey and  
Assessment of the  
Bunkapoor Talook.

[*Note*.—This Report is given to show the manner in which the Bombay system of Survey and Assessment is carried into practical operation.]

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 ABSTRACT OF THE REPORT.
 

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## PARAS.

- n roductory.
- 2 to 7.—General description of the Bunkapoor talook.
- 8 to 11.—Markets and agriculture.
- 12 to 16.—Revenue management and public works of former Governments.
- 17 to 20.—Revenue management and public works of present Government.
- 21.—Condition of the cultivators.
- 22 to 28.—Rates of assessment for dry crop lands.
- 29 to 38.—Ditto - ditto - garden lands.
- 39 to 42.—Ditto - ditto - rice lands.
- 43 to 46.—General result of the new settlement.
- 47.—Proposals for the settlement of the village of Behuttee, attached to the Hoobullee talook.
- 48.—Duration of the proposed settlements.
- 49 to 61.—Faulty constitution of the present Bunkapoor talook, and proposals for amending this.
- 62 to 69.—Importance of improved internal communications to the stability of the new settlement, and the urgent need of particular lines of road being immediately constructed, pointed out.
- 70 to 74.—Concluding observations.

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 No. 146 of 1846.

To *S. Mansfield*, Esq., Acting Collector, Dharwar.

Sir,

I do myself the honour to submit to you, for the sanction of Government, proposals in the usual form for the re-assessment of the Bunkapoor talook of this collectorate, in which the survey operations are sufficiently advanced to allow of the new settlement being introduced at next jumma bundee.

2. The talook in question, as now constituted, contains 148 villages, of which 137 are under the direct management of Government, and 11 alienated. Of the latter, seven are subject to a joodee payment, and the remainder held entirely rent-free. In addition to the above, there are upwards of 20 jagheer villages scattered over this talook, which nearly all belong to the small principality of Sawunoor. The proposals to be laid before you in the sequel refer only to the 137 villages under our direct management. These are now attached to the three



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\* Not printed.

kutcheries of Segaoon, Kurruzgee, and Kullus, as shown in the subjoined statement and accompanying map.\* The latter will also be found to elucidate many other points to be noticed hereafter.

Name of Mahal, or Old Division, to which the Villages belong.	Present Distribution of the Villages.			
	Under Mamlutdar of Seegaon.	Under Mahal Kurree of Kurruzgee.	Under First Carcoon of Kullus.	TOTALS.
Bunkapoor - - - -	13	- - - -	- - - -	13
Seegaon - - - -	18	- - - -	- - - -	18
Karudgee - - - -	46	45	- - - -	91
Phootgaon - - - -	4	3	- - - -	7
Kullus - - - -	- - - -	- - - -	8	8
<b>TOTALS - - - -</b>	<b>81</b>	<b>48</b>	<b>8</b>	<b>137</b>

3. The constitution of the talook here shown, whether considered with reference to its external boundaries or to the internal distribution of its villages amongst the several kutcheries, could hardly be more faulty; but I shall reserve the discussion of this subject, and the remedies I have to propose in reference to it, until the question of the assessment is disposed of.

4. With the present communication are forwarded copies of reports by my assistants, Messrs. Francis and Young, which contain a great deal of most interesting information in regard to the physical peculiarities, agriculture, and trade, of the portions of the talook in which they were employed last season, and will render it unnecessary for me to enter into any detail upon these subjects.

5. The talook of Bunkapoor is the most centrally situated of any in this collectorate, being inclosed by the Ranee-Bednore, Kode, Hangul, and Hoobullee talooks on the east, south and west, and by the jagheer territory intervening between it and the Nuwulgoond and Dummul talooks on the north. It is of very irregular shape; but the westerly half, forming the major part of the Seegaon mamlutdar's charge, may be described as a basin included between the Turrus hills to the west, and Sawanoor high grounds to the east, which is drained by a large nulla falling into the river Wurda near the village of Deogerree; from which point the eastern half, forming the Kurruzgee mahalkurree's division, occupies the valley of the Wurda and the high grounds on either side of it down to the borders of the Gootul mahal of Ranee-Bednore. From this description, however, must be exempted the eight villages of the Kullus mahal, which formed part of the jagheer of the late Gopal Rao Saheb Putwurdhun, and lapsed to Government at his death in 1842. These, and one or two more, are interspersed over the jagheer territory to the north of the talook, and their positions will be learnt from the map much better than from any description.

6. The surface of Bunkapoor is generally flat, though skirted by low hills and rising grounds on nearly all sides. The low lands are generally of good quality; but there is also a great deal of inferior soil, mostly in the neighbourhood of the hills which have just been mentioned. The scenery is tame, but, from the greater abundance of trees, much more pleasing than the bare plains of Nuwulgoond and Dumimul. The climate, too, of Bunkapoor is superior to that of these districts, and much resembles that of the mamlutdar's division of Hoobullee, described in the first of my assessment reports.

7. The greatest fall of rain occurs along the line of western hills, and the villages in this quarter are styled mulnad, or belonging to the region of rain, as mentioned in the 5th para. of Mr. Young's report. This division is, however, of very limited extent, and contains only 17 small villages. The portion of the plain immediately adjoining the mulnad occupies the next most favourable position in respect of rain, the fall of which may be considered to become gradually less copious and more precarious as the district stretches eastward, there being no hills.

Situation of  
Bunkapoor.

Hoobly report  
quoted.

hills of sufficient elevation to condense the passing clouds into showers during the prevalence of the south-west monsoon.

8. The western portions of the talook, in addition to superiority of climate, enjoy also some advantages in respect of markets. The important bazaar of Doonchee in the Turrus mahal of Hoobullee, to which a considerable part of the surplus produce of this district finds its way, is situated in this quarter; but what is of greater moment still, the chief exports of the talook are made to the port of Compta for shipment to Bombay, and there is a slight difference in the cost of transport thither in favour of the western over the eastern parts of the district. These considerations are sufficient to indicate how the assessment should be determined, making it clear that, whatever its absolute amount, the rates for apportioning it over the talook should be highest in the mulnad or western border, and gradually fall as the villages brought under their operation are situated farther to the east.

9. The agriculture of the district is very fully treated of in the accompanying reports. In that of Mr. Young will be found, also, well-executed drawings of the various implements, carts, &c., used in farming operations. The ordinary husbandry may be considered good for this part of India. Manure is applied to all the land under tillage, and considerable care and skill, as will be seen from the 10th para. of Mr. Young's report, are shown in its collection and preparation. The general course of cropping for black soils is an alternation of jowarree and cotton, it being found that wheat, which is a frequent third course in Nuwulgoond and Dummul, does not generally succeed in this district.

10. It would appear, therefore, that the cotton crop is of even more importance here than in the two former districts; it forms by far the most important export of the talook. Mr. Francis, in his 14th para., estimates that there are 50,000 acres of land suited to the production of cotton in the eastern division of the district, and that half of these, by the two-course system of cropping already noticed, being supposed to be sown annually with this crop, the total yield, at 50 lbs. of cleaned cotton per acre, which is considered a fair average, would amount to 2,050 Bombay candies, of which he supposes 1,500 or 1,600 to be exported. The capability of this part of the district I believe to be nearly equal to what is here stated; but the actual produce of cotton I imagine to be considerably within the estimate. There is some extent of waste land, and the system of two years' cropping I apprehend not to be universal. Besides other crops occasionally taking the place of cotton in the rotation, we have to consider that jowarree is the first necessary with the cultivator, the grain being required for the support of himself and family, and the straw for his bullocks. His first care is, therefore, to provide himself with a sufficiency of these, and it is only when this is done that he can turn his attention to cotton. When the farms are very small, as is often the case in this talook, and the proportion of inferior land in the village small, more than a half of the land suited for cotton I imagine to be appropriated to the production of food, and that it is only in the case of the more wealthy cultivators with considerable farms that the two years' course of cropping can be strictly adhered to. Owing to these and other causes, I am of opinion that the breadth of land sown with cotton approaches more nearly to a third than a half of the whole suited to this crop. The cotton soils of the western division I should think equally extensive with those of the eastern, and upon either Mr. Francis's estimate or my own, the importance of the cotton crop to the revenue is sufficiently evident, and, bearing as it does so immediately on the question of the assessment, I shall have occasion to revert to the subject hereafter, but bring it forward now in the hope that the fact will ever be held in view during the consideration of my proposals. In this talook, as in Nuwulgoond and Dummul, the cotton crop forms our chief security for the realisation of the assessment; and should it hereafter, from a fall of prices or other causes, become seriously curtailed, and its place remain unsupplied by other exportable products, the probable, if not inevitable, consequence would be the necessity of effecting a further reduction of the land tax.

11. Besides the ordinary dry crops, there is a more considerable extent of rice and garden cultivation in Bunkapoor than in any district yet reported on, but still not of much importance. The rice lands amount to about 1,200 acres, and are nearly confined to the mulnad villages, noticed in a previous paragraph. The better qualities yield a second crop after the rice is reaped, and are also in low and moist situations, well adapted to the culture of the sugar-cane, which is

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grown on them to some extent. For further details I beg to refer you to the 19th para. of Mr. Young's report, which contains a full description of their several varieties, and the modes of culture suited to each. The garden lands, according to the former survey records, are somewhat in excess of 400 acres, and are very valuable, yielding a revenue to Government of upwards of 6,000 rupees. Their chief products are sugar-cane, plantains, betel-leaf, soparee, and cocoa-nuts, of which full accounts are given in the 15th para. of Mr. Francis's, and 17th of Mr. Young's reports. The gardens are mostly situated under the large tanks of Seegaon, Hawehree, Huttee Muttoor, and Karudgee, from which they are irrigated by means of canals, and when these fail, as they sometimes do in the hot season, from wells sunk in the saturated ground below the tanks. And I may remark that not here alone, but almost everywhere in this collectorate, the supply of water in wells is dependent upon tanks situated on a higher level, from which the water percolates through the soil into the wells below. There are very few independent springs to be met with anywhere, which is probably owing to the vertical or highly inclined position of the clay slate and its associated strata, which are the prevailing rocks in this collectorate, being unfavourable to the accumulation of water in subterranean reservoirs. The importance of the numerous tanks in this province becomes thus apparent, and but for them great part of it would be uninhabitable. The manufactures of this district are few and unimportant, being nearly confined to the production of coarse cotton and woollen fabrics for domestic consumption. They will be found noticed in detail in Mr. Francis's 16th, and Mr. Young's 22d para.

Tanks.

Annagoondee  
dynasty.

12. I will now advert briefly to the past management of the talook. We must go back for three centuries, to the time when it formed a part of the small Hindoo kingdom of Annagoondee, to find a period of good and prosperous Government. The dynasty of the Nurputtee Rajas of Annagoondee, though it lasted only during two centuries and a half, was in some respects a remarkable one, and forms one of the few periods in Indian history regarding which there is reason to regret that so few records have been preserved. The Hindoo kings of Annagoondee have left, nevertheless, enduring memorials of their wisdom and patriotism in the many noble public works undertaken for the good of their subjects, and which still secure for their memories the affectionate regards of the people of this province. The numerous fine tanks for which the Canarese country is famed were nearly all constructed by the Annagoondee kings. The reign of the brothers, Achit-Rao, Kristna-Rao, who flourished about three centuries ago, is especially celebrated for the number and importance of its public works and excellent civil administration. Under their auspices the spacious tanks near Seegaon and the fort of Bunkapoor, both in this talook, are said to have been built, besides many fine tanks in other places; but their most remarkable works were undoubtedly the damming of the Toomboodra river, which was effected in no less than seven places, though the stream is generally over half a mile in width, by gigantic "bundaras," formed of huge gigantic blocks, often many tons in weight. Five of these extraordinary constructions, unequalled, I imagine, in any other part of India, or perhaps the world, remain to the present day to attest the genius of Dumuk Moodh, the bukshee of Achit-Rao, Kristna-Rao, by whom they are said to have been planned and executed. From these stupendous "bundaras," canals are led along both sides of the river, and supply the means of irrigation to many miles of garden lands, which at this day constitute the most valuable portions of the Bellary collectorate of the Madras Presidency and the Nizam's territories on the north bank of the Toomboodra.

Bunds.

13. Another work, executed in the same reigns, and productive of even more widely-extended benefit than those already mentioned, was a revenue survey and assessment of the kingdom. This is known in these parts as the Ræe Rekee Mar Survey, and it has formed the basis of all subsequent revenue settlements, unless when superseded by ourselves. This truly national undertaking was completed, according to my informants, under the immediate superintendence of Soloo Appajee, the prime minister of Achit-Rao, Kristna-Rao, and these names are now held in all the reverence by the peasantry here that that of Mullick Umber is in the Deccan. With them, indeed, the reign of Achit-Rao, Kristna-Rao, is synonymous with all that is possible of good government on earth; and not unworthy does it seem to have been of this high honour. Such prosperity, however, was not fated to be of long continuance, and within 40 years of the termination

termination of this brilliant administration, the dynasty of Annagoondee had ceased to exist. Its destruction was effected through a combination of the Mahomedan states of the Deccan, and the last king, Ram-Rao, the son-in-law of Kristna-Rao, lost his kingdom and his life on being defeated by the confederates at the battle of Jallikotta, A. D. 1563. With the same event may be said to have closed the only prosperous period in the annals of the district under report of which any tradition remains.

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14. Before adverting to the Mahomedan rule, however, it may be desirable to say something further of the Raee Rekee Mar Survey. As far as I can learn from the traditions still current regarding it, it appears to have embraced an actual measurement and classification of the land, and an assessment fixed with reference to both. The plan followed does not appear to have been everywhere the same. Generally, however, the "rukhum," or rate of assessment per mar, was uniform throughout each district, and the adjustment of this to the various qualities of soil effected by an alteration in the size of the mar. Instead of the land measure, as with us, the rate of assessment was the invariable element in the Annagoondee survey. Thus, in the Seegaon mahal of the Bunkapoor talook, there is said to have been three sizes of the mar, all assessed at the same unvarying "rukhum," viz., the first or standard mar for good land, of four koorgees (16 to 20 acres); the second for medium soil, of six koorgees; and the third for inferior land, of eight koorgees. The "rukhum" would seem to have been fixed very low, which rendered unnecessary any greater refinement in the classification of soils than is here shown.

Raee Rekee Mar.

History.

15. The district under report is stated to have enjoyed great prosperity under this liberal assessment, which continued in force for some time after the fall of the Annagoondee Government. The subjugation of the country by the Beejapoor king would appear to have been imperfectly effected, for soon afterwards, some of the Desaees broke out into rebellion, and for a long time successfully defied his authority, subsisting themselves and their followers by contributions from the country, which in this way was speedily reduced to poverty, and a large portion of it thrown out of cultivation. They were at length, however, brought again under subjection by the ancestor of the present nuwab of Sawanoor, who was deputed by the Beejapoor Government to re-establish the peace of the country. The dewan of this nuwab, Ali Khan, is said to have again brought the waste into cultivation by liberal grants of cowles, and while retaining the mar in the revenue accounts, to have made some changes in the "rukhum," which was henceforth styled the "ainath." At a later period, Huttun Khan, another of the Sawanoor dewans, doubled the "ainath" on the Government land, the increase being styled "puttee," and assessed enams to the extent of a fourth or even a half of the original "rukhum." The "ainath" and "puttee" continued to be the standard assessment for cholee land during the remainder of the period the district remained under the nuwabs of Sawanoor. The rule of the latter is considered to have been upon the whole mild, the district being generally managed by their own officers, and never farmed but to parties who had a large stake in the country, and were well known. During the latter half of the last century, the district suffered much from the frequent invasions of the Mahrattas, and of Hyder Ali and his son Tippoo, being made the chief field for their operations, in consequence of its containing the seat of the nuwab's government, and the important fortresses of Sawanoor and Bunkapoor. Little change, however, appears to have been made in the assessment until the district fell into the hands of Bajee-Rao's farmers in the present century, who, not contented with the "ainath" and "puttee," or double the original "rukhum" of Annagoondee, exhibited the ingenuity of rapacity in devising new cesses, such as "nuggud jasthee puttee," "hurrubsanee," "ghasdana," "sadirwar puttee," &c., which quickly reduced the district to the state of exhaustion in which it passed into our hands in 1817.

Sawanoor Govern-  
ment.

Maratha rule.

16. The foregoing slight sketch of the management of the district under report, previous to our conquest, does not pretend to strict accuracy, but may, I believe, be relied on in its leading features, which present an instructive example of the lasting benefits of good government. The public works of the Annagoondee state continued to advantage the country, after the lapse of three centuries of nearly uninterrupted disturbance and misrule. Let us hope that our own will yet exceed them in number and importance, as well as their enduring influence on the welfare of the people. A few tanks excepted, I cannot learn

British rule.

that any public works were constructed in this collectorate by Native Governments subsequent to the fall of Annagoondee. Some tanks and wells repaired, and about 25 miles of cheap and easily-formed road, are I believe the results of our own efforts in this direction during nearly 30 years of British rule.

17. Our own system of revenue management has been described in my previous reports. The only peculiarity in this district requiring notice is, that on the completion of the former survey, the results of the measurement were alone brought into practical operation, the accounts being thenceforward kept in acres instead of mars; but no change was made in the assessment. What the latter is, it is not easy to say; for everything had fallen into such confusion during the latter years of Mahratta rule, that few trustworthy village accounts could be procured when we took possession of the country. It may, however, be considered the result of an attempt to restore the old Sawanoor standard of the "ainath" and "puttee;" but, judging by the marked inequalities in the assessment of different and even contiguous villages, I am inclined to think the experiment far from successful. This assessment has been subject to frequent modifications by permanent deductions from the standard, by cowles, and by remissions at the annual settlements. It is, and has been, worse than useless as a guide for estimating the relative capabilities of the villages composing the talook.

Revenue hitherto obtained.

18. I now proceed to the consideration of the revenue hitherto obtained from the district. It is not my intention to take any notice of the amount collected under former Governments, which would lead to a tedious and profitless discussion, as we have not records sufficient for the purpose, and what are to be found would throw no light whatever on the problem of what is a fitting assessment for the district under the altered circumstances of the present time. The duration of our own administration has now been sufficiently extended to enable us to decide this important inquiry without reference to what may have gone before it; and the arguments I have to adduce in support of my own views will have reference to the revenue accounts of the last 28 years, which, though neither absolutely correct nor complete, are sufficiently so for our purposes, and contain the only trustworthy information we possess upon the subject.

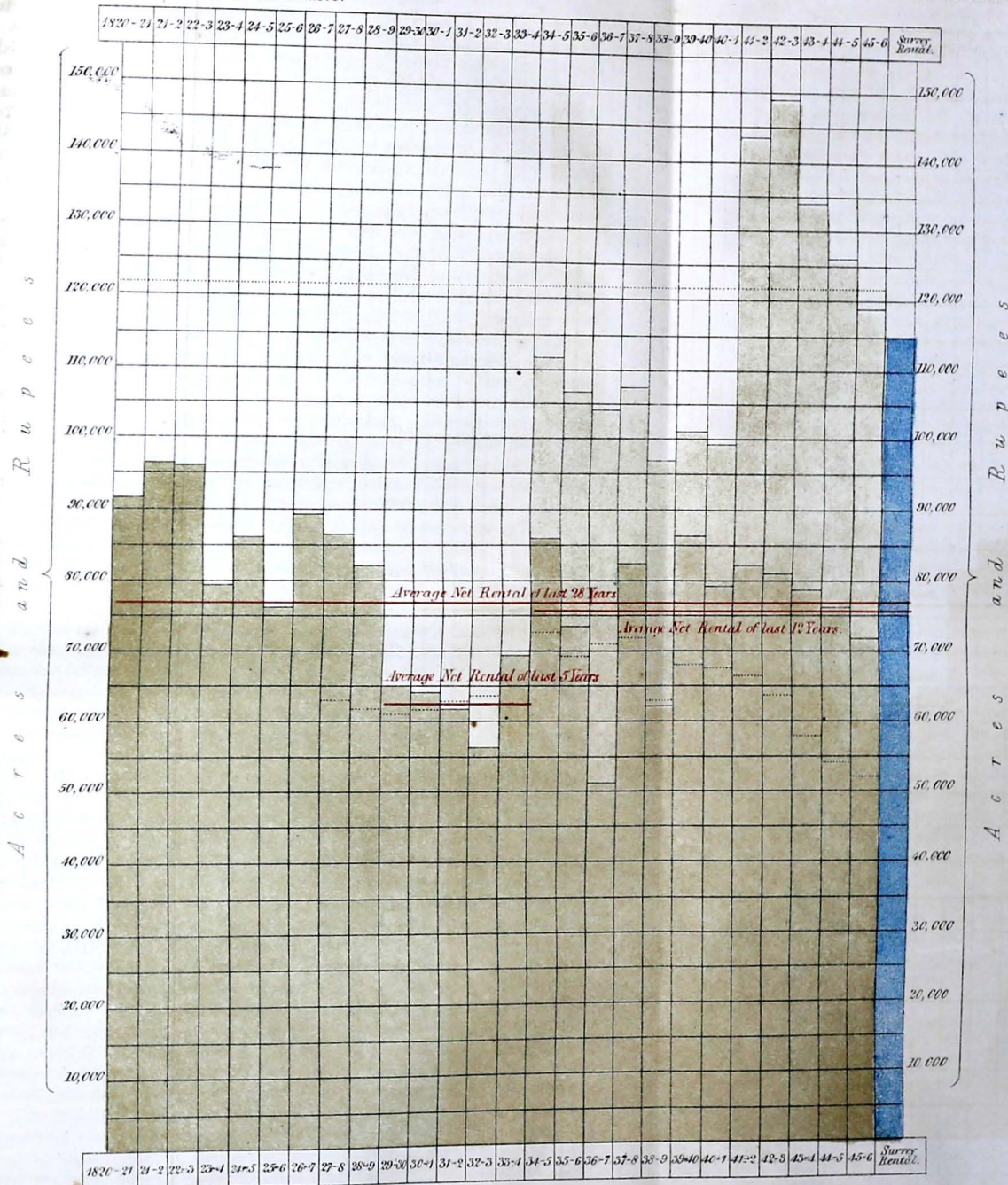
19. I have obtained accounts of the annual revenue settlements of all the villages of this talook for nearly the whole period of British rule. This, however, extends only to five years in the case of the villages of the Kullus mahal, and 10 years in that of the village of Jugulgee, the former having lapsed to Government in 1842, and the latter in 1836. I shall, therefore, leave these nine villages out of account for the present, in considering the cultivation and revenue of past years, to which I would now invite your attention. For the remaining 128 villages I have accounts for the last 28 years, and from them I have constructed the accompanying diagram, to exhibit the fluctuations in the rental and cultivation of Government land during this period. The only item complete for the whole series of years is the net rental set apart for collection at the jumabundee, which fortunately, however, is the most important of all. The extent of land in cultivation for the first six years of the diagram is entered in the accounts in koorgees, and the equivalent of these in acres being uncertain has not been shown. The practice of entering the gross rental or kumal of the land in cultivation in the accounts commenced in 1834-5, and from that year forward only will this item be found upon the diagram. But the full kumal was not shown till 1841-2, when the permanent abatements from it on account of over-assessment were also brought to account, which explains its immense apparent increase in that year. The deficiency of our information regarding the "kumal," however, is of no moment, as it was not taken into consideration at all in determining the net rental for each year. It is further to be understood that the diagram refers only to the Government land in cultivation in each year, to the exclusion of all other items of land revenue arising from grazing farms, sheep tax, fruit trees, alienated land, &c.; the limitation here noticed being made with the view of enabling us to perceive more readily the rates of assessment hitherto paid. The items of revenue omitted in the diagram necessary to make up the full rental of the Government land, waste as well as cultivated, will be noticed hereafter. The effect of the survey settlement on the revenue derived from joodee and enam lands cannot be ascertained until the settlement of these tenures by the investigations of the enam committee; though it is to be understood that the rates of assessment to be fixed upon

Entries.

upon



Diagram illustrative of the extent of Government Land in Cultivation annually, in 128 Villages of the Bunkapoor Talook, with the Gross and Net Assessment thereon, during the last 28 Years, in so far as these items are ascertainable from the Revenue Accounts.



Explanation.

The Various items are measured by the Scale of Acres and Rupees carried across the Diagram.  
 The height of the Dotted Line carried across each Column marks the extent of the Cultivation in Acres, and that of the upper Dotted Line the area of the whole Government Land.  
 The heights of the Darker Columns indicate the Net Rental, and of the Lighter the Gross Assessment, on the Land in Cultivation.  
 The Horizontal Red Lines mark the Average Net Rental of the years indicated by the Columns they are carried across.  
 The Height of the Blue Column shows the estimated Maximum Rental of the whole Bunkapoor Talook, according to the proposed Rates of Assessment, nine villages excluded from the rest of the Diagram being included in this Column.

Example,  
 In 1845-6.

Extent of Cultivation in Acres	58,431
Gross Assessment on the same, Rupees	118,684
Net Ditto	71,811
Area of Arable Waste in Acres	69,579

upon will be applicable to all lands whatever, and that wherever the present joodee payments exceed the survey assessment of the whole lands of a wuttun, the excess will be immediately relinquished.

20. An explanation and example of the uses of the diagram are given below it, and having been already noticed in previous reports, it will suffice to mention here, that the heights of the columns of deepest shade represent the net rental on the land in cultivation, marked by dotted lines for the several years to which they refer, and both measured by the scale of acres and rupees carried across the diagram. The position of the dotted line with reference to the height of the shaded column gives us the average rate of assessment per acre. Where the two coincide, the rate is exactly one rupee per acre; over one rupee when the dotted line falls within the shaded column; and less than one rupee when without. For the first nine years of the diagram, we observe a high average assessment, and a slowly diminishing rental and cultivation, as far as the latter can be ascertained, indicating unmistakably that the assessment was in excess. For the next five years we have a much reduced assessment, and in this period, it will be observed, cultivation steadily advanced, and in the following year attained its maximum. The remaining 12 years, with two exceptions, both of which were followed by an increase of cultivation in the following year, exhibit a high rate of assessment, and a declining revenue and cultivation. Here are some remarkable facts. Every year of low assessment is followed by an extension, and of high assessment by a contraction, of cultivation. During the first nine years of our administration the assessment was high, and the revenue declining; for the next five it was low, with a tendency to improve; and for the last 12, high, with a diminishing revenue. We have here most convincing proof that with one short interval of five years, the Bunkapoor district has been suffering from over-assessment during the whole course of our administration, and are struck with the lamentable fact that cultivation is now more limited than at any former period of our rule, instead of exhibiting the increase that might naturally have been looked for from 30 years of peace and security. The Government arable land of the villages included in the diagram exceeds 122,000 acres, and cultivation has now fallen to 52,000 acres, or greatly below a half; and this in despite of the advantages enjoyed by the cultivator of late years in the abolition of transit duties and taxes, and the facilities these have afforded for the export of cotton to Bombay. A revision and reduction of assessment have become, indeed, of the first necessity, and nothing short of these, I am persuaded, could arrest the decay which has been, surely, though slowly, consuming the resources of the district for many years past.

21. I do not wish it to be understood, however, that the cultivators are invariably poor. In the villages of the mamlutdar's division, more particularly, there are many substantial cultivators possessing from eight to 20 bullocks, and one or two of the large agricultural carts, who hold farms at rentals varying from 100 to 300 rupees. To men of this description even the present high rates are not oppressive, as their ample means enable them to keep their lands in a high state of culture, and raise far superior crops to those obtainable from the ordinary husbandry of the district. But the great body of the cultivators are unfortunately very differently situated, and stock is so deficient in some villages as not to amount to more than one bullock to 30 acres of cultivated land.

22. The average assessment of the last seven years, composing a period of uninterrupted decline, is Rs. 1. 4. 5. per acre. This includes, however, the rental of garden and rice land; and on making the proper deductions for these, the preceding average is reduced to Rs. 1. 2. 3. per acre of dry-crop land. The latter, however, must be considered to apply to the better descriptions of soil, which alone are extensively cultivated, while the waste consists in great measure of poor uplands. We may, therefore, confidently assume the latter average to be a high rate of assessment for even good land, and I say this in full recollection of the great inequality of the existing assessment, owing to which an average rate of the same amount as the present might be made less burdensome by being more fairly apportioned. Not an equalization merely, but a reduction of assessment must be made to afford any good grounds for anticipating a successful result from the new settlement. The present depressed state and gloomy prospects of the cotton trade, which contributes so largely to the revenue of this district, form also cogent reasons for a liberal reduction of assessment.

23. The average rate of assessment for the five years ending with 1833-4,

Diagram.

Periods.

Present state of cultivation.

Average assessment.

State of cotton trade.



during which cultivation was steadily extending, was about 14 annas per acre for dry-crop soils.

Rates.

24. We may also be assisted in determining proper rates for this district by a reference to those adopted in the other talooks already settled, which, as far as we can yet judge, appear to be suitable. I consider Bunkapoor to possess a better climate than either Nuwulgoond or Dumbul, and to be even slightly superior in this respect to the mamlutdar's division of Hoobullee. The highest rates of assessment for dry-crop lands in these three districts are the following:

Talooks.	Class of Villages.	Maximum Rate of Assessment per Acre.		
		R.	a.	p.
Hoobullee	1st	2	-	-
	2d	1	8	-
	3d	1	4	-
Nuwulgoond	1st	1	5	-
	2d	1	2	-
	3d	1	-	-
Dumbul	1st	1	2	-
	2d	1	-	-

25. The climate and relative advantages of the different parts of the Bunkapoor talook have been already described in my 7th and 8th paras. The western villages in the "mulnad" have abundant rains, and rice is there cultivated to some extent. The transition in climate from these villages to those immediately adjoining them in the plain is considerable. In the latter, the fall of rain is insufficient for the rice cultivation, and becomes still more scanty as the district stretches eastward, though not to any great extent. These circumstances, as I have already said, indicate that the rate of assessment should be highest in the western part of the district, and gradually diminish according to the position of the villages eastward.

Hoobly.

26. The first of the districts entered in the preceding statement, whilst most nearly resembling Bunkapoor in climate, possesses considerable advantages over the latter in having an extensive market for all kinds of agricultural produce in the large commercial and manufacturing town of Hoobullee. And, in consequence of this, a lower rate of assessment would require to be adopted for parts of Bunkapoor, in order to place the two districts on an equally advantageous footing.

Plan for Bunkapoor.

Four classes.

Rates.

27. Other circumstances which have had their weight in the formation of my opinions might be noticed, but the above will probably be considered sufficient, and I may now mention my plan for re-assessing the Bunkapoor talooka. My proposals are to have four classes of villages, assessed at different rates. The first to comprise 16 rice villages, lying along the western border, and to have a maximum rate of assessment for dry-crop land of Rs. 1. 12. per acre. The rice lands in this, as well as the remaining classes, will have a distinct rate, to be noticed in the sequel. The second division will contain 55 villages, lying immediately east of the preceding class, and have a maximum rate of Rs. 1. 8. per acre. The third division, of 36 villages situated still farther eastward, will have a maximum rate of Rs. 1. 6.; and the fourth, or most easterly division of all, comprising 31 villages, will be assessed at Rs. 1. 4. per acre. These maximum rates are to be considered those of first-class soils, while the rates of inferior soils will be proportionally lowered according to their relative values, as determined by the survey classification. A list of the villages contained in each of the four classes is given in an Appendix, and their relative positions will be readily ascertained from the accompanying map.\* The difference in the rate of assessment for each will provide, as nearly as I can judge, for their relative advantages as to climate and markets.

\* Not printed.

Average rate.

28. The assessment here proposed will yield an average rate of 13 annas for dry-crop soils, which is about five annas less than that obtained from the past collections of the last seven years, and one anna less than of the five years ending with

with 1833-34, when alone the district showed any symptoms of improvement. The reduction here shown will not, I think, be considered excessive, when it is recollected that the average rate of past collections refers only to the land in cultivation, which is composed in great part of good soil; and in the case of the last seven years, to a period of excessive assessment, when cultivation and revenue were both declining. The rates fixed upon are the highest I can venture to propose without risking the success of the settlement; and there is so great a probability of the prices of agricultural produce, and especially of cotton, ranging lower hereafter than they have hitherto done, that I am unable to divest myself of an apprehension that the deduction, liberal as it is, may be eventually found insufficient. The effect of the proposed assessment on the future rental of the talook will be shown when I have disposed of the remaining questions regarding the rates of assessment to be imposed on irrigated lands.

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29. The baghaet or garden lands of Bunkapoor are mostly irrigated from large tanks, constructed by former rulers, and kept in repair at the expense of the present Government. The objection to an extra assessment on gardens irrigated from wells, as tending to discourage the digging of new ones, does not apply to tank-gardens, which have not been brought under irrigation by private enterprise; nor would their exemption from extra assessment be likely to promote the construction of new tanks, which are too expensive works to be attempted by the villagers without assistance. New tanks, if to be constructed at all, must be so by Government, which must also bear the expense of keeping in repair those already in existence; so that nothing could be fairer than to subject land irrigated by their means to an additional assessment proportioned to its increased value. Nevertheless, good policy requires that even these gardens should be placed on a more favourable footing than dry-crop lands, with the view of rendering conspicuous the superior advantages of irrigated cultivation generally, and thus affording every encouragement to its extension by the digging of wells and construction of small tanks within the means of private enterprise.

Garden lands.

30. The present garden assessment is generally too high, and in many instances oppressively so. There are a few gardens which cannot be cultivated at all at the existing rates, and are in consequence lying waste. From personal inquiries made at the two chief garden villages of this district, Hawehree and Seegaon, I ascertained that the baghaet cultivators, as a class, were not in better circumstances than the farmers of dry-crop soils. Of 20 garden cultivators at Hawehree, there are only four in tolerable circumstances, the others being poor and in difficulties. The average garden rate at Hawehree is 29 rupees per acre; but a large proportion of the irrigated land is classed as rice ground, though cultivated with the usual garden products, and the average rate of assessment for this is only seven rupees, which reduces the general average rate for the whole land watered from the tank to about 14½ rupees. At Seegaon, the most highly assessed garden is rated at 40 rupees per acre; the holder is well-nigh ruined, having been obliged to part with nearly the whole of his property to discharge this assessment, and would, he told me, have thrown up his garden before now, but for the prospect of some relief at the introduction of the survey settlement. Adjoining this garden is another assessed at 30 rupees per acre, and the holder, though not reduced to the same state of indigence as the one just mentioned, is yet poor, and only able to pay his way with difficulty. The garden rates at Seegaon vary from 40 to 10½ rupees per acre, and their average for last year was Rs. 15. 6. The general average rate for the whole garden land of the district for the same period was Rs. 14. 5. per acre.

Gardens.

31. The higher of the rates above shown can only be paid by gardens cultivated with cocoa-nut and soparee trees, or the betel creeper. These products, however, owe their superior value to the long time they take to come into bearing, viz., 12 years in the case of the cocoa-nut, eight years in that of the soparee, and three years in that of the betel. It is quite evident, then, that the cultivation of these products requires capital to be sunk for several years before any return is yielded at all, and that when they do come into bearing, they should give to the grower a higher rate of profit than annual crops of sugar-cane or other ordinary garden products from which the return is immediate. The heavier assessment upon such gardens, however, deprives the cultivator of this higher rate of profit, which is his due, and the necessary consequence is a want of enterprise amongst the baghaet cultivators, or wish to extend the cultivation of superior products. At one

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Garden rates.

time the gardens of Seegaon were full of cocoa-nut and soparee trees; but these were destroyed by Tippoo Sooltan's ruthless soldiery and followers, when his army was encamped in the neighbourhood for the siege of Sawunoor, and have never been replaced. Had the baghaet assessment been moderate, these gardens would have again become stocked with the valuable trees in question during the 30 years of peace and security enjoyed by the cultivators under our rule. The Seegaon gardens are now mostly devoted to the culture of the betel.

32. The objectionable plan of assessing gardens at a higher rate because stocked with valuable trees must be abandoned, and the higher profits obtainable from superior products left with the cultivators, if we wish to see a spirit of enterprise awakened in them, and the cultivation of valuable products to become more general. A large proportion of the garden land of Bunkapoor is suited to the growth of cocoa-nut and soparee trees, and these will, doubtless, be planted largely under a reduced and more equitable assessment. The principle upon which gardens watered from tanks should be assessed is, in my opinion, quite clear. The tanks being constructed and kept in repair at the expense of Government, Government is entitled to the enhanced rent arising from the increased fertility of the soil consequent on irrigation, but is not entitled to anything whatever over and above this, from gardens planted with a more than usually valuable produce. The assessment should be fixed on a consideration of the respective advantages of each garden as to soil, command of water and position, but without any reference whatever to existing crops, further than as these may assist us in estimating the relative capabilities of the gardens. The effect of the adoption of this principle would be, that all gardens already stocked with cocoa-nut, soparee and fruit trees, or the betel plant, would immediately yield their holders a greatly higher rate of profit than the remaining gardens producing sugar-cane and other annual crops, and give a direct encouragement to the planting of the superior products.

Tank-gardens  
rates.

33. In considering the amount of assessment to be fixed upon tank-gardens, then, we should confine our attention to those producing the ordinary annual crops yielding an immediate return to the cultivator for his outlay. The most important of these crops is sugar-cane; which is succeeded by plantains, rice, or vegetables, as will be found fully described in the accompanying reports. After giving the subject my most attentive consideration, I have come to the conclusion, that the most favourably-situated gardens, with the best description of soil, would not bear a higher rate of assessment than 15 rupees per acre, so as to yield the holder an adequate remuneration from the cultivation of the ordinary crops.

34. I propose, therefore, to fix 15 rupees per acre as the maximum rate of assessment for the best tank-gardens, and to lower the rates of all others from this standard, in proportion to their relative disadvantages in respect of soil, command of water and situation.

35. These rates of assessment would not be applicable to gardens wholly irrigated from wells. These are in quite a different position, as the great majority of existing wells have been dug by private enterprise, and the gardens attached to them have passed into the hands of their present holders by inheritance or purchase, whenever an excessive assessment had not wholly deprived them of value. The state would hardly seem to have a claim to any portion of the increased produce resulting from the irrigation of such gardens, which may be considered nothing more than a fair remuneration for the risk and outlay incurred in digging the wells. But as well-gardens have always been taxed at a higher rate than dry-crop lands, and there does not appear to be reason for apprehending that the imposition of a moderate extra cess would prove a discouragement to the sinking of new wells, the merely theoretical objection to this assessment will probably not be thought of sufficient importance to require the relinquishment of a source of revenue of considerable importance in the aggregate. It is evident, however, that the rate of assessment upon well-gardens ought to be very different from that of those irrigated from tanks.

36. The highest rate of assessment sanctioned for well-gardens in the districts hitherto settled is five rupees per acre, and I would propose the extension of the same maximum to those of this talook, which are very limited in number and extent, and possess no peculiar advantages which would seem to render an increase of the previously-sanctioned rates desirable in their case.

37. The rates for gardens partly irrigated from tanks and partly from wells would

would hold an intermediate place between those already proposed to be determined with reference to the extent of the assistance obtained from the tank.

38. The present baghaet assessment yields a revenue of about 6,000 rupees, which I estimate will be reduced a third by the new settlement; but this abatement, though large, does not seem beyond what justice and good policy require.

39. I have still to propose rates of assessment for the turree or rice lands, which are more important than those of any districts hitherto reported on. They amount to 1,200 acres or so, chiefly situated in the first class of villages along the western border of the talook, and yield a revenue of between 4,000 and 5,000 rupees. The turree lands of Hawehree are assessed very high; but I have already explained that these are in reality baghaet, and cultivated with garden crops. The average rate on the true rice lands of this district under cultivation last year was about 4½ rupees. The assessment varies greatly, however, being occasionally as high as 10 rupees an acre, and as low as one rupee, or less. There is a good deal of rice land lying waste, owing to the assessment being too high to admit of it being brought into cultivation.

40. Rice husbandry is a laborious and unhealthy occupation, which ought to yield the cultivator a higher remuneration than the farming of dry-crop lands. The reverse of this, however, is the case, I should say, and the circumstances of the rice cultivators generally are inferior to those of their neighbours in the plain, which is chiefly owing, in my opinion, to the heavier assessment with which their lands are burthened.

41. There are two kinds of rice lands in Bunkapoor. The superior, occupying the bottoms of the little valleys running into the hills, yields a second crop (of pulse generally, after the rice is reaped. In favoured localities, an occasional crop of sugar-cane is also obtained from this land. The inferior rice land is found in terraces on the sides of hills or slopes, and yields no second crop. A very full account of the products and modes of culture suited to these lands is given by Mr. Young in the 19th section of his report.

42. In the districts hitherto settled, rice land is of very limited extent, and yields for the most part only a single crop. The rates sanctioned for it vary from three rupees to one rupee per acre. These will fairly admit of a considerable increase, in order to include the superior two-crop soils of this district. I propose that the maximum rate for the best description of rice land, admitting of an occasional rotation crop of sugar-cane, be five rupees per acre, and that the rates for less favoured descriptions should be diminished from this point down to one rupee, according to the value of the land, as in the case of those already sanctioned. This assessment would afford, in my opinion, sufficient relief to the rice cultivator, and have the effect of speedily bringing under tillage the rice lands now lying waste, without involving ultimately any important sacrifice of revenue.

43. It remains for me to notice the general results of the plan of settlement now before you, which promise not unfavourably in a financial point of view. I estimate that the survey rental of the Government land of the 137 villages composing the talook, rice and garden lands included, will amount to 1,15,000 rupees. In the annexed statement will be found the total revenues derived from the same lands during different periods of our administration, compared with the survey rental above noticed.

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Rice lands

Rates.

General results.

New kumal.

PERIODS.	Assessment on Cultivated Land according to Diagram in a preceding Page.	Other Items, comprising Grazing Farms, Tax on Sheep and Fruit Trees, &c.	Revenue of Kullus Villages and Jugulgee, not included in Diagram.	Total Revenue from Government Land.	Estimated Survey Rental.	Excess of Survey Rental over Realizations of past Years.
Average of last 28 years	77,406	1,956	10,707	90,069	1,15,000	24,931
Average of five years, ending 1833-4.	63,280	1,508	10,707	75,495	1,15,000	39,505
Average of last 12 years	76,188	2,158	10,707	89,053	1,15,000	25,947
Last year, 1845-6 - -	71,820	4,088	10,131	86,939	1,15,000	28,061

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44. In the preceding statement is included every item of revenue hitherto derived from Government land. The revenue of the Kullus villages and Jugulgee is taken at the average amount for the several years they have been under our management, viz., five years in the case of the Kullus mahal, and 12 years in that of Jugulgee, for the three first periods of the statement. An inspection of the last column shows the very considerable amount by which the survey rental exceeds the revenue of any period of our management. It is not to be expected that the full rental will ever be realized, but I anticipate that the revenue under the proposed settlement will eventually range from 10,000 to 20,000 rupees per annum higher than it has ever hitherto done.

Anticipations.

Grazing farms.

45. From the second column it will be observed that the grazing farms and taxes on sheep and fruit trees are to be absorbed in the new assessment. This will be done gradually by the extension of cultivation in the case of the grazing farms; but while waste fields remain, their grazing will be sold as usual. The taxes upon sheep and fruit trees are, however, intended to cease immediately. The former is two rupees for every 100 sheep, which of itself may not be heavy; but now that the wastes are all marked off into distinct fields, and the grazing of each sold separately, the shepherds cannot drive their sheep over them as formerly, but have to purchase the grazing either directly from Government, or from those to whom it may have been sold. The sheep-tax, therefore, should be considered absorbed in the higher rents now obtained by Government from waste lands. Its amount is inconsiderable, being about 400 rupees for the whole talook, which, with the difficulties and vexatious scrutinies attendant on its collection, offers additional reasons for the abolition. The sale by auction of the produce of fruit trees standing on Government land is a most pernicious impost, and during its continuance it is vain to hope that any more trees will be planted. Bunkapoor is admirably adapted for the growth of mangoe, jack and other fruit trees, which will no doubt be planted extensively when the cultivators become assured, by the abolition of the farm in question, that they will be allowed to gather the fruit of their own trees, instead of seeing it sold annually to the highest bidder. This wretched tax, to which I attribute chiefly the fact of no trees being ever planted on Government land, yields only the paltry sum of 200 rupees.

Fruit-tree tax.

Huks in kind.

46. In addition to these taxes, all levies in kind by the patels, coolcurnees and hereditary zemindars, are to be absorbed in the new assessment. These levies are styled aya meera in this district, and are estimated at nearly 4,500 rupees by the officers in question. This valuation I consider to be much too high; but a minute investigation into the subject will be made in introducing the new settlement, when I expect that the necessary compensation will not exceed at the utmost 3,000 rupees, which must be deducted from the amounts entered in the last column of the preceding statement, to ascertain exactly the possible net increase of the district rental under the new settlement.

Behutty.

47. Besides Bunkapoor, I have also to solicit sanction to the introduction of the settlement in the lately lapsed village of Behuttee, which formed part of the Surinjan of the late Wamun Rao Saheb, chief of Sonee, and is now attached to the mamlutdar's division of the Hoobullee talook, which, with this exception, is already settled. The survey of Behuttee was immediately proceeded with, in compliance with a request to that effect contained in your predecessor's letter to my address, dated 2d August 1845, No. 967. The village adjoins the third class of Hoobullee and first class of Nuwulgoond villages noticed in the statement appended to my 24th para., and will, of course, be subjected to the same rates of assessment.

Term of con-  
tinuance.

48. I have further to request the sanction of the Honourable the Governor in Council to these settlements being declared permanent for the usual term of 30 years.

49. Having now disposed of the assessment, I purpose to devote a few observations to certain other matters bearing more or less directly on the proper subject of this report, and the treatment of which is of much importance to the welfare of the talook, and the success of the plan of settlement which has now been laid before you.

Form of talook.

50. The first of these subsidiary questions which I shall take up has already been noticed in my 3d para., and refers to the present faulty constitution of the Bunkapoor talook in reference to its external boundaries, as well as the allotment of its villages to the several kutcheries. There are now three  
kutcheries

kutcherries in the district, viz., that of the mamlutdar at Seegaon, of a mahalkurree at Kurruzgee, and of a first carkoon, whose duties are the same as those of a mahalkurree at Kullus. The last kutcherree was constituted for the management of the Kullus villages when they lapsed to Government, and was not, I believe, intended as a final arrangement, for the villages in question have not yet been brought under our regulations, and no advantage has been taken of the new station to transfer to it any other villages, though there are several most conveniently situated for that purpose.

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51. It is not easy to understand why Seegaon should have been chosen for the site of the mamlutdar's kutcherree, for it stands quite on the verge of the district, and is a most inconvenient locality for its general supervision. And one is also at a loss to discover the principles on which the division of the talook was afterwards made between the kutcherries of Seegaon and Kurruzgee. At any rate, the convenience of the ryots, and facilities for the despatch of business, to be secured by attaching the villages to the nearest kutcherree, were subordinate considerations; for otherwise we should not find the town of Hawehree, and villages of Heeré and Chick Murleehullee, 18 miles distant from Seegaon, placed in the mamlutdar's division, while they are all within six miles of the mahalkurree's station at Kurruzgee.

52. The external configuration of the talook is however even more faulty than its internal arrangement. Immediately west of the mamlutdar's station, the talooks of Hangul and Hoobullee overlap each other and intrude into Bunkapoor in a singularly intricate manner, which no description, without the aid of a map, would be adequate to explain. And a similar strange intermixture of the Bunkapoor, Kode and Ranee-Bednore talooks occurs immediately south of the mahalkurree's station at Kurruzgee; while a little way to the east, and in the heart of his division, we find the two villages of Konunteemba and Munnoor separated by a large interval from the rest of the Gootul mahal, to which they now belong.

Formation of  
talook.

53. These anomalies are owing to the present talooks having been made up of the old native mahals or divisions of the country over which the wuttuns of the hereditary desaees and deshpandehs at one time extended; but they would doubtless have been long ago corrected had the subject been particularly noticed, or had there been maps prepared in a manner to attract attention to them. With a map such as that forwarded with this report, I do not think that any collector would have made a talook with the present boundaries of Bunkapoor, or fixed upon a site so eccentric as Seegaon for the mamlutdar's kutcherree.

54. A proper territorial allotment of districts is quite indispensable to secure efficient revenue and police management. When villages are inconveniently distant from the kutcherries to which they are attached, they are unavoidably neglected. The mamlutdar or mahalkurree will not take the trouble to visit them, and indeed could not spare the time if he would; while the villagers submit to much, rather than undertake a long journey to the kutcherree for the chance of redress. Robberies are more likely to occur in such villages, as the perpetrators are always sure of having ample time to escape before the district police authorities can arrive at the spot and take any measures for their apprehension. I might enlarge upon these evils, but need not, as they must be apparent on the most cursory consideration of the circumstances; though I may add, that the importance of having each district as compact as possible, with the kutcherree of the head revenue and police officer occupying a central position within it, can hardly be over-rated.

55. Now it so happens that Seegaon, though a most inconvenient location for a kutcherree in the present state of the talook, is yet an excellent position for the station of a mamlutdar, with a district extending westward to the borders of the Canara collectorate of the Madras Presidency, so as to include the portions of the Hangul and Hooblee talooks in that quarter, which are placed at an inconvenient distance from the kutcherrees to which they are at present attached.

56. My proposals for the re-constitution of the Bunkapoor talook, then, are to retain Seegaon for the mamlutdar's station, and incorporate in his division 16 Hangul and 18 Turrus villages, lying south and west of it; to transfer to

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Hangul four detached Bunkapoor villages situated far to the south, and to Turrus 11 villages in the north-western corner of the present talook, which are at an inconvenient distance from the Seegaon kutcherree. I propose, further, to transfer to the mahalkurree of Kurruzgee the three Seegaon villages of Hawehree, Heeré and Chick Murleehullee, nine Ranee-Bednore, and seven Kode villages, all within a few miles of his kutcherree, by which changes we should give a proper line of continuous boundary to the portion of the Bunkapoor talook south of the Warda. And, lastly, I would recommend that Kullus be made a mahalkurree's station, and the transfer of 12 villages from Seegaon and four from Kurruzgee to this division. By the adoption of these arrangements, a very compact form would be given to the Bunkapoor talook, and the locations of the three existing kutcherries rendered as favourable as could be desired, while very considerable improvements will be at the same time effected in the present charges of the mamlutdar of Hangul, and the mahalkurrees of Turrus, Kagnellee and Gootul, as will be made at once apparent from an inspection of the map.

Ancient mahals.

57. It may be objected to these alterations, that they would break up the ancient mahals, by assigning portions of them to different kutcherries. To this it would be sufficient to reply, that this has already been done to a considerable extent in the recent creation of mahalkurrees' kutcherries, and no inconvenience has been found to result from the arrangement. But it may be worth while to pause for a moment, for the purpose of examining whether the conservation of the old mahals is of any real importance. The only supposition upon which, as it appears to me, they could be so is, that they constitute, through the hereditary zumeendar, a connecting link between our village and talook establishments, upon the preservation of which our system of revenue and police administration is more or less dependent. No hypothesis could, in my humble opinion, be more completely without foundation. The economy of each village, as revenue authorities unanimously attest, is complete in itself, and in no way dependent upon other villages. A village in any mahal is not more closely connected with other villages in the same mahal than with those of a different mahal. Our subordinate revenue and police establishments are in reality but two, the talook and the village; and the ordinary relations of the latter to the former suffer no disturbance by the transfer of the village from one kutcherree to another. The village reports and collections are forwarded to one mamlutdar instead of to another; but this is the whole extent of the change. The entire village economy remains in all respects as before. While the facts of the case are so, it would appear that a proper territorial allotment of talooks has been prevented by the notion of the village economy being somehow dependent on the old native districts, and that the breaking up of these would impair the efficiency of the village administration. No apprehension could well be more groundless. The relations of the village to the district kutcherree are direct, and the interference or interposition of the hereditary zumeendar is neither enjoined nor permitted. The latter, in fact, is a mere cipher, for whom in our system we can find no suitable place nor fitting duties. To forego, therefore, any one of the important advantages to be gained by a proper territorial allotment of districts to our revenue and police native officers, for the sake of preserving the old mahals, would be to sacrifice a reality for an imagination, a substantial good for a merely nominal advantage.

58. The number of villages proposed to be transferred is 81 in all. Their names, the nature of the transfer, and their distances in miles from their present and proposed kutcherries, are shown in the subjoined Table, of which a copy is inserted on the face of the map, for the purpose of facilitating reference:—



NATURE OF TRANSFER.	VILLAGES.	Distance in Miles from		NATURE OF TRANSFER.	VILLAGES.	Distance in Miles from	
		Present Kutcherry.	Proposed Kutcherry.			Present Kutcherry.	Proposed Kutcherry.
From Seegaon to Kullus	1. Utteegerree -	10½	5½	From Hangul to Seegaon	1. Urtal -	16½	6½
	2. Seesveenhall -	9½	5½		2. Hossoor -	16½	5½
	3. Govunhal -	8	6		3. Yetinhullee -	16½	5½
	4. Chowndhal -	8½	5½		4. Hunmunhullee -	17	3½
	5. Chilloor Budnee -	8	6½		5. Koorshidpoor -	15	3½
	6. Ulleepoor -	9½	6½		6. Hunmapoor -	15½	5
	7. Rowlojee Kop -	11	5½		7. B. Konunkerree -	12½	6½
	8. Yeluwjee -	11½	4½		8. K. Konunkerree -	12½	6½
From Kurruzgee to Kullus	1. Sunkleepoor -	15	1½	9. Kullugeree -	13½	4	
	2. Hovin Seeglee -	11½	4½	10. Burrunguttee -	13½	3½	
	3. Hesroor -	10½	8	11. Kullian -	13½	3	
	4. Budnee -	18½	9	12. Beesunhullee -	14½	3½	
From Turrus to Seegaon	1. B. Bussapoor -	6½	6	13. Hoonshreekuttee -	13½	3½	
	2. S. Somapoor -	7	5	14. Shabal -	11½	7	
	3. Makapoor -	9	3½	15. Kulkuttee -	11½	5½	
	4. Gungeloor -	9½	3	16. Bad -	13½	4	
	5. Naekop -	11	2½	From Seegaon to Hangul	1. Bhadumguttee -	8½	8½
	6. Lutchmeekop -	10	2½		2. Belgal -	12	5½
	7. Yedlabad -	9½	4½		3. Kadsheteehullee -	13½	5½
	8. Munchinkop -	14	5½		4. Belowtee -	10½	7
	9. Seemuntra -	8½	3½	From Seegaon to Kurruzgee	1. Haweree -	18½	6
	10. Dasunkop -	10½	4½		2. C. Murleehullee -	18½	4½
	11. Shabanor -	11½	2½		3. H. Murleehullee -	17½	4½
	12. Mawunkop -	9½	9½	From Gootul to Kurruzgee	1. Konunteemba -	10½	3½
	13. Kyatun Kerree -	7½	8		2. Munnor -	9½	5
	14. Saegondmekop -	8½	9		3. Boodguttee -	8½	3½
	15. Mulgondonkop -	7½	8½		4. Somunkuttee -	7½	4½
	16. Jondulguttee -	8½	9½		5. Teemunhullee -	9½	4½
	17. Veerapoor or Buswunkop -	10½	8½		6. Kunwullee -	7½	6
	18. Budrapoor -	11½	7½		7. Hunmunhullee -	8½	5½
From Seegaon to Turrus	1. Beeleebal -	15½	10½		8. Kengond -	9½	7½
	2. C. Harkoonee -	12½	9½	9. Agree -	10½	3½	
	3. H. Harkoonee -	12½	9½	From Kagnellee to Kurruzgee	1. Jungunkop -	9½	3½
	4. Boolupunkop -	10½	8½		2. Lukmapoor -	8½	5½
	5. Goorunhullee -	10½	4½		3. Yetinhullee -	9	4½
	6. Booddehal -	9	6½		4. Malapoor -	10½	3½
	7. Ramapoor -	8½	5		5. Veerapoor -	8½	5½
	8. Hunmunhullee -	8	4½		6. Soorunhullee -	7	6½
	9. Jugulgee -	8½	6½		7. Seede Dewapoor -	7½	5½
	10. Mutteekuttee -	7½	5½		8. Hurrunguttee -	11½	6½
	11. Koonkoor -	9½	3				

59. The following Table shows the number, area and rental of the villages now and to be allotted to each of the kutcheries which have been named, under the existing and proposed arrangements:

NAME OF TALOOK.	NAME OF KUTCHERRY.	Present Distribution of Villages.					Proposed Distribution of Villages.				
		Government Villages.	Alienated Villages.	TOTAL.	Area in Acres of Government Villages.	Rental of 1845-6.	Government Villages.	Alienated Villages.	TOTAL.	Area in Acres of Government Villages.	Rental of 1845-6.
Bunkapoor	Seegaon Mamlutdars -	84	6	90	100,233	Rs. 36,420	91	7	98	81,351	Rs. 63,646
	Kurruzgee Mahal -	48	5	53	84,550	42,637	63	6	69	104,295	53,191
	Kullus Mahal -	8	-	8	22,179	7,715	20	-	20	47,318	21,397
Hoobullee	Turrus Mahal -	57	9	66	58,911	37,477	51	8	59	64,932	50,977
Hangul	Hangul Mamlutdars -	102	31	133	118,679	69,620	90	31	121	106,074	64,003
Kode	Kagnellee Mahal -	88	9	97	105,318	36,117	80	9	89	98,041	34,235
Ranee-Bednor	Gootul Mahal -	60	7	67	143,560	43,322	52	6	58	131,419	35,859

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60. By making the present Kullus kutcherry a mahalkurree's station, as proposed, some addition to the present establishment there will be indispensable. This might be effected, I think, without expense to Government, by transferring to Kullus one carkoon, on 15 rupees per mensem, from Seegaon, and one of 18 rupees from Hangul, as both of these districts will be considerably reduced in size by the contemplated arrangements. The requisite addition to the Kullus peons might also be obtained by transferring three on four rupees a month, and four on 2½ rupees, from Hangul, and one on four rupees from Seegaon. The present allowance for stationery and petty supplies at Kullus would require to be increased by two rupees, which might be met by a corresponding deduction from that of Hangul. Lastly, I would propose the transfer of one carkoon on 15 rupees a month, and two peons on four rupees, from Hangul to Turrus, as the establishment at the latter kutcherry is now rather limited, while a considerable addition to the revenue of Turrus will be occasioned by the adoption of my proposals. These transfers, with the present and contemplated strength of the establishments in carkoons and peons for the several kutcheries, are exhibited in the following statement:—

KUTCHERRIES.	CARKOONS.				PEONS.				
	Present Strength.	Add for Transfers.	Deduct Transfers.	Proposed Strength.	Pay per Mensem.	Present Strength.	Add Transfers.	Deduct Transfers.	Proposed Strength.
Seegaon - - -	10	- - -	1	9	Rs. 4 2½	35 5	- - -	1	34 5
Kurruggee - - -	5	- - -	- - -	5	4 2½	20 9	- - -	- - -	20 9
Kullus - - -	2	2	- - -	4	4 & 3 2½	8	4 4	- - -	12 4
Hangul - - -	10	- - -	2	8	4 2½	35 10	- - -	5 4	30 6
Turrus - - -	4	1	- - -	5	4 2½	15 7	2	- - -	17 7
<b>TOTALS - - -</b>	<b>31</b>	<b>3</b>	<b>3</b>	<b>31</b>	<b>4 2½</b>	<b>113 31</b>	<b>6 4</b>	<b>6 4</b>	<b>113 31</b>

61. These few changes in the establishments, and the alterations in the distribution of the villages previously explained, would be a most important reform, and conduce greatly to the efficiency of the revenue and police management of the districts affected by them. Out of the villages selected for transfer, there are thirty-one 10 miles, and twelve 15 miles or more, distant from the kutcheries to which they are now attached, while there will only be one of them all so distant as 10 miles, should my plan be adopted. In the Bunkapoor talook, as proposed to be constituted, the great mass of the villages will be brought within six miles of their respective kutcheries; and, with the exception of a few outlying villages of Kullus, which no arrangement could prevent, there will not remain a single village at an inconvenient distance from any of the kutcheries.

Roads.

62. I will now submit a few observations on another subject, which is likely to have a still more important influence on the settlement which has been laid before you. I allude to the state of the roads between this province and the coast, in connexion with its export trade in cotton.

63. In a previous para. of this and in my former assessment reports, I have endeavoured to show the great importance of the cotton cultivation to the revenue of this province, which possesses no other exportable product, in so far as I am aware, which could possibly take its place, in event of the cotton trade being lost or greatly contracted. And should this unfortunate result take place, I do not know of any other source from which the land revenue could be sustained, even at the moderate standard we are now fixing. In the 34th and following paras. of my Dumbul assessment report, I expressed a fear of the prices

prices of cotton continuing to fall; and the events of the past year have tended to confirm the gloomy anticipation. The supply of cotton from America continues to enlarge even beyond the increasing demand of the markets of Europe; and, looking to the energetic character of her population, and the vast tracts of fertile soil suited to the growth of cotton yet unoccupied, we have reason to believe that this will continue to be the case for many years to come.

64. These circumstances sufficiently account for the present precarious condition of the cotton trade of this Presidency, and enable us to foresee its extinction or great contraction at no distant date; with the disastrous consequences to the people and the revenue which this would entail, if we continue to look on with folded hands, and calmly permit events to take their course. With the export of cotton would be lost an import trade of an equivalent amount, to the detriment of the customs; while the land revenue of the interior, from the want of other exports to supply the place of cotton, could hardly fail of being greatly deteriorated. It is indeed possible that the difficulty of raising any other exportable produce may prevent the cultivation of cotton being relinquished, even when prices fall greatly below their present standard; but as this would require a corresponding fall in the prices of all other agricultural produce, the effect, as regards the welfare of the people and the revenue, would be the same; and after a period of suffering to the agricultural population, Government would probably be under the necessity of submitting to a further reduction of the land assessment. On either supposition, the importance of the cotton trade to the revenues of this Presidency is equally obvious, and its present position seems to require the most energetic efforts being made for its preservation. My own conviction is, that nothing short of extensive improvements in the internal communications of the country will meet the exigencies of the case, and that unless these be speedily undertaken, the revenue and trade of this Presidency will receive a shock from which they may never recover.

65. If financial considerations prevent the improvement of the internal communications of the country, the importance of the latter, after all that has been said and written on the subject, seems, in my humble opinion, to be still imperfectly understood. These are the very considerations, as it appears to me, which most loudly call for the improvements in question. The roads already constructed, few and inadequate to the wants of the country though they be, will, I apprehend, be found to have repaid to Government the cost of their construction tenfold. Let us endeavour to imagine what would have been the present trade of the port of Bombay had no roads been opened through the western Ghauts and the Concan to the various ports along the coast. Its present vast trade with the interior of the Peninsula would never have been called into existence, and, as a necessary consequence, the customs duties, salt duties, and land revenue of the Deccan and Khandesh, could not possibly have been what they now are. The extent of the depreciation it may be impossible to estimate; but who can doubt that it would have been very great, and that the gain to the revenue by the roads in question must have far exceeded the cost of their construction. Roads require a large outlay of money; and because they yield no direct return, we are apt to forget that they yield a return at all. They are in reality, however, the most profitable of all investments to Government, and I do not believe there is a much-wanted line of road in the country which would not, in its indirect influence on the revenue, repay the cost of its construction within 10 years. Whatever may be thought of road or railway speculations in this country, in the hands of private capitalists, there can surely be little doubt of their effects on the revenue of Government; and if the guarantee of a certain rate of profit be requisite to induce capitalists to venture on such undertakings, it would, in my humble opinion, be a wise policy to grant it.

66. The line of railway projected for this Presidency by the Great Peninsular Railway Company, even if carried out, will not prove of the slightest service to this province; though it might be made to do so, and with great advantage to the scheme, in my opinion, by its southern branch being extended from Solapore, in a line running nearly due south, down to the banks of the Toomboodra river. There is so little probability of this extension being made, however, that the supposition may at once be dismissed; but were it otherwise, the railway would neither supersede nor render unnecessary the construction of roads to the coast. And the great length of the Southern Mahratta country from north to south precludes the possibility of any single line sufficing to meet the wants of the

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province. There ought at least to be two. The more southerly for the Dharwar collectorate of this Presidency, the Canara and Bellary zillas of Madras, and a portion of Mysore, leading to the port of Compta; and the other for the Belgaon collectorate, Jagbeer states, and Nizam's dominions, to some port north of Vingorla,—probably Viziadroog.

67. The former of these lines would have to be constructed by the Madras authorities, and I am happy to learn that there is every prospect of this being immediately done. The portion of the line from Sirse to our frontier is already laid out, and is now being provided with permanent bridges of masonry; while a favourable line for the descent of the Ghauts, with a slope nowhere exceeding one in eighteen, has been found in the neighbourhood of the Deveemunnee pass. Proposals for the immediate construction of the latter, supported by the strongest recommendations of the Madras Government, are now, I understand, before the home authorities, whose sanction to the plan is considered certain.

68. All that is wanted to render the Compta road immediately available for carts from this collectorate as far as Sirse is to connect it with the Dharwar and Hoobullee road, by extending the latter to the Madras frontier. The importance and advantages of making the few miles of road necessary for this purpose have been long ago pointed out and admitted; the necessary plans and estimates have, I believe, been furnished; and there has been no want of engineer officers to proceed with the work: but from some cause or other, year after year passes away without anything being done. From Hoobullee this road would be taken to Turrus; but beyond that point, I do not know the particular line fixed upon. I avail myself of this opportunity, however, to record my opinion, that it should be taken *viâ* Doonchee, which is the most important mart in this collectorate south of Hoobullee, and thence through our territory as far south as Bomunhullee, where it would be within four or five miles of the Madras road. By taking this line, there would be easy access to the road for carts from all parts of the zilla; whereas if the road be taken direct from Turrus to Moondegode in the Canara collectorate, the important mart of Doonchee and all our southern talooks would be completely cut off from it by an intervening tract of dense jungle, impassable for carts; and a moiety of the advantages to this collectorate obtainable from the opening of the line be sacrificed for the sake of saving the construction of a few additional miles of road. The line I have recommended is, I believe, that chosen by Captain Graham when executive engineer here; and as of the utmost importance to the welfare of this collectorate, and the success of the survey settlements, I would strongly advocate its immediate construction.

69. The northern line, from the coast to the interior, would fall entirely within the limits of this Presidency; and were its importance to the trade of Bombay, the customs and salt revenues, and the land tax of this province, adequately appreciated, I feel certain that no obstacles whatever would be permitted to prevent, or even to delay, its execution.

70. There remains little to add before bringing my remarks to a conclusion. The survey of Bunkapoor has been effected in almost exact accordance with the previous holdings of the cultivators, which in most respects must be considered a highly desirable result. It has, however, added greatly to the number of the fields, and, owing to their frequently small size and irregular shape, still more to the number of the field boundary marks, as well as to the difficulties and expense connected with their construction. These are points, however, which need not be enlarged on here, as they will be more appropriately considered in my annual progress report of the survey operations.

71. Mr. Young, in the 21st section of his report, has made some interesting remarks on the condition of the Bunkapoor villages. The picture he draws of them is eminently unfavourable; but, in my opinion, calculated to convey an exaggerated impression of the state of filth and neglect which he considers to be characteristic of them all. The villages, it must be allowed, are no models of neatness and purity; but in the last of these respects, certainly would not suffer by a comparison with those of many parts of civilized Europe. In the towns and villages of Italy and Germany, the senses of sight and smell will be more offended than in those of this country, and I believe the latter to have the advantage in point of neatness and cleanliness over many villages in the remoter parts of Ireland and Scotland. The practice reprobated by Mr. Young, of burying in cultivated fields, is probably more the result of necessity than of indifference;

difference; for wherever places are set apart for the interment of the dead, we find the graves usually distinguished by some simple memorial. His suggestions, however, for setting apart plots of ground for the purposes of sepulture in villages without graveyards at present, seem worthy of adoption. The "Golgotha" of scattered bones and carcasses of dead animals around the dwellings of the Mhars and other low castes, which he notices with horror, I imagine to be more offensive to the eye than injurious to health, as the numerous dogs, jackalls and vultures, ever on the watch for such carrion, speedily clear away whatever may be left by the Mhars themselves.

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72. Mr. Young is of opinion that the condition of the cultivators would be improved by having their dwellings in the vicinity of their fields, instead of being collected into villages as at present, which he ascribes to the former insecure and unsettled state of the country having compelled them for self-defence to remain together. I am inclined to dissent from these conclusions. It is not so much for mutual security as for mutual assistance that the agricultural population is collected into villages. They are thus enabled to provide themselves with water by digging wells or tanks; with artificers for the construction and repair of their implements of husbandry; with places of worship, and numerous comforts and conveniences, which would be quite beyond the reach of isolated farmers located upon their fields. The location of the farmer upon his land can only be advantageous when his means are sufficiently ample to make him independent of assistance from his neighbours; and accordingly, in most countries where the agriculturists are poor, and the farms small, as in this, we find them collected into villages for the purpose of supplying themselves with necessaries and comforts beyond the reach of each individually, but easily obtainable by their combined exertions.

73. Mr. Young concludes his elaborate report with a sketch of the geology of Bunkapoor, in which some interesting questions are mooted; but as foreign to the subject of this letter, and in anticipation of finding a more fitting future opportunity for the consideration of the subject, I refrain from offering any remarks upon his observations in this place.

74. In conclusion, I would respectfully solicit the Honourable the Governor in Council to accord an early sanction to the proposals contained in this report, to enable me to proceed with the detailed calculations of the assessment, which must be completed before the new settlement can be carried into effect.

I have, &c.

(signed) *G. Wingate,*

Superintendent Revenue Survey and Assessment,  
Southern Mahratta Country.

Superintendent's Office, at Dharwar,  
29 September 1846.

List of Villages referred to in the 27th para. of report, forming the First Class, and intended to have a maximum rate of assessment of Rs. 1. 12. per acre for dry-crop soils:—

No.	Names of Villages.	No.	Names of Villages.	No.	Names of Villages.
1.	Mook-Busreekuttee.	6.	Mudlee.	11.	Heeré-Beindegerree.
2.	Neergoondée.	7.	Kamunhullee.	12.	Hunmunhullee.
3.	Jenkin kuttee.	8.	Beesateekop.	13.	Belowtee.
4.	Belud-Bisreekuttee.	9.	Shadumbee.	14.	Belgal.
5.	Bhadumguttee.	10.	Gotguddee.	15.	Kadsheteehullee.

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List of Villages referred to in the 27th para. of report, forming the Second Class, and intended to have a maximum rate of assessment of Rs. 1. 8. per acre for dry-crop soils :—

No.	Names of Villages.	No.	Names of Villages.	No.	Names of Villages.
1.	Unkad Khan.	20.	Karudgee.	39.	Chilleehal.
2.	Kotgerree.	21.	Hoolgoor.	40.	Suoor.
3.	Chennapoor.	22.	Buswunhal.	41.	Mahoor.
4.	Narayunapoor.	23.	Paneeguttee.	42.	Tegeehullee.
5.	Maonowlee.	24.	Boolupunkop.	43.	Heere-Nulloor.
6.	Hotoor.	25.	Goorunhullee.	44.	Chick-Nulloor.
7.	Kajapoor.	26.	Belwulkop.	45.	Neerulgee.
8.	Jaleekuttee.	27.	Mutteekuttee.	46.	Mothullee.
9.	Seegaon.	28.	Ramapoor.	47.	Heere-Mulloor.
10.	Wunhullee.	29.	Kyalkond.	48.	Kunkunwad.
11.	Gunjuguttee.	30.	Kengapoor.	49.	Haweree.
12.	Bunnoor.	31.	Muntrowlee.	50.	Goondoor.
13.	Moogullee.	32.	Gopgodunkop.	51.	Jugulgee.
14.	Chick-Mulloor.	33.	Hoorleekoopee.	52.	Boodeehal.
15.	Chakapoor.	34.	Coorbur Mulloor.	53.	Deogerree.
16.	H. Munkuttee.	35.	Kulmudew.	54.	Somapoor.
17.	Beluglee.	36.	Mungee.	55.	Ulludkuttee.
18.	Chick-Beindegerree.	37.	Koon-Mulleehullee.		
19.	Nagnoor.	38.	Burdoor.		

List of Villages referred to in the 27th para. of report, forming the Third Class, and intended to have a maximum rate of assessment of Rs. 1. 6. per acre for dry-crop soils :—

No.	Names of Villages.	No.	Names of Villages.	No.	Names of Villages.
1.	Utteegerree.	13.	Seerbudgee.	25.	Totud-Yellapoor.
2.	Seesveenhal.	14.	Bevinhullee.	26.	Kulkotee.
3.	Govunhal.	15.	Kudkol.	27.	Neerulgee.
4.	Chowndhall.	16.	Huttee-Muttoor.	28.	Heere-Mugdoor.
5.	Terudkop.	17.	Jellapoor.	29.	Chick-Mugdoor.
6.	Heere-Harkoonee.	18.	Kullalkond.	30.	Urleehullee.
7.	Chick-Harkoonee.	19.	Tulleehullee.	31.	Bhavee-Teemapoor.
8.	Beeleebal.	20.	Kulsoor.	32.	Yellapoor.
9.	Chilloor-Budnee.	21.	Hoshullee.	33.	Kolloor.
10.	Yelluweegee.	22.	Mutgunnee.	34.	Kurruzgee.
11.	Rowlojeekop.	23.	Kulleehal.	35.	Gunjoor.
12.	Ulleepoor.	24.	Ramapoor.	36.	Urrabgond.

List of Villages referred to in the 27th para. of report, forming the Fourth Class, and intended to have a maximum rate of assessment of Rs. 1. 4. per acre for dry-crop soils :—

No.	Names of Villages.	No.	Names of Villages.	No.	Names of Villages.
1.	Heere-Murleehullee.	12.	Seermapoor.	23.	Budnee.
2.	Chick-Murleehullee.	13.	Yelguch.	24.	Kullus.
3.	Hovin-Seeglee.	14.	Matsapoor.	25.	Soorungee.
4.	Kristnapoor.	15.	Nuvo-Reetee.	26.	Kochgerree.
5.	Hesroor.	16.	Chennoor.	27.	Wurvee.
6.	Eetsul-Yellapoor.	17.	Kordoor.	28.	Beejoor.
7.	Gowdapoor.	18.	Eenchgee.	29.	Kunkapoor.
8.	Buswunkuttee.	19.	Beirapoor.	30.	Kondeekop.
9.	Joone-Reetee.	20.	Kittoor.	31.	Konereekop.
10.	Purrapoor.	21.	Melmurree.		
11.	Ugsunmuttee.	22.	Sunkleepoor.		

(signed) *G. Wingate,*  
Superintendent Revenue Survey and Assessment,  
Southern Mahratta Country.

To

To *G. Wingate, Esq.*, Superintendent Revenue Survey and Assessment,  
Southern Mahratta Country.

XI.  
Report on the  
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Bunkapoor Talook.

Sir,

I HAVE the honour to forward my report on the trade, agriculture, &c., of that part of the Bunkapoor talook in which I have been employed the greater part of this season.

2. The villages of the Kullus division of the talook were allotted to me for classification at the commencement of the season; but, owing to some delay in the completion of their measurement, the papers of them have not been made over to me. I have not, consequently, had occasion to visit that part of the talook on duty; and not having had an opportunity of doing so otherwise, I am unable to furnish information on the condition, &c. of the villages included in that (the Kullus) division. Those in which I have been chiefly employed are comprised in the Kurijgee mahal, with the exception of one or two in that of Bunkapoor.

3. It will not be necessary to mention every village to which my inquiries have been extended, for as many of them are similarly circumstanced in regard to crops, seasons, &c., the doing so would lead to much needless repetition; I shall, therefore, in speaking of the agriculture, course of cropping, &c., allude to the entire division generally, and afterwards particularize the villages having bazaars, those in which any trade is carried on, or having any other circumstance connected with them worthy of mention.

4. To describe the tract of country included in the Kurrijgee division is rather difficult, owing to its irregular shape in some parts; but, taking a general view of it, it may be said to be composed of three distinct parts, comprising a range of high land on its northern and one on its southern boundary, with an intermediate valley running parallel to the hills on each side of it from east to west. It is through the bottom of this valley that the River Wurda flows, its course being indicated by a number of villages placed closely together along both sides of its banks. The river affords an abundant and never-failing supply of water; thus the inhabitants of the villages situated on its banks are far more favourably circumstanced than those residing in villages dependent on a tank or other uncertain source for this necessary article; for in seasons in which the fall of rain is deficient, the latter are often put to great inconvenience to procure even a requisite supply of it, as has been the case in many villages this year.

5. But there is also a disadvantage attending the villages on the immediate banks of the river, for in seasons when the fall of rain is heavy, the river rises to a great height, overflows its banks, and submerges the adjoining country. Several of the villages are so injudiciously placed, being on low instead of elevated spots, that in cases when the flooding occurs, the waters reach the very walls of the houses, and in the course of a few years it seems probable that Neerulgee, and one or two other villages, will be washed away entirely. The Neerulgee people are in fear of such a calamity befalling them, and have petitioned to build afresh on a new site. The cultivators, too, look upon the flooding as a great disadvantage to their fields, stating that the manure they have laid down, and also part of the soil, are carried away on the waters receding, and thus the land is left in an impoverished and unproductive state.

6. The cultivators reckon on some 15 or 20 different falls of rain during the season, for each of which they have a particular name, and also a stated time for its occurring. Of these, it seems the heavy rains are those which usually fall in June or July in the early part of the season, and in September or October in the latter part of it; those occurring in the intermediate period being generally light showers. In April or May some heavy showers usually fall, sufficient to moisten the soil, so that the tilling and preparing the fields for sowing can be commenced. It does not appear, from inquiry, that there are any villages to be particularized as having generally a much larger fall of rain than others; and the absence of any range of what can be termed hills, either within or immediately bordering on the district, precludes the fixing on any particular situation as much more favourable than another; the villages on the western boundary may, however, be said to be rather better situated than the others, owing to their being nearer the Ghauts and the Jungle; but the entire division is not more than 12 or 15 miles in breadth from west to east in a straight line, and, therefore, but little variation in the fall of rain in the extreme villages on each side is to be expected;



especially so, as those to the west are not in the immediate neighbourhood of the Ghauts, but some distance from them.

7. In two or three villages there is some garden cultivation watered from tanks, to which I shall allude afterwards; but, excepting this, the entire division is under dry land cultivation. The principal products are jowarree and cotton. In the red soils, jowarree, nachnee, sawee and the oil plant, &c., are grown; but the black soils are entirely given up to the cultivation of jowarree and cotton, which are sown alternately. The early jowarree is the only kind grown, and the time for sowing it in all soils is in July, after the first heavy fall of rain, and it is ready for cutting in December. Cotton is planted in August or September, and is ready for picking in the latter end of February and beginning of March. Wheat is seldom or ever sown now, it having been seen, from repeated attempts to cultivate it, that there is something either in the soil or the climate prejudicial to its growth. The young plant, it is said, shoots up vigorously and flourishes until the time the grain begins to form, but then, either from the influence of the west wind, or something in the soil, a blight attacks the ear, the plant is affected by it, and a premature ripeness, with an imperfectly-formed grain, if any (which is not always the case), is the result. Gram is cultivated occasionally in some villages, but it is by no means a general crop.

8. The accounts given me of the mode of culture in black soils are rather conflicting. In one or two villages it was said to be the custom to plough all the lands regularly every year with a six or eight bullock plough, in order to exterminate the nut grass, which would otherwise spring up and prove prejudicial to the crop; in others, to plough those only to be sown with cotton, and never those to be sown with jowarree; and again, in others, to plough only on occasions of cultivating afresh a field which has lain waste for some time. It seems, after all, that there is no regular practice in this respect, ploughing depending more on the means and condition of the ryot than on any other circumstance. All, however, admit that it is of great benefit in the case of a field to be sown with cotton, but in that of one with jowarree it is sometimes prejudicial, for if the fall of rain be heavy, the soil runs together and becomes too wet for the proper growth of the young plant; and this does not occur in the case of a field to which the koontee alone has been applied.

9. To red soils a greater degree of tillage is required. A field should always undergo two ploughings, one length and the other cross-ways; but this soil when moist becomes light and friable; it is therefore easily worked, and as two bullocks only are required to draw the plough, the labour and the expense attending the culture of it are not much more than that in black soils. Independent of ploughing, it is always necessary to use the koontee once or twice to all kinds of soils before sowing, and the crops, both jowarree and cotton, in the early stages of their growth, must be frequently hoed and kept clean: the latter requires a more careful tillage than the former, for if grass and weeds be not constantly eradicated, the young plant becomes stunted in its growth, and the crop eventually turns out defective.

10. The custom of manuring is adopted generally throughout all the villages of the district—in the case of fields distant from the village equally with those adjoining it. Black soil lands are manured once in three or four years, but red more frequently every other year, and in some cases every year. In some villages I have seen mud taken out from the bottom of tanks applied as manure, but it is said that it is not half so efficacious as the manure in common use—that produced in the village and in the cultivator's yard.

11. It is by no means uncommon to hear the method of culture adopted in this country spoken of as rude, unscientific and unproductive. Rude it may certainly be termed, in the full sense of the word, when taken with reference to the nature of the implements in general use for agricultural purposes; but unscientific and unproductive I would not so readily concede it to be. At the same time I would not be understood to say it can be termed scientific—that is to say, as embracing a system of great agricultural skill; but, taken with reference to the effect it has in bringing forth the productive powers of the soil, I am inclined to think favourably of it; and I would here instance a case of the failure in an attempt to introduce a new system of culture, as bearing out the view I take of the subject. In the first season of the experimental cultivation of the New Orleans cotton in Koosgul in this zillah, the American plough was applied to some fields, whilst others adjoining were cultivated on the native plan; and on the

the crops arriving at maturity, there was nothing in the appearance, or the yield either, of the field to which the American plough had been applied, different from that cultivated under the native plan. In fact, after even one year's experience in the use of this plough, Mr. Mercer, I believe, gave it as his opinion, that the natives here were well acquainted with the cultivation of the cotton plant, and that little or no benefit could be derived from the introduction of a different system of culture. This remark, I am of opinion, applies equally to jowarree.

12. But admitting the mode of culture to be good, I am doubtful whether the course of cropping can be equally so. In black soils, for instance, jowarree and cotton are sown alternately: thus a field has but one year's relaxation before it is called upon again to produce the same crop, and that frequently, too, without having had manure laid down to renovate it. This must be a most exhausting process for the soil, and under such a course of cropping for several years, a field must, I should conceive, unless manure is applied more frequently than is now the custom, become unproductive, owing to the want of those particular properties in the soil which have year after year been extracted from it by the so frequent growth of the same crops.

13. The merchants and bunneahs residing in the large and bazaar towns of Kurijee, Hawehree, Sawanoor, and others, are the chief purchasers of the jowarree grown in this district. It is bought up by them from the ryots, seldom for exportation, but generally for the supply of the retail trade. For cotton a much greater demand exists, and the means of disposing of it are consequently more numerous. The Coompta sowkars send agents to Hawehree and the other large towns, or commission the sowkars residing there to purchase it for them; and, besides, there are in the above-mentioned places a great number of merchants or dealers who buy it from the ryots for exportation to Coompta on their own account.

14. I have endeavoured by inquiry to make out what quantity of the entire crop of cotton grown in this district is consumed in the home manufactures of cloth, and what consequently exported. It is not easy, however, to arrive at an estimate of this with great accuracy, owing to the difficulty in learning the quantity required for the supply of the many small manufactories there are, for in nearly every village some little manufacture is carried on, such as that of Dhotras. It may, I think, be assumed, that the quantity paid by the growers in the shape of wages to women for picking the crop, which I estimate at the fifth of the whole produce, is entirely expended in the home manufactures, and some further portion of that remaining to the cultivators is also kept by them for home use—some say a twentieth part of it, others a tenth; suppose we take the mean, a fifteenth; this, added to the fifth paid as above-mentioned for picking, will give about one-fourth of the entire crop for home expenditure, and three-fourths for exportation. At a rough guess, I estimate the quantity of land in this division adapted for the growth of cotton at 50,000 acres, and by the two-course system of cropping here adopted, half of this, or 25,000 acres (supposing all to be under cultivation), are yearly sown with cotton. Fifty pounds per acre of clean cotton I have heard stated is a fair average crop. According to this calculation, the entire district will produce in round numbers about 2,050 Bombay candies, of 20 maunds to the candy, between 1,500 and 1,600 of which are exported from the district. There may very likely be some discrepancy in the statement here given, for it is not easy to arrive at a true estimate by a system of rough calculation such as that adopted in this case.

15. The crops grown in the irrigated lands in Hawehree and Hullee Muttoor consist of two kinds, those produced by annual and by perennial plants and trees. Of the former, sugar-caue is the principal and most important one, and it is grown in the same land every other year; the intermediate crop being of rice or of different kinds of vegetables. The latter consists of sooparee and cocoa-nut trees, and the plant of the creeper species producing the leaf eaten in common by the natives. These last-mentioned are most valuable crops, but the expense attending the production of them is very considerable, for to the cost of labour and manure, &c., must be added the amount of rent paid yearly for that number of years in which the trees in their young state yield no return. Thus in the case of sooparee trees, eight or ten years must elapse from the time of planting before any gathering of fruit takes place; for cocoa-nut trees 10 or 12 years are required; and the pawn yields but little until the third season after

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planting. The produce is disposed of in the bazaars of the district, and in those of the adjoining talooks. It is not in any case exported from the zillah.

16. In very many of the villages, as I have before mentioned, a manufacture of cloths for Dhotras is carried on; the quantity made is in most cases small—merely sufficient for the wants of the villagers themselves. In Kurijee, Reetee, and Dewagerry, however, a larger supply of these than the home market carries off is manufactured, and the surplus is exported to the villages in the Belgaum zillah. Cloths for turbans, too, are manufactured in these villages, some of which are also exported. It is a very common plan amongst the cultivators here to furnish their own thread to the weavers, paying them for the labour only of the manufacture of the cloth they may wish to have made; and in this manner a much better description of cloth, in accordance with the taste of the party, is frequently manufactured. The Kurijee people make numerous kinds of cloth according to order; amongst them a strong white kadee, well adapted for covering tents.

17. In Kurijee, Hawehree, Reetee and Dewagerry, a bazaar is regularly held once a week; the two first-mentioned are of some importance in consequence of the wholesale trade in grain, ghool, &c., carried on in them; the two last are merely noticeable as places of retail trade, resorted to by the inhabitants of the surrounding villages for their supply of grain, &c. The Sawanoor and Wun Seeglee bazaars, in the Sawanoor Nuwab's districts, are much frequented by the ryots residing in the villages to the north of this division, and they afford a ready market to the Huttee Muttoor cultivators for the sale of ghool and other garden produce.

18. A considerable and important trade is carried on in Hawehree in the purchasing of cardamoms, and superintending the cleaning and preparing them for market, by parties sent there as agents by the sowkars of Homnabad in the Nizam's territories. The cardamoms imported here are principally grown in the Canara district, and are procurable in large quantities in the towns of Sircee, Bilgy and Siddapoor, from whence the above parties bring them on bullocks to Hawehree. The seed is imported in the pod in the same state as when gathered from the plant; and in order to remove the dirt adhering to the outside of the pod and give it a clear white appearance, it is submitted to a process of washing and cleaning, and afterwards drying in the sun, before it is exposed for sale. The expense attending this process is considerable, amounting, it is said, to six rupees a gonee, nearly all of which sum is paid as the cost of labour attending this washing and cleaning, and after this the cutting off the part of the stalk left on the pod at the time of gathering. When this has been gone through, the seed is ready for market, and, being carefully packed in bags, is loaded on bullocks and despatched to Homnabad.

19. The quantity of cardamoms passing in this manner through the hands of the parties resident in Hawehree is estimated at 300 gonees or bullock loads yearly; which, at the valuation given me of 240 rupees for each load, amounts to the sum of 72,000 rupees annually expended in this traffic. The Hawehree sowkars themselves are the purchasers of 5,000 rupees' worth, or 20 bullock loads, included in the quantity above-mentioned, which they export on their own account; and the remainder is bought up and exported by the agents of the Homnabad sowkars. The cleaning and preparing the seed for market in the manner mentioned above, which is all carried on in Hawehree, affords employment to a considerable number of people—about 1,500 rupees being annually expended in the shape of labour. A further trade of some account is carried on in sooparee imported from the Canara district, and sent also to Homnabad. Some 3,000 or 4,000 rupees' worth are said to be annually exported from Hawehree. The sooparee grown in Canara is greatly superior to that produced here, which accounts for its export to so great a distance as Homnabad.

20. Of tanks and other public works, the district is nearly barren, for, with the exception of the tank at Hawehree, and the one at Huttee Muttoor, there is nothing worthy of mention. The advantage which Government derives from the supply of water which these two reservoirs affords is not inconsiderable, for by means of it the garden cultivation in the above villages is alone kept up. Well known, as it long has been, how much a supply of water applied for irrigation enhances the value of land, and the consequent revenue derivable from it, it is extraordinary that we see so few works by means of which it is made available for that purpose; and still more extraordinary is it, when we had, that the  
few

few now to be met with are not the works of our Government, but stand forth the proud monuments of the wisdom of a former rule.

I have, &c.

(signed) *J. T. Francis*, Lieutenant,  
Assistant Superintendent Revenue Survey and Assessment,  
Southern Mahratta Country.

Dharwar, 18 June 1846.

(True copy.)

(signed) *G. Wingate*,  
Superintendent Revenue Survey and Assessment,  
Southern Mahratta Country.

XI.  
Report on the  
Survey and  
Assessment of the  
Bunkapoor Talook.

No. 2 of 1846.

To Captain *G. Wingate*, Superintendent Revenue Survey and Assessment,  
Southern Mahratta Country.

Sir,

I HAVE the honour, in accordance with your letter of the 7th April, No. 52, requesting a report on the agriculture, trade, &c., of the portion of the Bunkapoor talooka in which my operations for the present season have been carried on, to submit the following remarks on the subjects you have specified, as given in detail in the 7th para. of your letter of the 4th October 1845, No. 66.

2. That para. requires that, in visiting the different villages, I should "collect information as to their condition; the nature of the seasons and crops sown; the times of sowing and harvest; the modes of husbandry and rotations of crops; the use of manure or otherwise; the value of land as affected by distance from villages; what crops are exported, and whither, and by whom; the chief markets in the vicinity; the nature of the manufactures of the district, and whether for export or internal consumption," &c. &c.

3. Such a report, given with all the detail and fulness of which the subjects are capable, would lead to very great prolixity, and it shall therefore be my endeavour, while giving as fully as necessary the information required, to condense the whole within as little space as possible.

4. To effect this, it will be sufficient in my remarks on the various crops, and their modes of culture, to enter minutely into the mode of operations for one crop of a series cultivated nearly or wholly in the same manner.

5. Passing over, for the present, the first subject alluded to in the above extract, with which I would rather conclude this report, I come to—

First, "The nature of the seasons, and crops sown."

The seasons differ materially in several parts of the district, but the two following divisions may be considered sufficient for all practical purposes:—

(a) That tract lying on the border of the hilly jungle, to the west and south-west, and adjoining the north-eastern parts of the talooka of Hangul, is the most subject to frequent and heavy rains, therefore most favourable to the growth of rice and other crops which thrive best only in a red soil, and must, to their succeeding at all, have abundance of moisture. This tract of country (as also I believe all lying to the west and south of it, extending to the Ghauts) is by the natives called the Muladu—an evident derivative from the Canarese word "mulé," rain, and signifying the region of rain,—this part of the country being more than the rest pre-eminently deserving of the name.

(b) The other season is that of the plain, in which the rain being much less than in that just mentioned, rice is seldom or never cultivated, with the exception of an occasional field or two in a whole village, and sugar-cane only as a garden crop. A line drawn from Ramapoor in the north-west, and passing through Heeré-Bhendigerry, Beesateekop, Seegaum, Bad, and Belwuttee, would form a good boundary to what may be called the plain in the north and east, and to the hilly and rainy rice-growing district of the west. Of course this is only meant to apply to that portion of the talooka in which my establishment has been classifying, and reaches only as far east as to Munungee, Savanoor and Uttigerry. The early season (or moongaree) in the plain commences about the end of May,

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and continues till the beginning of August, in the middle of which month, with the rains of the constellation Mughē, the late (or hingaree) season begins. In the Mulādee the early season commences about a fortnight sooner than in the country to the east of it.

The crops sown are those in the accompanying Table, which shows in the first two columns the English and scientific names of the crops; in the third, the season; in the fourth, the soil in which each succeeds best, and in which it is almost invariably sown; in the fifth, the rain in which it is sown; and in the sixth, the total number of months it is in the ground.

6. To clear away any doubts as to the meaning of the particular rains in which crops are sown, I may here mention that the ryuts always speak of their seasons as beginning or ending with such or such a rain. These are 27 in number throughout the year, and may more properly be called asterisms, as they are called by the names of those during which they fall.

NAMES of the Lunar Asterisms, by whose Rains the Ryuts arrange their Tilling and Sowing Operations.

	Number.	Names of the Rains or Lunar Asterisms.	Dates on which they commence.	Duration.
Early (or moongaree) season	1.	Ushweenee - - -	11 April - -	14 days.
	2.	Bhurunee - - -	25 " - -	14 "
	3.	Krutteeké - - -	9 May - -	15 "
	4.	Roheenee - - -	23 " - -	13 "
	5.	Mrūgasheershee - - -	5 June - -	15 "
	6.	Ardee - - -	20 " - -	14 "
	7.	Poonurwusoo - - -	4 July - -	14 "
	8.	Pooshyee - - -	18 " - -	14 "
	9.	Ashleshu - - -	1 August - -	14 "
	10.	Mughé - - -	15 " - -	13 "
Late (or hingaree) season	11.	Hoobbé - - -	28 " - -	14 "
	12.	Oottur - - -	11 September - -	14 "
	13.	Hustu - - -	25 " - -	13 "
	14.	Chetté - - -	8 October - -	14 "
	15.	Swātee - - -	22 " - -	13 "
	16.	Veeshakhé - - -	4 November - -	13 "
	17.	Unoorádhee - - -	17 " - -	13 "
General harvest	18.	Jeshthee - - -	30 " - -	13 "
	19.	Moolu - - -	13 December - -	14 "
	20.	Poorwashadhee - - -	27 " - -	13 "
	21.	Ootturashadha - - -	9 January - -	13 "
	22.	Shruwunu - - -	22 " - -	13 "
Cotton-picking season	23.	Dhuneashté - - -	4 February - -	13 "
	24.	Shututāré - - -	17 " - -	13 "
	25.	Poorwabhádré - - -	2 March - -	14 "
	26.	Ootturabhádré - - -	16 " - -	12 "
	27.	Rewutee - - -	28 " - -	13 "
				365 "

LIST of the Dry Crops, with the Times of Sowing and Harvest, in the Western portion of the *Bunkapoor* Talooka.

Numbers.	NAMES OF CROPS.		Season.	Soil.	In what Rain sown.	Average Number of Months to mature.
	Canarese.	English and Scientific.				
1.	Huttea	Cotton	late	black or brown	10th and 11th	5 to 6.
2.	Jolu	The Great Millet. <i>Holcus sorghum</i> .	early and late	any	5th to 12th	3 to 4.
3.	Gōdee	Wheat	late	black or brown	12th and 13th	3.
4.	Chejee	<i>Holcus spicatus</i>	early and late	red, brown or alluvium	8th to 12th	3 or 4.
5.	Bhuttee	Rice	early	any	3d, 4th and 5th	5.
6.	Nuwunee	<i>Panicum itaticum</i>	early and late	any	9th to 12th	3½.
7.	Sāvé	<i>Panicum fumentaceum</i> (or <i>miliaceum</i> ).	ditto	any	4th, 5th and 6th, 11th and 12th.	3.
8.	Rāgee	<i>Cynosurus coracanus</i>	ditto	any	ditto	3.
9.	Burugoo	A variety of <i>Panicum itaticum</i> .	early	white or alluvium	4th and 5th	3.
10.	Joguree	Pigeon pea. <i>Cytisus cajun</i> .	early	any	7th and 8th	5.
11.	Kudlé	Gram. <i>Cicer arietinum</i> .	late	black or brown	12th, 13th and 14th	3½.
12.	Hooroolee	Gram. <i>Glycine tomentosa</i> .	early	any	6th to 9th	4.
13.	Unwuree	A Bean. <i>Phaseolus radiatus</i> .	early and late	any	7th, 8th and 9th	4.
14.	Ooddoo	<i>Phaseolus mungo</i>	early	any	4th and 5th	3.
15.	Hesuroo	A variety of <i>Phaseolus radiatus</i> .	early	any	6th to 9th	4.
16.	Mudukee	<i>Phaseolus aconitifolius</i> .	early	any	ditto	4.
17.	Ulusundee	<i>Dolichos catiāng</i>	early	any	ditto	4.
18.	Ujeewanu	Bishop's weed. <i>Sison ammi</i> .	late	black or brown	10th and 11th	6.
19.	Subuské	Anise seed. <i>Impinella anisum</i> .	late	any	ditto	6.
20.	Sasuvé	Mustard seed. <i>Sinapis dichotoma</i> .	early	red	4th and 5th	3.
21.	Avējee	Coriander. <i>Coriandrum sativum</i> .	early	any	6th, 7th and 8th	3.
22.	Mensinkae	Chilli. <i>Capsicum frutescens</i> .	early	any	6th, 7th and 8th, till 10th.	3 or 4.
23.	Tumbakoo	Tobacco	late	any	10th and 11th	4.
24.	Budnéekae	The Brinjal or Egg plant. <i>Colanum melongena</i> .	early	white or alluvium	5th	4.
25.	Owdla	The Castor Oil plant. <i>Palma Christi</i> .	early and late	any	4th to 11th	4.
26.	Ugushē	The Lin plant. <i>Linum usitatissimum</i> .	ditto	any	4th and 5th, and 12th, 13th and 14th.	3.
27.	Koosheesbee	Safflower. <i>Carthamus tinctorius</i> .	late	any but red	13th and 14th	4.
28.	Goorelloo	A black variety the next.	late	ditto	10th and 11th	3½ or 4.
29.	Elloo	<i>Sesamum orientale</i>	early	ditto	4th and 5th	3.
30.	Poondée	Hemp. <i>Hibiscus cannahinus</i> .	early	any	6th, 7th and 8th	4.

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LIST showing the Produce of the Gardens, with the Times of Sowing and Harvest, in the Western portion of the Bunkapoor Talooka.

## I.—FRUIT TREES.

Number.	Canarese Names.	English and Scientific Names.
1.	Mavingidu - - -	Mango - - - - <i>Mangifera Indica.</i>
2.	Mulusingidu - - -	Jack-fruit - - - - <i>Artocarpus integrifolia.</i>
3.	Tengingidu - - -	Cocoa-nut - - - - <i>Cocos nucifera.</i>
4.	Udukeegidu - - -	Betel-nut - - - - <i>Areca catechu.</i>
5.	Balégidu - - -	Plantain - - - - <i>Musa sapientum.</i>
6.	Perlégidu - - -	Guava - - - - <i>Psidium pyriferum.</i>
7.	Neembégidu - - -	Lime - - - - <i>Citrus acida.</i>
8.	Doddelegidu - - -	A kind of Citron - - - <i>Citrus decumana.</i>
9.	Kunohingidu - - -	- ditto - - - - <i>Citrus aurantium.</i>

## II.—VEGETABLES.

Numbers.	NAMES.		Season.	Soil.	In what Rain sown.	Average Number of Months to mature.
	Canarese.	English and Scientific.				
1.	Elleull -	The Betel Creeper -	perennial -	garden -	- - - -	3.
2.	Kubboo -	Sugar-cane -	annual -	- - - -	- - - -	11.
3.	Gujuree -	Carrot, <i>Daucus carota.</i>	late -	garden -	10th and 11th.	3½ or 4.
4.	Heeré Kæee	<i>Cucumis acutangulus</i>	early -	any but red -	4th, 5th and 6th -	2.
5.	Genusoo -	The Sweet Potato. <i>Convolvulus batatas.</i>	late -	- ditto -	10th and 11th -	2½ or 3.
6.	Bendé -	<i>Hibiscus esculentus</i> -	late or early -	- ditto -	10th and 11th, or 4th, 5th and 6th.	2½ or 3.
7.	Moollungee	A large kind of Radish. <i>Raphanus salivus.</i>	early -	- ditto -	4th, 5th and 6th -	2.
8.	Belloollee -	Garlick. <i>Allium sativum.</i>	early or late -	- ditto -	4th, 5th and 6th, or 10th and 11th.	3.
9.	Oolléguddé	Onion - - - -	early -	- ditto -	4th, 5th and 6th -	4.
10.	Chuvuleekæee	<i>Dolichos faboformis</i> -	early -	- ditto -	- ditto - -	2½ or 3.
11.	Hagulkæee	<i>Momordica charantia</i>	early or late -	- ditto -	4th, 5th and 6th, and 10th and 11th.	3.
12.	Sowtækæee -	Cucumber - - - -	- ditto -	- ditto -	- ditto - -	2½ or 3.

## 8. Second. "The times of sowing and harvest; the modes of husbandry."

As I shall have occasion hereafter, when on the subject of "crops," to speak more at large on the latter clause, and as the "times of sowing," and the period each crop takes to mature, is given in detail in the preceding Tables, I shall proceed to the next subject; viz.—

## 9: Third. "The rotations of crops."

It is only after long and searching questioning and cross-questioning, and personal observations in the fields, that one is able to come to any satisfactory opinion on this head. In black soil, the ryots invariably say that jolu succeeds cotton, and *vice versa*; and in red soils, that after jolu comes ragee, or elloo or sâvé, &c., and that jolu again succeeds these. This, however, is sufficient to show that in their operations they follow a systematic course of cropping, and their plan is nearly similar to that followed in Europe. Rotations here, as there, may be said to consist chiefly in alternating grain with green crops, or grain crops with those yielding oil. The latter come in frequently as a relief to the usual rotation of grain and green crops, but the same crop is seldom sown in the same land for two successive years. Grain crops, however, may be sown in the same field for several years successively, but in such cases a late crop succeeds an early one. Thus, the early jolus may be succeeded by the late nuwunee, or wheat, &c. Green and oil crops may also be cultivated for several years in succession; for instance, gram, goorelloo, &c. may come after cotton, koosheebé, and so on. These are all late crops, and an interval of a whole year consequently intervenes betwixt each, during which the soil has the benefit not only of the succeeding hot season, in which it rests, but also of the early rains, and to receive these, is previously



previously turned up to whatever extent its condition may require. In good black soil, if an average fair supply of rain has fallen to ensure sufficient moisture after the monsoon, a second crop is obtained in the year. In the plain, however, to obtain this, the early crop must be elloo (white sesamum); this is reaped in the end of August, when the soil is thoroughly ploughed or otherwise turned up, and wheat, gram, &c., with an occasional row (one in seven) of koosheebie, or ugushe with owdla, are sown. After such, the next crop is generally one of the early jolus, for which the soil is manured. From these facts, the rotations may be summarily said to consist in, 1st, an alternation of grain with green crops or oil plants; 2d, of oil plants with green crops; and 3d, of early with late crops.

10. Fourth. "The use of manures or otherwise."

It appears to be universally the custom in the Bunkapoor talooka to manure the fields as often the ryuts have the means. In black and good brown soils this is only done once in three or four years, but in the red, the poorer browns, and in rice lands, manure has to be applied every second year, and in some cases, if the cultivator can afford it, every year. There are several methods of improving the soil by this means in this district, the chief of which is a mixed manure. This is collected in a pit in the compound or yard of, or near to, the ryut's house, in which stubble, ashes, the droppings of cattle, urine, and every description of rubbish is thrown, and allowed to increase till required. This is occasionally covered by a thin layer of earth or sweepings of the yard, by which means the volatile qualities of the manure are fixed in the substances, and their escape by evaporation prevented. It is interesting to notice the knowledge exhibited by the ryuts (all uneducated as they are) in these simple operations. They have discovered what many in our own country seem yet to have to learn, that one of the best ways to retain the enriching properties of manure is to collect it in a pit, and not in a heap. The cause they are unable to tell, but immediately understand on its being explained. By the use of pits not only is the requisite coolness ensured to prevent evaporation, but the waste of the saline matters, &c. in the manure is also prevented from being washed out, as is the case when it is kept in heaps. They appear also properly to appreciate the urine of the cattle, which is collected by ducts and thrown into the pit, and thus not only furthers the fermentation and decay of the vegetable matter by its nitrogen, but by its saline properties supplies the manure with part of its chief richness.

Another method of manuring is by having the stubble, the leaves of the cotton plants, weeds, &c., eaten off by sheep or goats, the urine and droppings of which enrich the land, and by this means the grasses, leaves, &c., are returned to the field which produced them, but infinitely more calculated to benefit it than if they had been permitted to decay as they were in the soil.

A third way is to collect the stubble in heaps, and burn it on the field, the ashes of which return part of the inorganic matter to the soil extracted from it by the crop previously reaped. This, however, is only done when the finer-grained crops, as sâvé, elloo, &c., are about to be sown.

The only other method of directly benefiting the soil, which I have been able to discover, is by one kind of green manuring. Goorelloo (a black variety of sesamum) is sown about the end of May, or in the beginning of June, and allowed to grow for three months, when it begins to flower. It is then ploughed in, and destroyed by a kind of scarifier called a koonte, and this is considered sufficient manure for two years. Alluvial lands are not manured, as from the supplies of organic and other matter they derive from the overflowing of the nullahs and rivers, they are supplied by nature with those fertilising substances which in other soils require to be supplied by man. Waste lands also on coming under cultivation are not manured the first year or two, and the first crop sown is almost invariably jolu, followed, as before shown, by a green or oil seed rotation, when, should it require it, it is manured for that of the third year.

11. Fifth. "The value of land how affected by distance from village."

On this subject the ryuts differ so widely, and in many cases appear to understand it so little, that I have not been able to come to any decided conclusion as to their opinion regarding it. Immediately that they discover, or fancy that they discover, that the value of a field would probably be estimated lower by making out distance from village a great evil, they exert themselves to the utmost to prove it so, but from their first replies it does not appear to be considered as making any very material difference whether a field be near to, or distant from, the village. This may be a consequence of most of the villages being small, so that

their most distant fields are comparatively near ; but in the larger villages, such as Seegaum, Yeluwugee, Karudugee, &c., the general answer was, that within half a kos fields required no deduction ; that beyond that distance and within a kos, about two or three annas in the rupee should be deducted ; and beyond that, four or five annas, or about a fourth of the whole value of the field.

12. Sixth. "What crops are exported, and whither, and by whom."

All the produce of the district may be said to be partly exported. For those most extensively grown, such as cotton, jolu, rice, nuwunee, the betel leaf, &c. &c., merchants come from all the surrounding large towns, and from as far distant as Sircee and Belgaum ; merchants also in some of the large towns of the district buy up a portion of the produce, and export it on their own account, but by far the greater portion is sold at the village to others, or at the weekly bazaars in the neighbourhood. The amount of cotton retained for internal consumption does not appear, from the inquiries I have made, to be above one-fifth of the whole produce in the larger towns, and even much less than that in the purely agricultural villages. The quantity of grain exported is also very great, but it is impossible to say with any approach to correctness how much ; and as the question would be one more of curiosity than of practical utility, it appears useless to hazard an opinion regarding it.

13. Seventh. "The chief markets in the vicinity."

Outside the portion of the district to which my inquiries have been confined, are Hoobly, Misreekote, Tudus, Dhoondshee, Bomunhullee, Hangul, Alloor, Adoor, Nurrégul, Dewagerry, Haverry, Sawunoor, Lukshmeshwur, Sowshee and Koondgol. Those in the district are Heeré-Bhendigerry, Seegaum, Bunkapoor and Hoolgoor.

14. Before reporting on the little trade there is in the district, I think it better here to finish with the agriculture, and shall now proceed to specify the several crops more in detail, together with the modes of culture, and of conducting harvest ; of the chief implements in use among the ryuts, &c. ; and the last first, as a previous description of them will render the methods of cultivation more easy subsequently to be understood.

15. "Implements," &c.

The chief implements used in agriculture are [A] the neguloo ; [B] the rentee ; [C] the koontee ; [D] the bullé-sal-koontee ; [E] the yede koontee ; [F] the korudoo ; [G] the kooreege ; [H] the cotton-planting kooreege. I have given sketches of most of these in the accompanying leaf, which, from my want of ability, though they can claim no merit as drawings, will yet give a more clear idea of the various articles than the following description of their uses could of themselves convey.

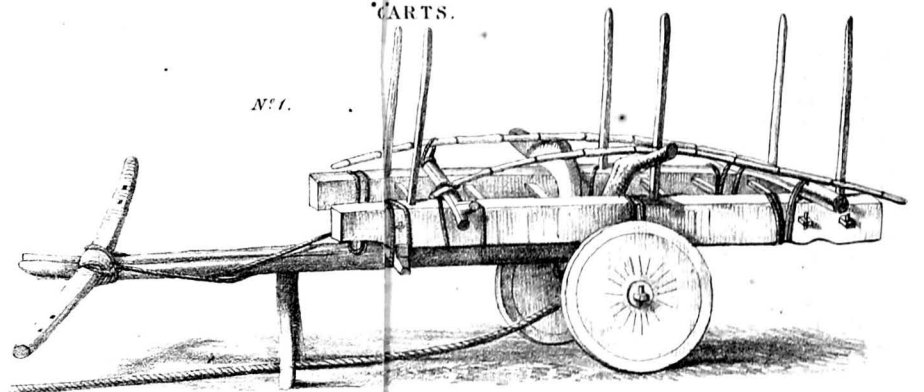
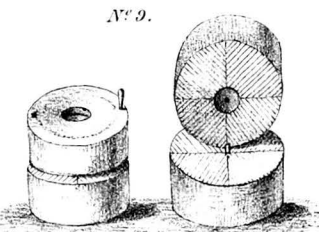
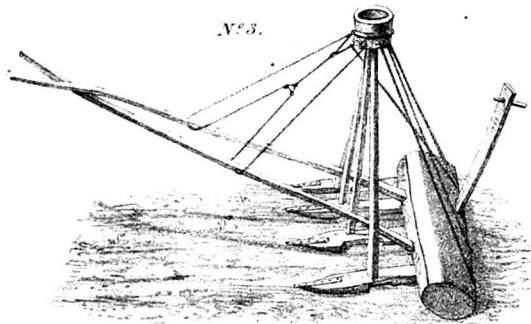
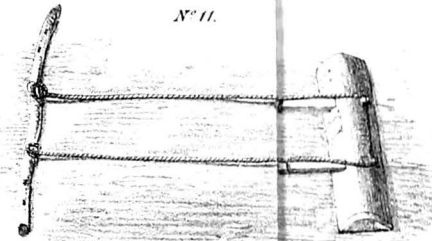
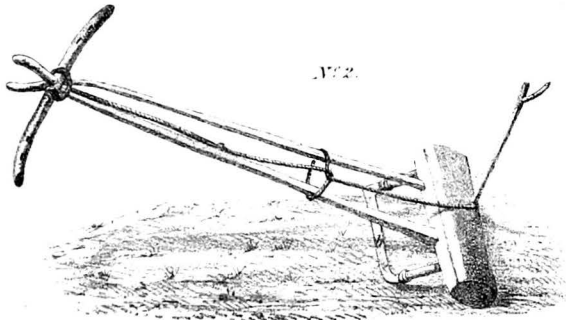
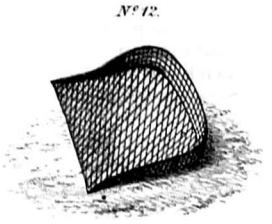
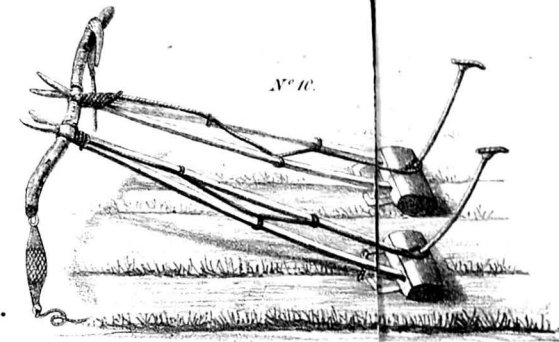
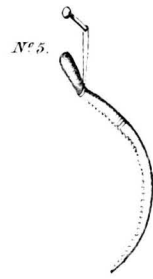
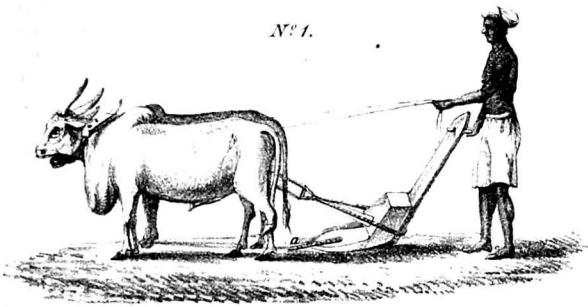
[A.] The neguloo is a large kind of plough, which from its great weight is used to turn up the land when very stiff, or full of weeds. It is of exactly the same make as the smaller plough, called

[B.] The rentee (No. 1.) This is an extremely rude instrument, both as to make and use. It has no mould board, and the only piece of iron about it is a narrow bar (*a*) about nine inches in length, which (for want of a better) serves the purposes of a coulter. The reins for guiding the bullocks (one pair) come to the handle, so that this plough requires but one man to use it. The larger one, however, requires six or eight bullocks (in traces), and extra men to drive them. But in cases where the grasses, called by the natives nut and kurkee, have spread to any extent, ploughing is not sufficient to clear the soil of them, and they require therefore to be dug up, so that the long, strong and tortuous roots may be perfectly loosened and brought to the surface. Such digging costs four pies for every square mar (about eight feet square) in black soil, and six, seven and sometimes eight, pies in red soils, which, from their harder material, are more difficult to work. This expense, however, is seldom incurred more than once in a cultivated field, as, after being dug up, the roots are gathered and burned, and the subsequent treatment the soil receives for its various crops prevents them easily springing up again. Kurkee is not considered so bad as nut, but whenever it has much spread, it requires to be similarly dug up, and fields under cultivation if infested with it require the plough every year. Red and brown soils always are ploughed before being sown, but good black only once after several years' cropping.

[C.] The koonté (No. 2.) This may be called a kind of scarifier or cultivator, and is always drawn by four bullocks. For all soils (except rice lands when an after-crop is to be sown) it follows the plough when that instrument is used. Its purposes

AGRICULTURAL IMPLEMENTS, &c IN THE BUNKAPOOR TALOOKA.

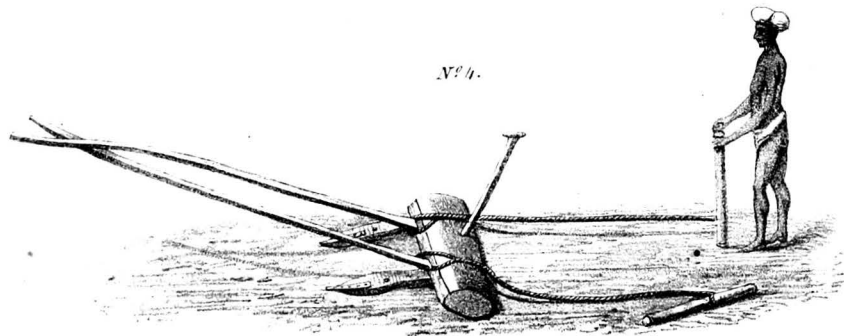
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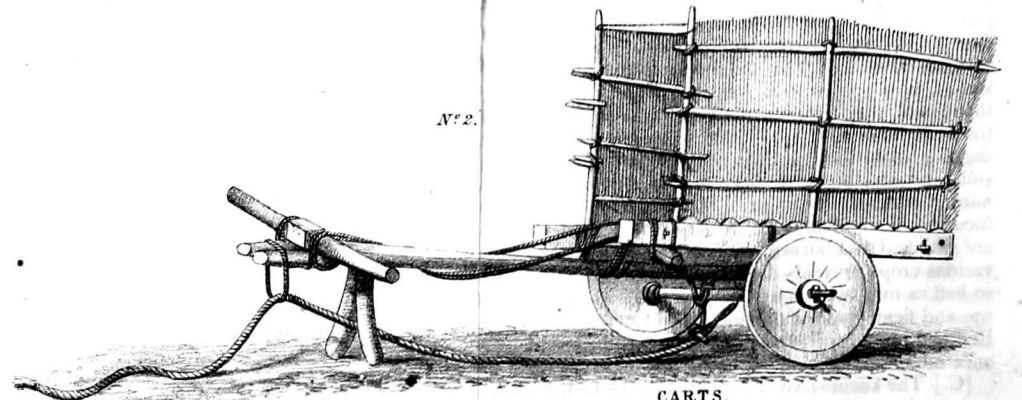
CARTS.

N°1.

N°4.



N°2.



CARTS.

N°1. The Rintee.—N°2. Keenté.—N°3. The Keereegé.—N°4. The Cotton planting Keereegé.  
N°5. Rice Land Saw-knife.—N°6. The Keercheegé.—N°7 & 8. Reaping Hooks.  
N°9. Rice Hand Mill.

N°10. The Yolee Keenté.—N°11. The Korudee.  
N°12. Winnowing Basket.—N°13. Grain Safe.

N°1. The largest kind of Cart.  
N°2. The Manure Cart.

purposes are to cut the large clods, and roots of the weeds, and to level the ridges thrown up by the plough. In good black soil, where the latter is seldom brought into use, this implement is the first one employed to turn up the surface earth, which it does for only three or four inches. To add weight to it, a couple of boys generally sit upon the beam, on each side of the handle, and are ready to clear it of obstructing stones, stubble, &c. The only part iron is the blade (*b*) in front, the rest being wholly of wood. There is a larger kind of this same implement drawn by six or eight bullocks, and called the magee koonté, but it is only used when the soils are more than ordinarily stiff, or when grasses and weeds have accumulated in them.

[D.] The bullé-sal-koonté is only a small kind of the foregoing, and drawn by two bullocks. It always succeeds the koonté, and is used for levelling the surface, or covering the seed when sown by the kooreege. It is used in all soils.

[E.] The yedee koonté (No. 10) may be called a bullock hoe, and is usually double, as shown in the sketch, and drawn by two bullocks. It may, however, be treble, and is sometimes quadruple, each separate hoe being guided by one man. Each block has two hoes of iron (*c*), which is drawn between the rows, the stalks of the young crops being kept between them in the opening (*d*). Instead of this, another instrument is used for weeding in the southern villages; it is called —, but being only a very small description of koonté, it does not require any particular notice.

[F.] The korudoo (No. 11). This, as the name implies, is part of the trunk of a tree. The trunk is split down the middle, scooped out and smoothed outside, and two wooden pins fixed through it, on which the drag ropes and yoke may be tied. The driver standing upon the korudoo guides the two bullocks over the field. Its use is to break clods, and smooth the surface, in red or rice lands.

[G.] The kooreege (No. 3) is a grain drill-machine for sowing most of the crops. The one of which I have given a sketch is that generally used in the plain for those of the early season. The late crops, wheat, gram, &c., are sown by a similar machine, but much heavier, and therefore suitable for the soil at a period when there is less rain to soften it. This represents one for sowing four rows at once, which is accomplished, as will be seen by the sketch, by means of four conductors or pipes, each with an equi-distant foot or coulter, armed, as in the case of the plough, with a bar of iron to make the drills. Under these the seed is dropped through the bamboo conductors, which are fed through a bowl-shaped head. It is drawn by one pair of bullocks, yoked in the same manner as for the rentee, koontee, &c., and guided and supplied with seed by one man. In the southern villages the kooreege has only three conductors, but they are wider apart than those in that just described. The cause of this is not very clear, but the general reason given is, that there more grass and weeds spring up, and have to be destroyed by a stronger instrument than that used for weeding in the northern parts.—See [E.]

[H.] The cotton-planting koreege (No. 4) is something on the same plan as the preceding, but is simply a block of wood, with two feet from the koreege placed about a cubit apart. It is drawn by a pair of bullocks, yoked as above, and guided by the driver. After this are dragged by ropes two hollow bamboos, called bookku, which are kept in the furrows drilled by the coulters, by two sowers, who, with a supply tied in front of them, drop the seed through them, as shown in the sketch. This instrument is only used for planting cotton, but the plan of the pipe is adopted, dragged after the kooreege, for sowing the occasional rows which are mixed with other grains. In such cases, should the ryut wish an extra row to be sown distinctly, he plugs up one of the conductors in the bowl of the kooreege, and the bookku follows in its drill instead; but if this be not cared for, it is sown in the fourth furrow along with the other grain, when a mixed row is produced.

16. Carts.—Of these there are several varieties, but those for agricultural purposes are of two kinds.

First. The largest which is used for bringing home the produce of the fields, or for exporting it to other places. This is a huge unwieldy machine, and, unloaded, is of itself a hard pull for a yoke of bullocks. The body of the cart is about twelve feet in length, and three and a half or four in breadth. The former consists, as will be seen from the sketch (No. 1), of two long beams, and the latter merely of cross spokes at intervals along their length, and uniting them. The wheels are of one piece each, but sometimes of two or three joined together,

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with a ponderous tire of iron fully two inches thick, and nearly if not quite as much broad. The axle-tree being considerably below the height of the bullocks, the body of the cart is raised by a tongue resting on the axle. By this means, if the load be well balanced on the cart, the bullocks have comparatively little of the weight, and the draught, being on a level with their shoulders, is more easy. With outriggers on both sides, this conveyance can, though clumsily, carry a very great weight. It is drawn when loaded by at least four yoke of bullocks, and often by as many as five or six.

Second. The manure cart (No. 2). This is drawn by four or six bullocks; in make is much the same as the above, but the sides are high, and spokes of the dry stalks of the pulse joguree, &c., or bamboo matting, and the bottom of boards covered with jolu straw. This is sometimes used for other purposes, by removing the sides. Of these two descriptions of carts there are several other varieties, all smaller, but, the chukudee or spoke-wheeled cart is nowhere in use in this district. The solid wheels, I am informed, cost from 100 rupees to as high as 120 rupees a pair, and of this the tires of iron about 45 rupees or 50 rupees each. From all appearance, the ryuts have yet to learn the advantage of high wheels, and, in fact, of cartage generally, their present system being neither fitted for speed, nor, I should think, at all economical, when either the price of the carts, the number of bullocks required for them, or the frequent breakings down which take place, are taken into account.

#### 17. "Methods of culture."

First. Cotton is grown only in black or good brown soil, and in rotation generally succeeds jolu. The cause of this may be partly that the latter crop, having been manured and well weeded, has rendered the soil suitable for cotton; or it may be, that this crop, being only cultivatable in the above soils, succeeds best after an early crop, it being itself sown in the late season. But the principal reason must be, that the one crop requires much of those kinds of food of which the other requires little or none, and that those kinds required for the succeeding crop have time to increase or improve during the year in which the first is growing, and in the intervening cold and hot seasons. Soils, if stiff or infested with the grasses nut or kurkee, require to be first ploughed across and across, after which the koontee (Diagram, No. 2) is used to cut the clods, roots, &c. This is followed by a smaller description of the same instrument, called a bullé-sal-koontee, to level the surface, after which sowing commences, but not till the rains mughe or hobbee (the end of August and first half of September). The seeds are mixed in fine manure, and sown by means of the drill plough and bookku (Diagram, No. 4), followed closely by the bullé-sal-koontee again to cover in the seed. This implement is then followed by a couple of bullocks yoked to branches of a tree, and walked over the field, by which means a clean and smooth surface is given to the soil, and this finishes the sowing operations. Next, in about a month after, follow those of weeding, when the plants have attained some little height above the surface, and is performed by an instrument called the yedee koontee (Diagram, No. 10) as often as the state of the crop requires. In the event of strong weeds springing up, or when the crop is too high to permit of the yedee koontee being used, coolies are employed to weed by the hand with an instrument called the kooreege (Diagram, No. 3). It is gathered from the middle of January till the end of March or beginning of April. Besides the cotton it yields, its seeds provide food for cattle, its leaves for sheep and goats, and the dry stalks serve as firewood. Of this plant there is now sown, besides the native kind, the newly-introduced New Orleans cotton, of which, however, as both the Government and yourself are more intimately acquainted than I am, I need not make any particular mention.

Second. Jolu.—Of this crop I have met with no less than 18 varieties, only two of which are late crops. It would be impossible with that degree of brevity such a report as the present should possess to go into detail on each of these; I shall therefore only give the Canarese names, which are as follow:—

- |                        |   |   |   |   |   |
|------------------------|---|---|---|---|---|
| 1. Moortingulu         | - | - | - | - | } All these are sown as regular crops, but never as occasional rows among others, except the seventh, which may be sown either way. They all mature in from three to four months. |
| 2. Dhod-jolu           | - | - | - | - |   |
| 3. Ootul-phoolgara     | - | - | - | - |   |
| 4. Chejkara            | - | - | - | - |   |
| 5. Kagee-jolu          | - | - | - | - |   |
| 6. Nundeehal           | - | - | - | - |   |
| 7. Bhuguwunt phoolgara | - | - | - | - |   |

8. Putunsālee

<p>8. Putunsālee - - - -</p> <p>9. Gowreekooloo or Kulmudumugu - - - -</p> <p>10. Buswunpādu - - - -</p> <p>11. Phoolgāra - - - -</p> <p>12. Jelkunjolu or Jogeejedee-jolu - - - -</p> <p>13. Kenjolu (red) - - - -</p> <p>14. Kodmookunjolu - - - -</p> <p>15. Halmookunjolu - - - -</p> <p>16. Oolukunjolu - - - -</p> <p>17. Beelé-jolu - - - -</p> <p>18. Kuré goonee-jolu - - - -</p>	<p>All these, except the last, may be sown as regular crops, but they are usually sown as occasional rows with nuwunee, ragee, &amp;c. The 12th succeeds with the latter so well in this way that it has received the distinctive name of ukkudee-jolu—“ ukkudee” meaning an occasional row in a field. When sown with late crops they are only intended to supply the cattle with green fodder when all the other crops are ripe.</p> <p>These two kinds are mixed with some of the above, and sown. They may be eaten roasted, &amp;c., but bread is never made from them.</p> <p>These two kinds are late, and the finest among the whole.</p>
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They have occasional rows of koosheebé, gram or ugushé sown with them, but the early kinds, of course, when so mixed, have the early pulse crops, such as joguree, hooroolé, mudukee, &c., which latter have the soil prepared for them, as it is for the crops with which they are mixed. In good black soil, free from noxious weeds, the land for the jolus is treated in the same way as for cotton. This may be said to be the same with sāvé, ragee and nuwunee, &c., in black soils, and which are also mixed with occasional rows of pulse or oil-seed crops. Red soils, however, must always be ploughed before the levelling instrument is used.

Third. Mensinkae and budnékae, when not sown in a garden, are first sown in a small plot of ground and well watered, and in six weeks or two months are transplanted to the field, and each plant placed widely apart. The earth is heaped up in ridges along the rows, to keep the roots cool, but they get no water again. When sown in this manner they are early crops, but late in gardens. The first is frequently mixed as an occasional row with the early irrigated belloolee and oollegudde; the second is always sown alone; but a late crop, as wheat, gram, &c., may be obtained from the same field after it is gathered.

Fourth. Ragee requires some particular notice, inasmuch as its cultivation differs considerably in black and red soils. In the latter, when the ground has been sufficiently ploughed with the neguloo (or large plough), broken and levelled, manure is laid down in heaps, at equal distances, and the seed thoroughly mixed in it, in the proportion of about two seers to a cart load, which is sufficient for an acre. Then follows the rentee (or small plough) to form the furrows, after which the sower, with a basket full of the mixed manure and seed, comes and lays it down by the hand, he being kept supplied by another man going to and from the heap. This operation is followed by the korudoo (Diagram, No. 11), which breaks the clods and covers the seed, after which the bullé-sal-koonté is employed to level, and is again followed by the korudoo. Nuwunee also is sometimes sown in this way, with an ukkudee of hooroolé sown by the bookku, and in the proportion of one row in three of nuwunee. Ragee, however, when sown in this manner, never has an occasional row, but “ ukkudee jolu” may be mixed in the heap, and sown along with it.

Fifth. Joguree, hessuroo, mudukee, hooroolé, ulusundee, ooddo, uwuree, avéjee and chejee, are the usual crops sown as extra rows: the first four are never sown separately, but the remainder occasionally are, especially the last, which indeed is more sown as a regular crop than in this way.

Sixth. Sashvee, ujuwan and subuské are very little cultivated; the first is sometimes mixed with ragee and early sāvé, in the proportion of half a seer to eight seers of these in four acres, and the other two are thinly scattered here and there among cotton, and are only grown for domestic use.

Seventh. Wheat and gram are late crops, for which the soil requires being thoroughly broken up by the large plough, and then (as for the other black soil crops) this is followed successively by the koonté and bullé-sal-koonté, and



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afterwards sown by a heavy kind of kooregee, and followed again by the bullé-sal-koonté as usual. After this, these crops require no weeding or other care, and in three or three and a half months they are ready for harvest, and are plucked up by the roots.

Eighth. There are six kinds of oil-seed crops, viz. :

- |                       |  |
|-----------------------|--|
| 1. Owdla - - - -      | } For the first, the soil must always be ploughed, after which it is sown by the bookku, and the earth heaped about its roots as in the case of mensinkae. It is frequently sown alone, but is also mixed as an extra row with nuwunee, ragee, elloo and |
| 2. Koosheebee - - - - |  |
| 3. Ugushe - - - -     |  |
| 4. Elloo - - - -      |  |
| 5. Goorello - - - -   |  |
| 6. Poondee - - - -    |  |

Sāvé. Its oil (caster oil) is used both for medicine and for burning, but is not expressed in a mill like the others. The seeds are first roasted, and then broken in a large mortar with a pestle, after which they are thrown into a pot of boiling water, and well stirred and boiled for some time; cold water is then thrown in to separate the oil effectually, which rises to the surface, and is gradually skimmed off. The others are sown by the kooregee, or if as extra rows, by the bookku, and treated as other crops as regards weeding, &c. The second and third, when sown as regular crops, have no rows of any other kind, but are very frequently sown as occasional rows with wheat, gram or any other late crop, except cotton. The fourth is never sown as a row with other crops, but has generally sown with it rows of owdla, ooddoo or hooroolee. It requires a finer soil, and the plough is therefore never used for it; and in rotation, when it succeeds jolu, the stubble must all be gathered and burnt, so that the soil may be perfectly clean.

The fifth is always sown alone; but the last, poondee, is sown only in occasional rows with the early jolus, and is gathered about the same time with them. It is a kind of hemp. Ropes are made from the bark of the plant, and its leaves are eaten by the natives as a vegetable.

With the exception of the first, all the seeds of these plants are mixed, and their oil expressed in the same mills. The oil is both used with the people's food, and also for burning. The pressed seeds make up part of the food of the cattle, and the dry plants make tolerable firewood, as do also those of joguree, &c. Maize is also grown, but in such small quantity that I have not included it at all among the crops in the list.

Having thus briefly spoken on the dry crops of the district, I now come to the garden cultivation, which being almost entirely confined to four or five villages, and the varieties of produce being comparatively few, may be very shortly described. Irrigation is generally carried on by the water of the tanks, which is supplied to each garden in its turn, and usually once in eight days. But, in cases where this supply fails, recourse is had to wells, into which water from the tank percolates long after the surface of the latter is quite dry. This was the case last season in Seegaum (as indeed in almost every other place), where the garden wells are only large holes or pits from 15 to 50 feet wide, but without being built up, or any kind of labour bestowed on them, excepting a rude frame of poles and branches erected on which to fix the wheel, and in which the water may be received from the leathern bags. These, as I have said, are only used when water fails in the tank, otherwise the latter is the reservoir from which the gardens receive their supply of water.

The chief produce of the gardens is elébullé, or the piper betel leaf, which is perennial. This is planted by cuttings, and being a creeper, long thin trees called chowguchegidu, haleewalgidu and nugeegidu, are set close beside it. These trees shoot up extremely quickly, and the betel clings to them, but yields no leaves for two years. It requires manure three or four times during the year, and must, to succeed well, be watered every eighth day, and during the first year still oftener; it then yields a crop every third month: 1,000 creepers yield a bullock-load or hér every three months, the average price of which throughout the year may be stated at six rupees. An acre will contain upwards of 2,000 creepers, which every third month, yielding two hérs, will in the year amount to nearly 50 rupees produce per acre. The expense, however, for planting, manuring and irrigating, is heavy; and when we consider that there is no return during the first two years for all the expense and labour bestowed on this crop, its apparent value as above estimated becomes greatly less. Leaves are



are gathered for five, six, and sometimes for seven years, when the trees die and are dug up, the leaves of the trees to which they cling affording vegetable manure for young plantains, &c., and their wood serving for fuel. The betel leaves are exported largely to the surrounding towns, from which dealers come to purchase, and from as far as Belgaum, &c. After this crop the garden is deeply dug all over, and according to some it lies fallow for a whole year, and is then planted with sugar-cane; after which it enjoys another year of fallow, when the betel creeper is again planted, or instead of it plantains. According to others, sugar-cane is planted immediately after the ground has been cleared of the betel and its accompanying trees, and has been well dug up, ploughed and levelled, and that one year of fallow then succeeds, to be followed by plantains or betel leaf, or, before these, by a crop of mensinkae, or a dry crop.

These differences probably depend on the condition of the land, or the ability of the ryot to afford fallows to his gardens. There are differences in the modes of husbandry, not only in respect to irrigated, but also to dry cropping; but the chief causes of these appear to be the difference either in the soil or climate, and partly the custom of the district, just as among our own farmers differences in the modes of culture exist in many adjoining counties.

*Sugar-cane.*—This I have classed among irrigated crops, as it is generally produced in gardens, though not so in the western parts of the district. There are many varieties of it, of which I have been able to find eight; these are—

- |                    |   |   |   |
|--------------------|---|---|---|
| 1. The Mauritius   | - | - | } Of these, the last, though the smallest, is considered the finest. The method of cultivating it, either in a garden or in the field, is much the same; in the latter case it is planted in a paddy-field from which rice has been reaped in November. The land then must possess sufficient moisture to ensure the success of the cane, and is ploughed |
| 2. Goobee Rustalee | - | - |   |
| 3. Ram Rustalee    | - | - |   |
| 4. Kuré Kubboo     | - | - |   |
| 5. Dodigya         | - | - |   |
| 6. Byatal Dodigya  | - | - |   |
| 7. Beelé Kubboo    | - | - |   |
| 8. Hoolloo Gubboo  | - | - |   |

three or four times across and across; to this follows the korudoo to break the clods, after which the koonté and bullé-sal-koonté are used to pulverize and level the field. Manure is then laid down in heaps; and furrows, at about a cubit interval, are made by the large plough. In these furrows the cane is laid and covered with manure; a small plough then runs along by the side of the rows and fills them with earth. It is then well-watered once, which suffices till the monsoon supplies it with the regular rains. In eight or ten days, when the surface is dry, the korudoo is used to level it and break the clods, when the small plough is again brought into use to heap the earth upon the cane, and is again succeeded by the korudoo. After a few days the surface is loosened by the bullé-sal-koonté; which permits the young cane to shoot more readily, and destroys any weeds which may have taken root. This is all that is done till the first showers of the monsoon, when the crop has sprung a few inches above the soil. The yedee koonté is then used to weed it, as in the case of other dry crops. It is now (and frequently before this) hedged in, and weeded as often as required, at first as above, and at a more advanced season by the kooreege. The earth is heaped about the roots, and the crop is ready for cutting in 11 months from the time of sowing. A considerable portion of the cane is exported to places where sugar is manufactured (as Hungul, &c.), but as there are none such in this portion of the district, it is either sold in the bazaars, or its juice manufactured into gool—a coarse black kind of sugar in lumps, which, like the other produce of the talooka, is sometimes sold by the makers at the neighbouring markets, but most generally is exported by merchants from other parts. Of the vegetable productions, those which will only succeed in gardens or by constant irrigation, are gujuree, heerekae, genusoo and bendegidu. The first may sometimes be sown in very good moist black soil in the field; but with all the natural advantages such land may possess, the roots are exceedingly small, and it is consequently very seldom grown except where abundance of water can be provided it. Moolungee is a large kind of radish, and is sown only here and there among belloollee and colleegudde. The following, besides the two latter, may also be sown in alluvium, near nullahs, &c.: chowleegidu, hagulkae and sowtekae; and these may be followed in the same season by a crop of wheat or gram, or by the budnekae. Of all the vegetables, the only kinds requiring transplanting are, I believe, gujuree and colleegudde.

I am not aware that the fruit trees need any particular mention, but at all

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events the following notices regarding them may not be altogether out of place. The mango and jack fruit are, like other trees, uncertain in the quantity of fruit they yield, and are not confined to gardens. The cocoa-nut is not used here for the manufacture of oil, but enters largely as an article of diet into the food of the people. The tree, if well taken care of, begins to yield fruit in 15 or 16 years, and the average number of nuts obtained in a year from each is about 60, and the value about two rupees.

The plantain yields only one crop, when it is cut down, but new shoots spring up around the roots, which are transplanted and placed in a small pit with manure, earth and dry leaves, and well watered every eighth day. They are planted in lines at intervals of from four to five feet, and bear fruit in the second year, after which, as just mentioned, they are cut down. In some cases a year of fallow succeeds to the digging out of this tree, and then follows most generally the ketel creeper.

The betel-nut tree, if well cared for and plentifully watered, bears fruit in eight years, otherwise it does not begin to bear for 10 or even 12 years. An acre will contain upwards of 600, and each tree yields about five seers in the year, in average value a little more than three annas. This calculation shows the produce of an acre planted with this tree to be equal in value to about 120 rupees. But they are seldom thus planted, and are most generally scattered here and there among the betel creeper. The prices I have mentioned of course apply only to what the ryut receives for his produce, and not as to their value when retailed.

The guava and lime trees are not numerous, being only planted at the corners or round the borders of the gardens. Their fruits, like those of all the preceding, are sold in the markets in, or near to, the district. The same remarks apply to the two species of citron which are found in this talooka.

18. Having now hastily touched on most of the crops, vegetables and trees, contained in the Tables (pages 409 and 410) of this report, I shall now proceed to the only one remaining particularly requiring notice; viz.—

19. *Rice*.—This important crop, the principal one in the western villages of this district, and in the northern parts of Hungul, is in some lands the only one raised, but in others it is alternated with sugar-cane, &c. There are nearly as many varieties of rice as of jolu, and I have discovered 12, which are as follow:—

1. Konkunsālee Sunbhuttee	} The two first of these are accounted the best, and are the most expensive. Regular rice fields are divided into perfectly level compartments, averaging in breadth from a few feet to 15 or 20 yards, the length being regulated according to the pleasure of the cultivator, or the position of the ground. The general slope of the ground, or hill side, forms the whole into a series of terraces, each one or two feet higher than that immediately below it, and each having its front protected or raised by a small embankment (forming part of the descending step) about a foot in height. The effect a hill or rising ground produces, carefully laid in this way, is very pleasing, and must be so particularly to one who, till he had seen such a site, has, it may be, entertained ideas depreciatory of native agriculture, or of the trouble the ryut takes with his fields. Such a view, or a visit to the gardens even in this backward talooka, would, I imagine, be sufficient to remove all such erroneous impressions.
2. Beelé-som-sālee - - -	
3. Dodigya - - -	
4. Kuré-bhuttu - - -	
5. Hukulsālee - - -	
6. Bullesomsalee - - -	
7. Kemp-bhuttu - - -	
8. Mooluruvee - - -	
9. Yemilién-bhuttu - - -	
10. Jeerigsālee - - -	
11. Dubunsālee - - -	
12. Beedursālee - - -	

The soil in the rice-growing part of the talooka is a clayey mould, but so very much modified by the treatment it receives necessary for such crops, that it may be considered more an artificial soil than any other in the district, excepting perhaps old garden land. The earthy matter of the soil itself is principally composed of the decayed clay slate, on which it rests, which, by the action of water, tillage and the weather, soon becomes a stiff, compact, light-coloured clay, and very retentive of moisture,—so much so, indeed, that in most of the lower localities water is met with throughout the year at a few feet below the surface. This description of land may be divided into three classes:—

Ist. That

1st. That on the highest and most exposed situations, which, being nearer the more indurated parts of the subjacent rock, have less depth, is therefore poorer in quality than that lower down, and from more exposure to the winds loses its moisture quickly, and is capable of producing, even with the assistance of manure and all the care of the cultivator, only one inferior crop of rice in the year.

2d. That between the highest and lowest situations, which has been enriched by deposits on its surface from the higher grounds, has greater depth of soil, is less exposed, and therefore more retentive of moisture, and, as is generally the case, has been longer under cultivation. This description of soil, in seasons when there has been an abundant or even an average supply of rain, generally retains sufficient moisture to enable it to yield, after its usual crop of rice, another of some kind of pulse.

3d. But the most valuable of this class of soils is that in the valleys or lower situations. It is generally very different in appearance from that on the higher lands, and though the same originally, it is in reality, from the change it has undergone both in position and in its component materials, a soil as much superior to the kind first described as the best black of the plain is to the poor red sand of the quartz rocks. Its colour is either black or a rich dark brown, and may almost be classed under the head of alluvium. It is that in which the most luxuriant after-crops are obtained, and in which sugar-cane best succeeds, from its abundant moisture. It is difficult to compare these three classes of soils to any in the plain. The best rice-land, it is well known, is much more valuable than the best cotton-land, which has no means of irrigation; but how much more so, it is not easy to discover. This occasionally requires manure, and that about every third year. This seldom requires the labour and expense of ploughing, but that requires them every year. But conversely, though the best black of the plain may sometimes yield a second crop in the year, the best rice-land does so invariably, and this with less labour than is required in the former. For, in the black, to prepare the soil for a second crop it requires to be ploughed, and then broken by the koonté, afterwards levelled with bullé-sal-koonté, then sown by the kooreege, and again levelled with the bullé-sal-koonté; whereas in the best rice-land the field is simply ploughed once, is sown by the hand closely after it, and to cover the seed the korudoo is run over the surface. I should, therefore, be inclined to view these kinds of land distinctively, and in this case to say, that this rich land was in the rice-growing districts what the best black was in the plain; that the middle class of the former answered to the brown or superior red of the latter; and that the inferior kind of the former corresponded to the inferior red of the latter. I am afraid this will be considered a digression, but the nature of the subject led so naturally to it as to prevent my evading these remarks.

The labour bestowed on the three kinds of rice-land above described is nearly alike. The inferior kind after harvest seldom or never retains moisture to allow of its being ploughed at that season; but the middle class, even when not moist enough to yield an after-crop, is always sufficiently so to permit of its being ploughed. This renders it fit to receive more readily those occasional showers which fall during the dry season. By exposing the roots of the stubble, grasses, &c., it hastens their decay, and the stiff surface clods being subjected to the intense heat of the sun, and the pulverizing action of the weather, are rendered more friable, and the land consequently more easy to be worked when the period of commencing operations for the ensuing season again comes round. When this is done, it suffices till the end of March, about which time manure is laid down along the fields in heaps. In the beginning of April the clods are broken by the korudoo, or, if still very hard, by coolies with sticks. In fields which have not been ploughed after harvest, nothing is done, saving the laying down of manure, till the first rains of the season, when the field is ploughed, and pulverized by the korudoo. The manure is then scattered broad-cast from a basket, and the surface turned up by the koonté, which is followed as usual by the korudoo again, and this finishes the preparatory operations till sufficient rain falls to admit of sowing, which is performed by a small kind of kooreege. In the rain rohinee, as soon as the village astrologer has nominated the auspicious day to commence, the kooreege is decked with green leaves, a few reverential salaams are made to it, and then sowing begins. As in the plain, so here, the kooreege is closely followed by the bullé-sal-koonté, to cover the seed; and to

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level the surface, the korudoo again comes after. In about eight days the seed has sprouted, and in eight days more weeding commences with the yedee koonté, and is repeated as often as required—generally once in 10 or 12 days. In two months the kooregee is used for this purpose, the crop being too high, and the fields too full of water for the yedee koonté. The weeds are always left to rot in the place where they grew, and this constant supply of vegetable matter is one of the principal causes of the peculiar texture and richness of the soil. About this time, when the surrounding ridges have been well repaired, the earth cut from the front by the hook-shaped saw (Diagram, No. 5.), and heaped upon them, and the beds are filled with water, the korudoo is passed over the crop. This gives a smooth and beaten surface to the soil, so that the water may not readily sink into it, but remain as so many pools in which the rice may flourish. The main supply (of water) is derived from the rains, but in lands situated low enough to allow of it, it is also derived from tanks. In other places, courses are made from the higher grounds, and branches from them led to the different fields. It is cut by the hooks (called koodugoloo) in November, a few days of heat sufficing, after the surface has dried, to ripen the crop. The after-crops are gram, uwuree, hessuroo, ooddoo and uguste.

*Harvest.*—After being reaped, the crop is left on the field where it was cut, to dry more perfectly, after which it is tied in sheaves, and built into a stack, with the ears of the grain outward, and in this condition remains to dry thoroughly for a month. A pole is then fixed in a part of the field, and the ground for a few yards round it is hardened, to prevent cracks, &c. This is well cleaned and swept, and the sheaves loosed and scattered over it, and six or eight bullocks, placed closely side by side in a line, are driven over them slowly round the pole. This is continued till the whole of the grain has been separated from the straw, when the latter is removed, and fresh sheaves laid down to undergo the same process. Thrashing over, winnowing now follows, which is performed by an equally simple and effectual plan; namely, by filling a flat basket (Diagram, No. 12) with the grain, and slowly emptying it on the ground from as high as the upraised arms can hold it. The dust, leaves, &c., are thus blown aside by the wind, and the clean grain by its own weight falls on the ground prepared for it. It is then conveyed to the village, and the husk removed from the rice by the toluleekaloo (Diagram, No. 9), a sort of wooden hand-mill, when it is again winnowed in the manner just described. When all these operations are ended, it is stowed in a large round basket, or safe, of wattle and daub, raised on beams laid across large stones, so as to elevate it a little space above the ground, and it is covered by a thatch roof (Diagram, No. 13). Every ryut's house has one such, in which not only rice, but most of the other grains, are stored. Those most generally stored in pits are, I believe, only jolu, wheat, gram, joguree, hooroollee and mudukee.

20. It now only remains, before I commence to report on the trade of the district, to make some remarks on the first subject alluded to in your letter; namely,—

21. "Condition of the villages."  
There has been hitherto, for some cause or other, such a want of care to put the villages in order, or want of precaution to keep them in order when they are so, that an European will seldom, if he can avoid it, pass through them, and they are consequently little known. The total absence of all drainage, of common conveniences; of regularity in the building of the houses, or of removing filth and decaying matter from the immediate neighbourhood of the walls or hedges, render them, even in the most eligible situations, eminently unhealthy. This is, if possible, made worse by the great quantities of cactus which are allowed to grow high and rank round many of the villages: they shut out the wind, are hiding-places in which filth largely accumulates, and inclose an atmosphere of stagnant air which it is nauseous to approach. But indeed everything connected with the village economy is so faulty, that I should in vain attempt to draw an attractive picture of their condition; and this does not apply particularly to this portion of the country any more than to others through which I have passed.

The villages of the Hoobly talooka, however, I have observed, are now being put into a proper state of drainage; tolerable roads made through them, instead of the dirty uneven streets there have been hitherto, and arrangements made for keeping them clean. This is also beginning to be carried into effect in this district.

trict, and has been so already in most of the larger villages. Were the villagers, when building new houses, bound to do so according to some plan as regards their position, it would materially assist the improvements. These must have a most salutary effect on the whole district, and be productive of greater health and comfort, as well as more proper notions of neatness and cleanliness among the inhabitants. It is to be regretted, however, that the people are not required to make proper roads between the villages, those now in existence being almost impassable for carts, and, from their deep ruts, scarcely fit for passengers or bullocks. The labour to clear away large stones, bushes, or other impediments, to fill up the ruts, and level the ground, would be comparatively light, and the ryuts have abundant leisure to spare for this employment after their harvest operations are finished till the approach of the monsoon requires them again to attend to their fields, before which time all the roads might be in good order. Besides the advantage to all concerned which this improvement would yield, it would also heighten the boundary marks on each side; and were low hedges added, in time it would not only protect the fields from cattle, but improve the bare appearance of the country generally.

The houses of the ryuts, in and near the jungle in the west, are almost all of mud, or wattle and daub walls, with thatch roofs. These appear to be internally (when in good repair) as comfortable as the houses in the eastern parts, which, as a general rule, are entirely of mud, with flat roofs. Tiles are very little used, and an occasional house in some of the villages only is to be seen covered in this manner.

The former unsettled and insecure state of the country compelled the cultivators for self-defence to remain together, instead of having their dwellings near their fields; and custom, which rules all things in this country of castes, has continued the practice. Thus, we come upon no solitary farms away from the village, but instead of this, we find, during harvest, watchmen tending the produce in the field by night, and in large villages the ryuts going long distances to their fields to labour, and after the work of the day returning as far. This, doubtless, is one of the chief causes why the cultivators of Government land evince so little care about its improvement. If instead of his house being apart from his farm, he had home and farm together, he would be induced to take long leases of them, and care more for their permanently good condition; we should see less neglect of the boundaries and fewer watercourses, which are yearly making their appearance over almost every field, and during the monsoon washing gradually away all that really constitutes the wealth of the land. As things now exist, we find each village a kind of separate republic, with its own peculiar interests, and entirely independent of those around it. Besides its revenue and police officers, almost every village contains within itself the means of supplying all its wants, and no village deficient in these is considered complete, or as it should be.

The holéyurco, or pariahs, have generally the drudgery and cleaning of the village to perform, in consideration for which they obtain yearly a certain quantity of grain from each of the cultivators; but in cases even where they do their duty efficiently, their own quarters, apart from the dwellings of the purer castes, are continually in such a state of loathsome neglect, filth, and putrid animal matter, as to be sufficient of themselves to convey contamination, disease and death throughout the village. Around their abodes there is a lasting golgotha, where dead animals in all stages of decay, and bones bleached white with age, ought to excite the villagers, if indeed they have any sense of shame, or care for their own comfort, to cause such nuisances to be removed far away or burned. But male and female, being all accustomed to the want of both public and private conveniences, their sense of shame and delicacy are too much blunted to expect any improvements on this score to proceed from them.

One custom I would beg to bring to your notice most particularly, with the sincere hope that, the fact being known, steps may, ere long, be taken to prevent so reprehensible a practice being continued—I allude to the burying of bodies in cultivated fields. There is no restriction to this; and, standing in the midst of flourishing crops, there are often within a very little depth of the surface, under the feet of the unconscious looker-on, uncoffined human bodies slowly corrupting and feeding, as it were, by their very juices, a crop rank with corruption, and obtaining almost directly, through its roots, a supply of putrid nourishment which it shocks the mind to think of. This is aggravated when we think that in the dry season the cracks which intersect the surface are as deep as, and by

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their ramifications deeper than, those buried bodies, and that, therefore, there must be a constant current of infectious effluvia from below as long as there is matter to produce it.

At Yeluwagee, during the cholera a few months ago, the dead were buried in a rice field near the tank which the year before was under cultivation. That field is again sown, and rice of nearly five weeks' growth covers it; and the carelessness in which interments are conducted renders this practice, if possible, still more revolting. When their dead relatives and friends are thus summarily disposed of—when the plough is passed over their graves by those with whom they had daily intercourse—and when all traces to mark their last resting-place are thus unfeelingly destroyed—we cease to wonder at the want of comfort, or cleanliness, or anxious desire for reform, so manifest among such people. This is connected with no part of their religion, and therefore an order from the proper authorities, and allotments of ground for burial-places to the various castes, could without difficulty put an end to it, and the people would doubtless be as ready to enter into such arrangements as Government could be to enforce them.

The cultivators, having nearly all their produce purchased from them at their own doors, may be said to have no trouble in its disposal after the harvest operations are concluded, and are therefore easily circumstanced. This in general appears to be the case, not only with the holders of land, but also with the labourers, who are satisfied when they have enough to eat; and the small amount of clothing they require, with a coarse blanket to wrap around them in cold or wet weather, and all these, as a whole, they possess.

With these remarks I now proceed to the last subject specified in your letter, namely—

22. "The manufactures of the district, and whether (they are) for export or internal consumption."

The only town in which any regular trade can be said to exist is Bunkapoor, which, being four villages united, contains the largest population of any in the district.

The great majority, however, as in the rest of the villages, are ryuts, and failing in this quarter to find any considerable amount of manufactures, much less is to be expected from other places mostly or wholly agricultural.

It is the chief place for the manufactures of coarse cloth worn by the common people, as dhoturs, &c. I was informed by the weavers themselves, that about 300 such articles of various sizes were manufactured and disposed of every week, and that nearly three-fourths of that quantity were exported (chiefly to the west and south-west) by themselves. These average, at a high valuation, about six annas each. There is another class of weavers (nearly all Mussulmans), employed in the weaving of turbans, and they are, I believe, the only makers of them in the district. There are about 150 so engaged, and they have constant work, but the prices of their goods made for a people simple in their manners, and far from extravagant or gay in dress, are so very low (ranging from two annas to no higher than a rupee each), that their profits must be proportionally small; of this article of manufacture, also, nearly three-fourths are exported, and generally by the people themselves. The cause of this small amount required for the district is that the bulk of the population are Lingayuts, who wear, instead of turbans, either dhoturs or roomals, with ornamented or coloured borders round the head, and roomals are all imported from other places.

Besides these there are five mills for expressing oil from the seed produced in the lands of the village and those round about. These are constantly at work throughout the year, and produce daily about five maunds (200 seers) of oil. Of this quantity, one-fifth part is sufficient for the town itself; the greater part is exported, chiefly by merchants from other districts, but also by the oilmen themselves.

These are the chief manufactures of the place, and they are sold in the weekly market of the town, and also at those in the vicinity. The other trifling articles manufactured, and similarly disposed of, are kumbulees, shoes and sandals, cotton twist, earthen pots, &c.; but besides the workmen required for the necessities of the town, such as carpenters, loom-makers, tanners, goldsmiths, blacksmiths, potters, tailors, distillers, butchers, &c., there are no others deserving notice.



In the different markets of the district, imported articles are disposed of to a similarly limited extent; and in the largest bazaar I should doubt whether the total amount of merchandize of all kinds disposed of each market day amounted to 1,500 rupees. The articles exposed for sale are grain, cloth, female apparel, thread, fruits, vegetables, sugar, oil, gool, spices, salt, kumbulees, cocoa and betel nuts, betel leaf, and occasionally vessels of brass and copper, &c. &c.

The shops contain small supplies of these articles, but the wants of the people being few and limited, the amount of business is proportionally insignificant.

What has been said of Bunkapoor may be understood in a narrower sense as applicable to the other market towns in the district, to which, on their several days, the people resort from the surrounding villages. In some of the smaller villages there are sometimes weavers of coarse cotton cloth and kumbulees, but these are only for the use of the village, or sale within the district.

23. With these observations, I would conclude my report on the agriculture and manufactures of the district, and attempt lastly, as requested in the latter part of the 7th para. of your letter, to give the results of my inquiries on another subject, and with which I shall close this report, which, although I have considerably condensed, has run out to a far greater length than I had any intention of allowing it to do.

#### SOME ACCOUNT OF THE GEOLOGY OF THE DISTRICT.

*Bunkapoor.*—Geology in this part of the country, from the total absence of imbedded organic remains, is a subject possessing less interest, and is less capable of enabling us to come to satisfactory conclusions regarding it, than in those places which, from anterior local elevation, or subsidence of the land, possess its most attractive features, and where "faults," fossils, and a thousand other proofs, remain as witnesses of former races of beings, and of the mysterious and mighty workings of nature in ages long passed away.

But, though these be wanting, there are still those general appearances in its formation which must arrest the attention of every geologist; and in alluding to them, though an argumentative essay, or any speculative theory of my own, would be entirely out of place, the few and simple remarks I have to offer on the subject will not be altogether in vain, should they either be the means of calling attention more to this section of the science, yet so full of doubt, or tend to elucidate any of the theories which have been formed regarding it.

The whole district is of the primary strata, being argillaceous schist, containing pyrites; and this formation appears not to be confined to it, but to extend into other districts on all sides over very extensive areas. It is found fine near Misree-kota, but it is generally coarse, and in the plains very much decayed. Its direction is not uniform, but varies from N. N. W., and even N. W. to N. N. E.; its inclination is so very little, that it must be termed vertical, but as a general rule dipping towards the east. I was, however, surprised to find in the hilly tract near Yeluwugee and Rolojeekop, the exposed schist very frequently dipping towards the west. This inclination I have never met with except in that part, and found it rather a difficult matter to explain. It is true that such inversely dipping portions are adjacent to large veins of quartz, but so are also the other parts of the district, and in these I have never observed the strata inclining in the least towards the west. I can only account for it by supposing that the causes which formed the quartz rock in that part of the district were more violent in their action than those which brought about similar rocks to the westward, and I am the more led to think so by the greater disturbance the dykes in the former have undergone. The slate in the northern part is seldom, if ever, found but in a state of decay, and in appearance very much resembling pipe-clay. In the southern, eastern, and western parts, namely, in all the hilly tracts, it is also found much decayed, but as frequently very much indurated.

This latter is especially noticed in particular localities, where, from the igneous causes of the quartz and dykes, it is frequently so much so as nearly, and in some places wholly, to have lost its slaty structure. The absence of mines or quarries, however, as it prevents us from examining a fair section of the formation to any depth, must render any geological account of this district at best both doubtful and superficial. But as even a superficial notice of it may be of some use, and at any rate better than none at all, I have been induced, in spite of this discouragement, to send you this brief account. This want of mines or pits of any magnitude prevents us from saying how far the modifications it presents on



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the surface extend internally, or of estimating the probable depth of this formation, but the latter appears, from the height of the hills, and adjacent valleys, where the rock on which it rests is exposed, to have been at least 300 feet, and probably much more. To estimate the depth of a formation from the height of the hills, in districts where elevatory forces has thrown up the strata with them, would evidently be a most erroneous method of calculation; but of such a force having formed the hill here, there is not the slightest proof. On the contrary, there is every mark of their having been formed by gradual detrition; and, indeed, were there any doubt of the soundness of the theory that great part of the changes brought about on the earth's surface were wrought by this slow but certain and powerful agency, this district would of itself be sufficient to prove it, in as far as regards the primary strata. All the hills, except those which are of pure quartz, are crested with dykes, parallel to the slate on both sides, which does not appear to have undergone any change except close to them, where it is slightly crystalline, and impregnated with metal. These dykes I suppose are but metamorphosed slate, their clayey basis, direction, &c., and the occasional stratum of burnt white granular clay between the dipping masses, favouring this opinion; small veins of quartz are often found in them, and the slate immediately in contact with them highly indurated; but I have never met with veins proceeding from them into the slate, as I constantly have where the hills or dykes are wholly of quartz. There is not the slightest appearance of, or approach to, an anticlinal axis in the district, and it therefore becomes a question whether these nearly parallel dykes (seeing that they have not violently broken through the strata) were formed, baked, as it were, by parallel lines of intense igneous action beneath the formation, and without displacement, or whether the schist has been rent by earthquakes, and the fissures filled with foreign materials. From the circumstances above stated (their apparent agreement in composition, &c., with the slate), I am of opinion that the former is the more probable.

In many places they are highly ferruginous, which has produced diamond-shaped particles throughout many parts of the rock, some of them being as large as a pea. These I believe are a chemical composition of iron and some other substance, and appear to be iron ochre. The same dykes are found near Gudug and Dumbul, and indeed wherever similar hills exist; but mica slate, if I am not mistaken, predominates there over the clay. There, the underlying rocks appear to be granite or gneiss, but in this district the former is nowhere met with in this position. At Luksmeshwur, however, which adjoins it on the east, it is found, and from specimens which I have of it, I consider it to be as fine and beautiful as any I have seen in the collectorate. Its component minerals, except the mica, are light-coloured, and as fresh apparently as when first formed, and it perfectly corresponds in all respects with a similar rock to the west of Misreekotee, thirty miles distant, but is found nowhere between them.

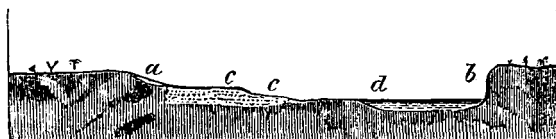
It is worthy of notice, that though granite and felspathic rocks and veins abound in the northern and eastern parts of the collectorate, felspar is never met with here, even in the smallest quantities; unless, indeed, it enters in a granular form into the composition of the underlying rocks. The whole district, as I have already stated, appears to be argillaceous schist, and in many parts resembling graywacké; but near Goorunhullee in the north-west it passes into mica slate, which, however, I believe to be merely a limited and isolated variation.

The face of the country generally is a series of long and gentle slopes and risings, many of the latter, though parts of the plain are nearly on a level with the tops of some of the highest hills, which latter derive their height more from the depth of the valleys around them than from their actual elevation above the general level of the country. One cannot but be struck with the conviction that the hills have been formed by the gradual wearing away of the plain when he observes this. There are many other concurrent facts along with this to fortify the supposition, but it would be too long a matter to describe them all. The two following, however, may be mentioned as among the most striking, which cannot fail to present themselves even to the superficial observer. I may here premise, that I do not mean to be understood as saying that the formation generally has undergone no upliftings; this it undoubtedly has along with the rest of the country; but as my observations have been almost confined to this district, my remarks, unless otherwise stated, are intended to be local, and applicable to it alone.

1. *Rivers, Nullahs, &c.*—The mere mention of running water ought to be sufficient to gain assent to these being causes of destruction to the surface, but except to one particularly noting their effects, they do not of themselves strike a person uninterested in the subject. There are few fields without a natural watercourse, which, beginning from the smallest obstruction, increases, unless timely remedied, in a remarkably short period to a broad and deep nullah; slopes do not require their assistance, the rain water having on them momentum enough of itself to carry down into them the finer particles of the soil, but they are soon formed there also. These all lead to the larger nullahs, and these again to the rivers, and each, as often as it flows, carrying with it a supply of earthy matter from the lands through which it has passed. The rivers, especially during heavy rains, flow on to the sea, with their waters heavily laden with the spoils of the land, and, undermining their banks on both sides, carry away large slips at a time. Villages which formerly had no nullahs near them are now being gradually washed away, and appear hanging over steep banks, and are every year being more and more undermined. At Munungee, a large nullah, which in the last generation had its course due north and south, at a considerable distance west from the village, and there entered the river (the Wurda), has left that course, which is filling up, and now flows east, and enters it close to the village, on which it encroaches every monsoon. In width and depth it now rivals the river, and opposite to its entrance the united streams have within the last 15 or 20 years carried away land upwards of 30 yards long, 30 feet broad, and eight feet deep. The former bed of the river, scarcely 100 yards broad, is clearly traceable in the present course, which is now near the junction, and for a considerable distance at least 300 yards; and in the higher parts of this new bed are laid bare old and hard masses of conglomerate, composed of river sand and quartz pebbles, showing where the river formerly flowed. A section across the course when the stream is low would present the appearance shown in this sketch (No. 1).

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(No. 1.)



*a, b,* The breadth of the river when flooded.

*c, c,* Beds of conglomerate quartz pebbles and sand, showing that the channel of the river has gradually lowered, and is wearing away the land towards "b."

*d,* The present bed of the river during the dry season.

Since that time it has deepened its course, and, according to the resistance it experiences, is wearing away at different places the land on both sides; and though, from their streams being merely temporary and occasional, and their volume of water smaller, the nullahs do not show such lasting proofs of their destroying power, their existence at all, and the continual increase of their numbers, suffice of themselves to point out their effects, namely, the gradual wearing away and lowering of the surface, by which the more indurated rocks remain exposed, and by their detritus and adjacent slate form rising grounds or hills wherever they occur.

2. *Dykes.*—Another class of proofs is exhibited by the dykes which crest the hills or rising grounds. These are all boldest toward the west, whence the rain and strong winds beat upon them, and the slopes also on that side are much greater than toward the east, where they are exceedingly gentle. One instance of this among many is shown in the following sketch (No. 2) of a hill near Heeré Bhendigerry.

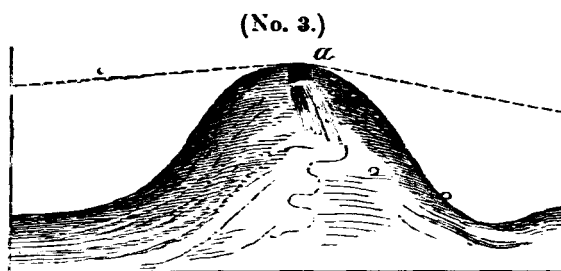
(No. 2.)



*a,* A dyke.—N. B. Slopes all considerably toward the West.

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A few miles south-west of Seegaum is another hill, one of the highest in the district, and forming part of the continuous lines which range parallel with the slate. The dyke on its summit appears to have been broken through, as though there is a deep valley between it and the neighbouring rising grounds; it can be distinctly traced in the same line of direction, nearly north-west and south-east, for many miles. It presents the appearance shown in the following sketch (No. 3), in which, at the point *a*, is shown the abrupt termination of the dyke. The dotted line shows its probable prolongation on both sides, before the slate was



washed away from its slopes. These are sufficient to prove that the general level of the country has been greatly lowered, and that the causes which are now destroying the level of every field, and leaving hillocks where igneous action has operated to harden the rock, are the same which, by their slow but certain degradation of the surface, have in the lapse of time formed all the hills in this district.

I would conclude this short account of the geological phenomena of this part of the country by calling attention to the immense number of granitic boulders which lie in continuous lines, generally parallel with the ranges of hills, but sometimes in their direction, ranging more from the north toward the west than the latter do. They are frequently found just exposed above the surface, but more so constituting eminences of themselves, and especially at Karudgee, where they most predominate. The boulders are of all dimensions, from the size of an egg to that of a cart-wheel, and are heaped together. The texture is nearly granular, and in this resembles gneiss, to which rock indeed they may belong; but as they have no appearance of lamination, and their fracture is uneven, I am inclined to consider them, as above stated, to be granitic. If they are erratic, they must have traversed very great distances, for, as far as I am aware, there are no hills of such rock near this part of the country. Darwin, in his "Journal of Researches," states, that erratic boulders have never been observed in the inter-tropical parts of America, Asia and Africa, and that what were taken for such were not so. About nine miles south of Bunkapoor there is a large block, upwards of 12 feet square, exposed at the surface, and near one of the lines of boulders; and not far from the town of Bad are similarly large masses over-lying each other, and with the blocks forming a small hill. I have never been able to discover the depth to which such masses descend, or whether they are connected with rocks of a similar structure below the clay, but were this the case, it would be supposed that they would be occasionally met with in wells; but this, as far as I have been able to learn, is never the case. I have also found very large boulder-like masses laid bare by nullahs in the plain, and in all respects resembling the above. Looking at the face of the country generally, there is now no appearance of valleys or rivers down which torrents might have transported them; and as it is impossible to suppose that this region has ever been visited by icebergs, which in colder climates are said to convey masses of rock from place to place, it is difficult to believe that they are erratic at all. It might be supposed that the slate rests on a rock of this structure, and that by some violent earthquake it was rent, and masses thrown up, and that these have withered to their present form. But, considering that, wherever it is found, it presents this same boulder-like formation, apparently resting on the slate, and also that its texture is totally different from the granite found both to the east and west of the district, this supposition also seems doubtful. That the country has undergone any great change by violent means since the formation of the schist, or rather of the dykes, is highly improbable, but that it has been frequently visited by slight earthquakes or subterranean igneous forces, the dykes and quartz hills attest. The natives have no tradition of any such phenomena having occurred, but this is not at all remarkable, as they seldom note any events which do not affect their own concerns. A slight earthquake occurred in 1844, and was experienced

rienced at Gujungurghud, whence intermediately it was felt at several places as far as Soundutty in the west; and turning south, but passing Dharwar, it was experienced at Heeré Bhendigerry, and thence toward Hangul. Remarkable as one would suppose they would consider this, the people of the places where it was felt have almost entirely forgotten it; and even those in whose houses heaped-up articles were overturned, only remember that such a thing did happen, that it was at night, and that heavy rain accompanied it. But they cannot tell in what time of the year it was; and the people of the neighbouring villages scarcely remember the phenomenon at all. From such it is useless to look for any information on these subjects, the mere fact that they are above their comprehension making them well content to consider them as no part of their business to investigate or record.

In conclusion of this brief and superficial survey of the geology of the district, I beg to add, that I shall be happy to furnish specimens collected in my researches of any of the rocks to which I have alluded, should such be required, with notices of the places whence they were taken, their position, &c. &c.

I have, &c.

(signed) *D. Young,*

Assistant Superintendent.

Hoobulee, 29 June 1846.

(True copy.)

(signed) *G. Wingate,*

Superintendent Revenue and Assessment,  
Southern Maharatta Country.

No. 1382 of 1846.

Territorial Department—Revenue.

To *E. H. Townsend, Esq.,* Revenue Commissioner, Southern Division, Poonah.

Sir,

I do myself the honour to forward, in original, a report by Captain Wingate, Superintendent of the Revenue Survey in the Southern Mahratta country, on the survey and assessment of the Bunkapoor talook in this zillah.

2. A description of the climate of Bunkapoor, its markets and agricultural and revenue management, under the former and present Government, is given in the first 20 paras. of the report, of which paras. 19 and 20 only require any remark. In para. 19 is shown the difficulty of getting any satisfactory data, owing to the manner in which the accounts have been kept at different times. Up to the year 1834-35 the net jumabundee appears only in the accounts, and therefore we cannot know what remissions and what deductions were made by the settling officer. From 1834-35 till 1840-41 inclusive, the remissions at the jumabundee, and deductions for cowles, are shown, which, added to the net jumma, form "the gross rental or kumal." From 1840-41, up to the present period, in addition to the remissions at the jumabundee, and cowle deductions, all deductions on account of land held permanently at fixed rates below the "kumal," equivalent to the "khund mukta" tenure, are included, and which, added to the net jumma, the superintendent terms "the full kumal."

3. In the 20th para. is an explanation of the diagram. In drawing his inferences from the facts elucidated by it, Captain Wingate has not been quite so precise in his language as could have been desired, and a person unacquainted with the district would be apt to be misled in consequence. For instance, he says, "every year of low assessment is followed by an extension, and of high assessment by a contraction, of cultivation." From this sentence it might be inferred that a different rate of assessment was imposed every year; whereas such is not the case. The nominal assessment has been the same ever since we have had the country; but the proportion the collections have borne to it has varied according to the quantity of remissions given at the jumabundee, and the contraction and extension of the cowle system; and, therefore, instead of "every year of low assessment, &c., was followed by an increase of cultivation, &c.," it should be, "every year of low collection was followed by an increase of cultivation." It is very curious to observe, that remissions, given, as they must be

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under the best system, in a very haphazard manner, and the much-abused cowle system, which has been supposed to enrich village officers at the expense of Government and the ryuts, have been the means of increasing the revenues of the one, and improving the condition of the other.

4. In the 21st para. an opinion is given as to the condition of the cultivators, in which I am inclined to agree, though I am afraid that the substantial cultivators bear a very small proportion to the whole body of ryuts.

5. From the 22d to the 28th paras., Captain Wingate describes his plans of assessing the dry-crop lands of the talook. He proposes to have four classes of villages: the 1st class will contain sixteen (16) villages, lying along the western border; the 2d division will contain fifty-five (55) villages, lying immediately east of the preceding; the 3d division will comprise thirty-six (36) villages, situated still further eastward; and in the fourth, or most easterly division, there will be thirty-one (31) villages. The classes have been settled according to their supply of rain, and the distance they are off from the great markets.

6. The highest rates in these four classes are as follow:—

	Rs.	a.	p.
1st class	1	12	—
2d class	1	8	—
3d class	1	6	—
4th class	1	4	—

“These maximum rates are to be considered those of the 1st class, while the inferior will be proportionally lowered according to their relative values, as determined by the survey classification.”

7. The above rates will give an average for the whole talook of 13 annas an acre. The average of the present rates is *Rs.*1. 2. 3., which is five annas and nine pies higher than those proposed; but I quite agree with Captain Wingate, that the reduction is by no means more than is required; in fact, I am rather doubtful whether a further reduction would not have been advisable, for it must be borne in mind, that the cultivation has been declining for many years, and that more than half the talook is out of cultivation; besides which, the utter stagnation of the cotton trade in this province, without any apparent chance of its reviving, render a very great reduction imperatively necessary.

8. From the 29th to the 38th para. inclusive, Captain Wingate details the circumstances connected with baghait cultivation from tanks and wells. He shows that since we have had possession of the country there has been no attempt to increase “baghshaye” or baghait cultivation from a tank. He also shows, that in one instance a garden cultivator pays as high as 40 rupees an acre, and is well-nigh ruined, as might be supposed, when the average realizations throughout the whole talook, on this description of cultivation, is only *Rs.* 14. 6. an acre.

9. The superintendent, in my opinion, lays down in his 32d para. very clearly the principle on which this description of cultivation should be assessed:—“The tanks being constructed and kept in repair at the expense of Government, Government is entitled to the enhanced rent arising from the increased fertility of the soil consequent on irrigation, but is not entitled to anything whatever over and above this.” And in the following para. says:—“In considering the amount of assessment, we should confine our attention to those producing the ordinary annual crops yielding an immediate return to the cultivator.” And he comes to the conclusion that, “supposing sugar-cane were planted in the most favourably-situated gardens with the best description of soil, it could not bear a higher rate of assessment than 15 rupees an acre.” This appears a low rate when as much as 40 rupees is collected at present: however, there is only one instance of this amount being collected, and the average is under fifteen (15) rupees. The cultivators of these gardens are no better off than other cultivators, and there has been no extension of this cultivation. It is, therefore, very clear a very great reduction is necessary. The average of the proposed rates is not stated; but Captain Wingate tells me he expects it will be about 10 rupees an acre; and as that officer is practically acquainted with the subject, and has considered it attentively, I would beg to recommend his proposal being acceded to.

10. Before quitting this subject, I would beg to observe that Captain Wingate has not alluded to one cause of the falling off in the cultivation of the description of baghait, viz., the gradual filling up of the tanks; for it is very obvious,

as

as the tanks are filled up and become shallower, the supply of water diminishes, and the cultivation of garden produce must decrease. The gardens which are furthest off from the tank are first thrown up; and in the course of years, baghait cultivation ceases altogether.

11. And here I would take occasion to remark, that the revenue management of districts in which there are tanks, and gardens cultivated by means of them, is most unsatisfactory. At present, in the smaller description of tanks the ryuts petition the collector to make repairs, who orders the survey and estimate to be made; if within a certain sum, he orders them to be executed. He cannot always visit the tank, and, therefore, cannot know whether the outlay is judicious or not; and in the case of larger tanks, nothing is heard of them until a bund bursts, or the bed is so choked up as to be incapable of affording a sufficient supply of water. A reference is then made to the engineer, and the amount of the estimate for repairing is so excessive that great difficulty occurs in obtaining the sanction of Government.

12. There does not appear to me to be any reason why the tanks should not be placed under as strict a supervision as the public buildings of a collectorate. An executive engineer is appointed to the Dharwar collectorate, who has very few military duties. There would be no difficulty in his having in his office a register of all the tanks in the collectorate. They should be arranged in classes, showing the quantity of land irrigated by each, and the revenue collected by Government and enamdars; and they should be surveyed every year, and annual and special repairs made accordingly. The only thing required to carry out this arrangement would be an Act to make it compulsory on the enamdars to contribute their proper share of the expenses of repairs.

13. Five rupees is the maximum sanctioned for well gardens; and it is proposed to extend the same maximum, to which there does not appear to be any objection.

14. In paras. 39 to 42 are contained proposals for assessing the rice lands, the highest rate being five (5) rupees an acre for the best lands admitting a rotation of sugar-cane, and the lowest one (1) rupee an acre, according to the quality of the soil.

15. In the 43d and 44th paras. it is shown that the revenue, under the proposed settlement, will range from 10,000 to 20,000 rupees higher than it has ever done.

16. In the 45th para. allusion is made to the absorption of the sheep-grazing tax, and taxes on fruit trees. The former could only be levied where right was given to graze, and as all land is now divided into numbers, and that which is waste, with the exception of a small portion given to the village cattle, is sold by numbers to the ryuts, the only means the professional sheep-grazers (and there are no others in this zillah) have of obtaining pasture for their sheep is to enter into competition with the ryuts, and bid for the waste numbers.

17. I quite agree with Captain Wingate as to the perniciousness of the fruit-tree tax. During its continuance scarcely anybody planted trees, and if they did, invariably petitioned for a remission of assessment; whereas, since its abolition, such a spur has been given to planting, that in a few years this will be a well-wooded country.

18. Paras. 46, 47, 48 and 49 do not call for any remark, more than I beg to recommend that the proposals contained in the 47th and 48th paras. be acceded to.

19. From paras. 49 to 61 Captain Wingate describes the faulty constitution of the Bunkapoor talook, and makes proposals for amending it. The extraordinary manner in which the villages were distributed among the mamletdars and mhalkurries in this zillah when the latter officers were appointed, has been the subject of general remark. Mr. Blane, when on circuit in 1843, brought it to the notice of Mr. Shaw, and in 1844 the Government sanctioned the transfer of several villages from the Dummul to the Nowlgoond talook; and a further transfer of four (4) villages from the same talook, and a new re-distribution of villages to the mamletdars and mhalkurries of the Nowlgoond talook, in 1845. Mr. Goldsmid was so struck with it when superintendent, that he made out and forwarded a plan involving a change in all the talook. This plan, however, was attended with a great increase of expense, and was not sanctioned. It is most important that no village should be so distant from the cutcherry that the mamletdar cannot visit it without inconvenience to the discharge of his other duties,

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or that a ryut would prefer submitting to injustice or oppression rather than be at the trouble of making a long journey to the cutcherry; and there are many advantages attendant on villages being situated within a convenient distance from the cutcherry, which are too well-known to you to render it necessary for me to dilate on. "In the Bunkapoor talook, as proposed to be constituted, the great mass of villages will be brought within six miles of their respective cutcherries (*vide* dotted arcs of that radius on map); and, with the exception of a few outlying villages of Kullus, there will not remain a single village at an inconvenient distance from any of the cutcherries."

20. Captain Wingate appears to think that his arrangement might be objected to, because it broke up the old mhals, and that the chief reason for keeping them entire is a supposition that the hereditary officers of a district have duties to perform connected with the management of the villages which compose this district. This I cannot suppose to be the opinion of any person who is practically acquainted with the constitution of the Indian village community and the revenue management of the Bombay Presidency. In the Southern Mahratta country these officers have been, with very few exceptions, ciphers for very many years. Tippoo attached all their wuttuns; and when the peishwa released them, a very heavy jodee was imposed on them, and they are now reduced, as a class, to extreme poverty. I believe they were never employed by the peishwa's farmers, and since we have had the country, only as common carcoons. Up to 1833-34 they were never asked to do anything. In that year, you were sub-collector of Hooblee, and gave an order that they should either do duty themselves or furnish substitutes; but this was not obeyed till 1836, when Mr. Dunlop repeated it; and from that time they have furnished carcoons according to the wants of the service, who have been employed—not in any particular way, but—in all descriptions of the miscellaneous duties of a district cutcherry.

21. To Captain Wingate's arrangements I see no objection whatever, and beg most strongly to recommend their being sanctioned.

22. From paras. 62 to 69 Captain Wingate descants on the importance of improved internal communication to the stability of the new settlement, and the urgent need of particular lines of road being immediately constructed. Of the justness of his observations not a doubt can be entertained, but the little attention paid to recommendations on this subject renders it almost useless to write about it.

23. In answer to Captain Wingate's report on the assessment of the Hoobly and Nowlgoond talooks, the Government say in para. 15—"The all-important subject of roads is forcibly dwelt on in para. 139 of Captain Wingate's report, and concurred in by you in para. 25. While Government are expending large sums in the confessedly important work of surveys, it is tantalizing to see their liberal efforts paralysed by the barrier placed in the way of improvement in the want of roads. So much has been said and written on this subject already, that it would be superfluous to add to it. So soon as the state of the Warree country shall admit of peaceful operation on the Ram Ghaut, the subject of that miserable road, and the extreme importance of adopting and constructing a better line of communication between the collectorates of Dharwar and Belgaum and the coast, will be fully considered in the General Department, to which this subject will be transferred:" and yet what has been done? I hear nothing more than deputing Lieutenant Suart for a month to the Ram Ghaut. If I recollect rightly, in one of the jumabundee reports, written by you as first assistant collector in Belgaum, you wrote that it was as absurd to expect the internal resources of the country to improve without good roads, as the commerce of Bombay to increase if a belt of sand were deposited at the mouth of the harbour. Everybody appears alive to the necessity and importance of roads; but beyond writing about it, it is impossible to effect any progress whatever. Adam Smith published in 1776 his famous work, in which was clearly shown the truth of free trade principles; and yet it was doomed that the long period of 70 years must elapse before the nation could be convinced. It is to be hoped so long a period will not be required to convince the authorities of the absolute injury and loss the people and Government sustain by the opening of the internal communications being deferred.

24. Appended to Captain Wingate's report are the reports of Lieutenant Francis and Mr. Young. They are replete with interesting information, and do those gentlemen very great credit. I would here beg to bring to the notice of  
Government



Government that, owing to the zeal and abilities of the assistants in the revenue survey, the operations of the survey progress without the least difficulty, and the duties are carried on with the same systematic regularity as those of a long-established office. Captain Wingate's merits are two well-known to Government to receive any additional value from any testimony of mine.

25. A very beautiful map accompanies Captain Wingate's report, which shows to what a pitch of excellence this department of the survey has arrived.

I have, &c.

Collector's Office, Camp Hooblee,  
10 October 1846.

(signed) S. Mansfield,  
Acting Collector.

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No. 2182 of 1846.

To R. K. Pringle, Esq., Chief Secretary to Government, Bombay.

Sir,

I HAVE the honour to transmit a letter from the acting collector of Dharwar, dated 10th ultimo, forwarding one from the superintendent of the Dharwar survey, dated 29th September, with enclosures, being reports of his assistants, Messrs. Francis and Young; the subject of the whole being the rates of assessment proposed for the Bunkapoor talooka of the Dharwar collectorate.

2. Of this district, which forms the most central part of the collectorate, an interesting description, geological, historical, &c. &c., is given in these reports, to which I need only refer the Honourable the Governor in Council; any attempt on my part to render Captain Wingate's lucid report more full and intelligible than it is already would be lost labour. In the title page "an Abstract of the Report" is given, which is, in fact, an index, showing in what part of the report every separate subject is discussed.

3. To the past history of the district, and its revenue management, no reference appears necessary; all management, where measurement is uncertain, and rates arbitrary and unequal, must be, at best, an alleviation of misrule. The diagram in para. 19 shows past cultivation, gross assessment, demands and collections; a blue column discovers the new kumal, amounting to 1,15,000 rupees. This includes nine villages, which, for reasons stated in para. 19, are omitted from the rest of the diagram. The produce of grazing farms and farms of fruit trees (same para.) are also included in the "new kumal," though not shown in the "average net rental of last 28 years," which is marked with a red line. The value of both these farms, and of the nine villages already referred to, should be added to the average rental, to complete the comparison with the new kumal; this more perfect comparison is, however, afforded in para. 43 of the report, to which I would solicit a reference.

4. The old kumal is not given in the diagram (*vide* para. 19), but though its amount did not influence that of the present assessment, I think that its entry, as a standard of comparison, would have been an improvement to the diagram. The latter document is, moreover, limited to Government land; it does not, therefore, include all the land of the talooka, nor show the value or extent of alienations. These, however, are subject to constant variation; new inams may be granted, or those which already exist may, from various causes, lapse to the state; as, then, the Government accounts include all lands, those which are alienated being afterwards deducted, and the remainder (subject to revenue) exhibited; so, I submit, should the new kumal be, its amount alienated being shown separately from that belonging to Government, and those alienated villages only being excluded whose owners object to the measurement and classification of their lands.

*Vide* para. 5 of  
Government letter,  
dated 29th March  
1841, No. 993.

5. To lands occupied as kooruns (meadows), I observe no allusion in this report, nor am I sure that they are included in the diagram. As they are annually put up to auction, their revenue is seldom affected by the assessment of surrounding districts; yet as, under altered circumstances of the population, of the prices of grain, &c., land at one time occupied as meadow might, at a future time, be devoted to grain, the entry in the diagram of such lands, according to their assessment and classification, would perhaps be an improvement, should they not be already included in it. From the wording of para. 44, I infer that the value of all lands is included in the statement that precedes it.

6. In his 19th para., the superintendent observes: "The effect of the sur-

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vey settlement on the revenue derived from jodee and inam lands cannot be ascertained until the settlement of these tenures by the inam committee." The disposal of jodee or inam service lands of village officers is, I believe, not entrusted to the inam committee, but to the survey department. The disposal of jodee lands held by other parties is, I believe, entrusted to the inam committee, as well as that of lands strictly inam; but whatever be the ultimate disposal of these lands, their assessment should, I submit, be included in the new kumal; and this seems the more necessary, as many of them will no doubt ultimately lapse to Government, owing to the inquiries of the inam committee.

7. In the 20th para., the superintendent explains the use of the diagram. An expression in this part of the report, which might be misunderstood, is explained in the acting collector's 3d para. There can, I conceive, be no doubt of the fact, that the district under report has of late years been suffering from over-assessment, and that the present revision and reduction was a work of primary necessity, and which must tend to promote its prosperity.

Past average rates  
on dry land.

8. The past average rates for all sorts of land are shown (para. 22) to amount to Rs. 1. 4. 5. per acre; that for dry lands only (exclusive of garden and rice lands), to Rs. 1. 2. 3. That this assessment is more than the district can bear is, I conceive, clearly shown in this and the following paras. of the report; and the average rate proposed for dry lands (para. 28) of 13 annas is, I have little doubt, as high a rate as the district can bear; indeed, my only doubt is similar to that expressed by the acting collector (para. 7), whether this reduction will be sufficient. The highest rates of which this average is composed are stated by the superintendent (para. 27), but not the minimum rates.

Garden lands.

9. Garden lands and its rates are discussed in paras. 29 to 38; inclusive, of the report. These are divided into those watered by tanks and those watered by wells, which are similar to the patasthul and motasthul of the Deccan. That the previous rates have in many cases been perniciously heavy is shown clearly in this report, and the maximum rate proposed (para. 34) for tank-watered gardens is, I am persuaded, quite high enough. The average of these rates is stated by the acting collector (para. 9) to be 10 rupees per acre. The principles which have guided the superintendent (para. 32) in fixing garden rates appear to me in strict conformity with the views of the Honourable Court, as contained in their despatch of 15th February 1833, and which were transmitted, for the information of this department, on 3d March 1835.

10. The highest rate for gardens watered from wells is stated (para. 36) to be 5 rupees per acre; the average assessment per acre on this species of garden land, or that on all garden land, of whatever sort, is not shown. The superintendent states (para. 38), that the present assessment of garden lands yields a revenue of about 6,000 rupees, of which the new assessment will reduce about one-third, a reduction which will, I hope, afford sufficient relief to this hitherto over-assessed species of cultivation.

Rice land.

11. The assessment and cultivation of rice lands form the subject of paras. 39 to 42 inclusive. The superintendent shows, that while the highest assessment paid on this sort of land has been 10 rupees per acre, its average last year was 4½ rupees per acre; the rates proposed vary from 5 rupees to 1 rupee per acre. The superintendent does not state the average which these rates will afford; but although the addition of this information would greatly add to the value of this report, the want of it does not diminish my confidence in Captain Wingate's proposals, which I trust Government will accordingly sanction.

Average rates of  
the new kumal.

12. The average assessment per acre of the new kumal on land of every sort is not given in this report; that of past years' rental is given at Rs. 1. 4. 5. (para. 22) for the last seven years. The average rates of the new kumal would be interesting, as affording a comparison with former rates actually levied. In para. 43, the new kumal is given, as compared with past realisations. The superintendent does not suppose that it will ever be realised, but he expects that the survey rental will eventually exceed that of past years by 10,000 or 20,000 rupees per annum. The immediate financial effects of the survey cannot probably be stated with certainty, but they will appear from the result of the first year's revenue settlement of the talooka.

Grazing and fruit  
farms.

13. Grazing farms and those of fruit trees are (para. 45) included in the new kumal. The abolition of these separate items of taxation is, I conceive, very beneficial; their amount is small, viz. 400 and 200 rupees respectively. The acting collector appears to allude to this arrangement in para. 17 of his report,

report, where he says, that "such a spur has been given to planting, that in a few years this will be a well-wooded country." I sincerely hope that these pleasing anticipations will be fulfilled. The rates hitherto levied from fruit-trees were reported to Government in my predecessor's letter of 6th May 1845, No. 627. The rules under which waste lands are disposed of are contained in the Government letter of 12th September 1843, No. 2998.

14. The superintendent states (para. 46) that the new rates include all huks of district and village officers; the amount of these is estimated by Captain Wingate at 3,000 rupees per annum. The superintendent does not state whether the levy of these huks from the ryuts has, in the meantime, been stopped or not. In my letter of the 13th ultimo, No. 2027, para. 29, I brought to the notice of Government that a different system was in this respect followed by the Ahmednuggur and Deccan surveys.

15. This report includes (para. 47) the village of Behutty, lately part of the Sonee jagheer, and which is now said to be included in the Hoobly talooka. The superintendent solicits sanction for the introduction of the new rates into this village, which are the same that were sanctioned for the rest of the talooka in Government's letter of 27th February 1845, No. 1024. And to this there can, I presume, be no objection. The new rates in the district now reported on are proposed to be continued for 30 years, which arrangement I beg to recommend for adoption.

16. In paras. 50 to 59 are contained a proposition for altering the shape and distribution of the Bunkapoor talooka and its subordinate divisions of "Kuruzgie," which is a mahalkurry's thanna, and "Kullus," which is at present managed by a karkoon. Captain Wingate shows very clearly the evils of the present division. He alludes in para. 57 to possible objections to the breaking up of mahals, and then proceeds to form his proposed districts into a number of circles, traced in dotted lines in a map that accompanies the report. These changes affect the talookas of Ranee Bednore, Kode, Hangul and Hoobly, parts only of which are exhibited in this map. Neither are the existing boundaries of these talookas so clearly marked as I could have wished. A little study of the map, however, and of the detail of transfers contained in Captain Wingate's 58th para., will show the very inconvenient shape of the old talookas, and the more compact form of the superintendent's circles. A few villages transferred do not, indeed, come within these circles, as Bhadamguttee and Belowtee, transferred from Bunkapoor to Hangul; but these are exceptions to the general rule.

Territorial transfer.

17. Captain Wingate proposes to convert the karkoon at Kullus into a mahalkurry, and in all his proposals the acting collector coincides. The latter officer does not state the effect of these transfers on the entire revenues of each talooka that is altered by them, nor the establishment and pay which he would propose for the mahalkurry at Kullus. The establishment proposed for the latter is contained in the superintendent's 60th para.; but the acting collector should, I conceive, submit a plan, in which the present and proposed establishments of each district referred to will appear contrasted;—the whole causing no increase of expense.

18. I have endeavoured to form a statement from the materials contained in the superintendent's 59th para., and the acting collector's annual report of last year, to show the present and proposed revenues of the Bunkapoor, Hoobly, Hangul, Ranee Bednore and Kode talookas, both in the aggregate and separately, as placed under mamlutdar and mahalkurry; but as I find it impossible to do this from these materials, I will request the acting collector to frame such a statement, and to transmit it, along with the particulars regarding establishment above alluded to, and the details of zumeendar's duties referred to in the following paragraph.

19. With the superintendent's opinions, however, as expressed in para. 57, and the acting collector's, as expressed in para. 20 of his letter, I cannot altogether coincide: the evil of breaking up mahals is not, I conceive, a mere theoretical evil, as both these officers appear to view it. The duties of deshpan-dies were defined in the statement which accompanied the joint letter of 16th October 1845, from this department and the northern division, and of which Government approved in their reply, dated 19th February 1846, No. 759. In these are contained a number of distinct rules for the guidance of these officers, but to which the acting collector nowhere alludes. He should, I think, explain how the proposed territorial changes will be compatible with the performance of these duties by the deshpan-dies, with their existing complement of karkoons.

Roads.

20. The important subject of roads occupies paras. 63 to 69 of the superintendent's report, and 22 and 23 of the acting collector's letter. The latter officer shows that Government are already aware of the vast importance of this subject to the welfare of Western India, and the preservation of the existing revenues of the country. When we see, then, so little done in this most important matter, it is evident that there is some hindrance from without, and that further representations on this subject are superfluous. Government, in appointing survey and assessment establishments, have conferred a great benefit on the country, and per consequence on themselves; but the stagnation of internal traffic, owing to the want of roads and bridges, is an evil of very extensive influence, as will, I fear, hereafter be more generally perceived than it is at present. I would respectfully solicit the attention of Government to what Captain Wingate has written on this subject, and which appears to me to merit the most serious consideration.

21. The only part in which I differ from Captain Wingate is, that towards the end of his 66th para., where he seems to think that two roads to the coast between the Krishna and Toombhudra (or between the 15th and 17th degrees of north lat.) would suffice. This, I am persuaded, is not the case; but that a third is absolutely necessary. The only object of bringing this subject forward at present is, that any attempt to place two roads in such a position as to supply all this district must, I believe, lead to attempts to evade the great lines of traffic, and thus to failure. In the meantime, I trust that Government will sanction the piece of road solicited in para. 68, from Hoobly to Sirse, in the Kanara district.

Superintendent,  
paras. 12 and 13,  
&c.

22. I have passed over almost without remark the early part of Captain Wingate's report, and the interesting notices contained in it of the administration of these valuable districts under the Hindoo Kings of Arragoondy. Any one looking at the map of India, and otherwise unacquainted with the country, would suppose the Bombay portion of the Deccan to be an extremely well-watered country. From Nassik southward, the Godavery, Meetamoola, the Bheema, Krishna, Gutpurba, Mulpurba, and a host of minor streams, intersect the country at very short intervals; but from October to May the channels of these rivers are nearly dry;—the precarious rains once passed, the floods which all these noble streams supply have poured into the ocean unimpeded, and the country through which they have passed remains as dry as if water had never reached it, and the crops on their banks withering through want of a little of that moisture which in their beds is being speedily conducted to the salt sea.

23. Had the empire of Arragoondy extended across all these rivers, we should have seen their beds every here and there barred across with embankments, to arrest these precious waters in their progress; but, unhappily, their dominions were as narrow as their duration was short; and the Deccan now derives little benefit from the various streams which pass through it, beyond that of supplying men and cattle with drinking water; and on their banks garden cultivation is extremely limited.

24. To avoid detaining this report in transit, I have requested the acting collector to procure a copy of it from the superintendent. I will also send him a copy of this letter, that he may supply the few deficiencies in the report which I have noticed, but on account of which it appears unnecessary to detain the whole report.

25. Finally, it occurs to me to suggest that, whenever reports of the settlement of a district, or an annual progress report, are received from a superintendent of a survey, duplicate and triplicate copies of them should be made in the secretary's office, for transmission to each of the other superintendents. Thus each of these officers would be made aware of the system proceeding under each survey; each would benefit by the experience and observations of the other superintendents; and a degree of uniformity between the somewhat varying systems of the Deccan, Ahmednuggur and Dharwar surveys would be promoted. I would respectfully recommend that such copies be transmitted of this excellent report.

I have, &c.

(signed) *E. H. Townsend,*  
Revenue Commissioner, S. D.

Poona Districts,  
Revenue Commissioner's Camp, Lonee,  
5 November 1846.

No. 5007 of 1847.

Territorial Department—Revenue.

To E. H. Townsend, Esq., Revenue Commissioner, Southern Division.

Sir,

I AM directed by the Honourable the Governor in Council to acknowledge the receipt of your letter, No. 2182, dated the 5th November 1846, with its accompaniments, as per margin, on the subject of the survey and assessment of the Bunkapoor talook of the Dharwar collectorate, and to convey to you the following observations.

2. From these papers the Governor in Council gathers that this talook possesses considerable natural advantages of soil and climate, a capability of yielding a variety of products, and a population not deficient in the industry and skill necessary to turn these qualities to account; and that a more equitable and moderate adjustment of its assessment, and improved facilities for the disposal of its produce, are all that is wanting for its prosperity.

3. Captain Wingate's account of the administration of the ancient Hindoo dynasty of Aunugoondee, and the memorials they have left behind them in works of usefulness, and in the traditional respect of the people, is very interesting. The effects of their paternal system may have long since been obliterated or impaired under their Mussulman and Mahratta successors, and the reproduction of these may be a matter of difficulty under an empire constituted as ours; but the spirit in which their enlightened measures were conceived, if not the exact forms they assumed, must ever remain a worthy object of imitation.

4. The circumstance of a precise measure of extent, such as the acre, having now been in use for many years under our Government, and an authentic series of accounts being obtainable, affords advantages in tracing the progress and estimating the effects of the more recent revenue administration of this talook, such as are not always to be had on occasions such as the present, and these have been made available in a convenient form in the diagram framed by Captain Wingate.

5. You consider that it would have been an improvement if this diagram had been made to exhibit, as well the alienated and extra sources of revenue as that from Government cultivated lands; but viewing its object as being rather an exhibition of the relative and progressive than of the absolute state of the revenue, the Governor in Council is disposed to think that although it might have been well to insert in it the additional matter you desire, if it could have been done without impairing its simplicity and clearness, it is not of such essential importance as to be attempted, to the risk of these. He would also remark, in reference to your observation on this point, that the use of the native term "kumal," as being ambiguous, and sometimes applied in different senses, had better be avoided; the thing intended should be described in terms indicative of its exact meaning, even if some periphrasis be necessary, because in such points verbal accuracy is of importance to a correct appreciation of the reasoning.

6. The diagram shows a considerable fluctuation in the annual amount of realized revenue, and latterly a gradual decline of cultivation. Captain Wingate considers, and in this you appear to concur, that by exhibiting an increase of cultivation consequent upon a decrease of realizable revenue, and *vice versa*, it establishes the existence of general over-assessment. This appearance, however, seems to the Governor in Council only to establish the fact which its exhibition in this form was perhaps hardly necessary to obtain an assent for, that a relaxation in the revenue demands must tend to stimulate cultivation, and an enhancement to repress it, an effect which would probably be equally observable whatever was the general pitch of the assessment. Over-assessment is a relative term, and must depend on the standard by which it is estimated. It is not perhaps very easy to fix this standard by any general definition, but the Governor in Council can readily believe that with advertence to the rates of assessment in other districts, the general tendency and known results of the survey operations, the decline in the price of cotton, which forms a principal staple in this talook, and the present limited extent of cultivation, a considerable reduction in the assessment was desirable, and will be beneficial. For the precise point to which it should be carried, he must trust to the adjustment and experience of the superintendent, and in this he has every confidence.

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XI.

Report on the Survey and Assessment of the Bunkapoor Talook.

Revenue Commissioner's letter, No. 2182, dated 5th November 1846; Acting Collector of Dharwar's letter, No. 1362, dated 10th October 1846; Reports by Capt. Wingate, the superintendent, dated 29th September, with those of his assistants, Messrs. Francis and Young.

Captain Wingate, paras. 5 to 11; Messrs. Francis & Young, *passim*; Revenue Commissioner, paras. 1 to 3.

Captain Wingate, paras. 12 to 16; Revenue Commissioner, paras. 22 and 23.

Captain Wingate, paras. 18 to 20; Mr. Mansfield, paras 2 and 3.

Revenue Commissioner, paras. 4 to 7.

Captain Wingate, para. 20.

Revenue Commissioner, para. 7.

Captain Wingate,  
paras. 22 to 28 ;  
Revenue Commis-  
sioner, para. 8.

7. The average rate of assessment for past years on cultivated land is stated to have been Rs. 1. 2. 3. per acre, and the proposed average rate on the whole cultivable unirrigated land to be 13 annas per acre, being a difference of 5 annas 3 pies, or about 28.76 dec. per cent. This reduction, with reference to the considerations adverted to in the last para., and the probable average inferiority of the whole cultivable to the actually cultivated land, does not appear to the Governor in Council excessive in calculating the exact proportion of reduction. However, some further allowance would be requisite, though probably to no great amount, for the inclusion in the new rate of the hitherto extra levies of the huckdars.

Captain Wingate,  
para. 46 ; Revenue  
Commissioner,  
para. 14.

Captain Wingate,  
paras. 25 to 28 ;  
Mr. Mansfield,  
paras. 5 to 7.

8. In classifying the irrigated land, Captain Wingate has made a primary classification of villages, with reference to climate, markets, &c., subordinate to which is the ordinary classification for difference of soil. The grounds for the former classification appear to the Governor in Council, so far as he has the means of judging from the descriptive notice of the localities, satisfactory; no detail is given of the principle on which the subordinate classification has been effected, but the Governor in Council presumes it is similar to what has been adopted, reported and approved, on former occasions.

Captain Wingate,  
paras. 29 to 33 ;  
Mr. Mansfield,  
paras. 8 to 13 ;  
Revenue Commis-  
sioner, paras. 9  
and 10.

9. The opinions of Captain Wingate in regard to the principles on which the garden land, whether irrigated from tanks or wells, should be assessed, seem generally just; it occurs, however, to the Governor in Council, that the present high rates of assessment on betel and cocoa-nut plantations may not be chargeable with the objections usually urged against the regulation of the assessment by the description of the produce, inasmuch as they may only be an equivalent for an abatement or total remission of the assessment during the many years in which the trees were arriving at maturity. Such a mode of assessment is known to be usual in its application to valuable plantations, such as those in the neighbourhood of Haveree, and a good deal might be said, in its favour; but on the whole, the Governor in Council is disposed to concur in the opinion of the superintendent, that a moderate fixed assessment, even at some sacrifice of revenue, is preferable, as tending to the promotion of improvement, and being more conformable with the principles on which the land generally is assessed under the survey.

Captain Wingate,  
paras. 34 to 38.

10. Under the proposed rates it is stated that the assessment on lands irrigated from tanks and wells will be reduced by about one-third, which does not appear excessive with reference to the circumstance adverted to in the last para., the proportion of reduction on unirrigated land, and the absolute amount of the proposed maximum rates, as compared with those prevailing on similar cultivation in other districts. But this, too, as well as the relative classification of these lands, are points in which much must be left to the discretion of the executive officers.

Captain Wingate,  
paras. 39 to 42 ;  
Mr. Mansfield,  
para. 14 ; Revenue  
Commissioner,  
para. 11.

11. Similar considerations induce the Governor in Council to accord his assent to the proposed assessment of the rice lands, the reasons for which, in as far as they may be estimated from a report, seem satisfactory.

Captain Wingate,  
paras. 43 and 44 ;  
Mr. Mansfield,  
para. 15 ; Revenue  
Commissioner,  
para. 12.

12. The only practical estimate which can be given of the financial result of the new settlement is that which the superintendent has omitted to furnish, but should be required to furnish on all future and similar occasions; namely, its immediate effect in the existing state of things as compared with that which would be produced by the application of the former system. The estimate furnished by Captain Wingate, founded on a comparison of the amount due from the whole cultivable land under the proposed assessment, with that realized from the whole cultivated land under the former assessment, affords no sure ground of inference as regards the effect on the finances, inasmuch as it is affected by the contingency of the extent of cultivation. It may be assumed, indeed, *à priori*, that the financial effect of a better adjusted as well as a more moderate assessment, if in the right direction, will be by no means in the proportion of the reduction, and may possibly be in an opposite direction, seeing that a judicious reduction of taxation has been often known positively to augment the resources of the state; but this is an inference arrived at by reasoning from experience, and is not deducible from a comparison such as that given by Captain Wingate, which may tend to mislead, but cannot inform, those unacquainted with the subject.

Captain Wingate,  
para. 45 ; Mr.  
Mansfield, para. 16 ;

13. The Governor in Council has no objection to offer to the proposed discontinuance of the taxes on sheep and fruit trees, the former as being separately provided



provided for in the new mode of disposing of grass lands, and the latter as being injurious in its operation. As regards the latter, however, he does not clearly understand whether it is prospective, or, as might be inferred from the acting collector's observations, has actually taken effect.

Revenue Commissioner, para. 13.  
Mr. Mansfield, para. 17.

14. The introduction of the survey assessment in the lapsed village of Behutty is approved.

Captain Wingate, para. 47; Mr. Mansfield, para. 18; Revenue Commissioner, para. 15.  
Captain Wingate, para. 48.

15. The Governor in Council is pleased to sanction the declaration of the permanency of the settlement now reported, for the usual term of 30 years.

Captain Wingate, paras. 50 to 61; Mr. Mansfield, paras. 19 to 21; Revenue Commissioner, paras. 16 to 19.

16. The Governor in Council entirely concurs in Captain Wingate's arguments in favour of an improved territorial distribution of the Bunkapoor talook and its neighbourhood. Whatever reasons there might be for the preservation of the old relations between the zemindary mahals and the talooks, in the absence of any obvious advantage from their disruption, he considers the accommodation of the territorial distribution to a machinery now obsolete quite a subordinate object to its most advantageous arrangement for the efficiency of the existing machinery and system. A subsequent communication from you, No. 1230, dated the 12th June last, submits the details of a plan for giving effect to Captain Wingate's proposition, which will be considered, and the instructions of Government upon it communicated to you separately.

17. The Governor in Council deems it unnecessary on this occasion to enter into a detailed consideration of Captain Wingate's observations on the subject of roads. The abstract importance of such works is obvious and undeniable, while their advantage in any particular instance must depend on the various special considerations affecting it. The remarks on this subject, however, contained in the papers now before Government will be transferred to the general department for consideration, along with the measures to which they relate.

Captain Wingate, paras. 62 to 69; Mr. Mansfield, paras. 22 and 23; Revenue Commissioner, paras. 20 and 21.

18. It is satisfactory to learn that the old distribution of the fields, the derangement of which was objected to on some former occasions, has been maintained in the survey of this talook.

Captain Wingate, para. 70.

19. The Governor in Council has perused with interest the reports of Captain Wingate's assistants, Messrs. Francis and Young, which, especially the latter, are replete with valuable statistical information, and he considers both to be highly creditable to the research and ability of their authors.

Mr. Mansfield, para. 24.

20. The approbation of the Governor in Council has been so often conveyed to the merits of Captain Wingate's own labours, that on the present occasion it will be sufficient to remark, that they are in every way worthy of his former reputation.

21. The Governor in Council fully concurs with you in the advantage of the general dissemination of information such as is contained in these reports, and, conceiving that it may be of use, not only among our own officers, but also among those engaged in similar duties in other parts of India, he will direct 200 copies of Captain Wingate's report and its accompaniments to be printed, with a view to distribution.

Revenue Commissioner, para. 25.

I have, &c.

(signed) *H. E. Goldsmid*,  
Secretary to Government.

Bombay Castle, 3 December 1847.

(True copies.)

(signed) *T. L. Peacock*,  
Examiner of India Correspondence.

Examiner's Office, East India House,

10 August 1853.



## A P P E N D I X.

[The following Papers by Mr. Thomason, Lieutenant-governor of the North-Western Provinces; Mr. J. Thornton, Secretary to Government, North-Western Provinces; Mr. Goldsmid, Secretary to the Government of Bombay; and Captain Wingate, Revenue Survey Commissioner, Bombay, which were prepared with the view of their being printed for general information, are added, as "illustrative of the character and results of the Revenue Survey and Assessment which has been introduced into the Presidency of Bombay."

For the same reason, so far as regards the North-Western Provinces, the Paper by Mr. Thornton, referred to in Mr. Thomason's letter to Mr. Goldsmid, is also given.]

## No. 1.

LETTER from *J. Thomason, Esq.*, Lieutenant-governor of the North-Western Provinces of Bengal, to *H. E. Goldsmid, Esq.*, Secretary to the Government of Bombay.

My dear Sir,

Simlah, 12 July 1850.

THE publication of the "Official Correspondence on the system of Revenue Survey and Assessment in the Bombay Presidency," has thrown light on a subject, regarding which we had here felt much curiosity, and were very imperfectly informed. I am glad to see the Bombay Government thus making known the principles on which they proceed, and the mode in which they work in one of the most important branches of the administration. Good must in every way result, as well to the members of their own service as to all who in any place feel an interest in such questions. Not the least of the benefit will be the comparison with other systems, and the free discussion of the points wherein they differ. It is in this spirit we in these provinces have addressed ourselves to the consideration of your brochure, to ascertain exactly wherein we differ, and to make up our minds as to the comparative advantages of our two systems. The accompanying paper on the subject was compiled at my request by Mr. Thornton, the Secretary to Government in these provinces, the author of a paper on the settlement of the North-Western Provinces, which lately appeared in No. 24 of the "Calcutta Review" for December 1849. I am sure that you, as one of the great advocates of the Bombay system, will gladly enter into our views, and join in the friendly discussion; our object can be but one—the good of the people, and the improvement of the country which Providence has entrusted to our charge.

At the close of the paper you will find enumerated several points on which we shall be glad of further information. I shall feel greatly obliged if, with the permission of the Honourable the Governor in Council, you could furnish us with such information as you possess, or as may be procurable on these points; but I will also be thankful for your free comments on any part of the paper, and I shall be especially obliged by your setting us right if in any respect we misunderstand or misrepresent your system. It was with a view to the most perfect understanding in this respect that Mr. Thornton judiciously commenced with a summary of what he understood to be its leading features.

I hope that this mode of opening a correspondence on this highly interesting subject will be acceptable to you; my wish is to treat it with freedom, and the least of official restraint. If I were publicly to address your Government, it would seem like a wish to impugn your proceedings, which of course I have no wish to do. In estimating the merits of a system, we have to look to its adaptation to the wants and wishes of the people, and also to its tendencies; of the former the local Government is the best judge, the latter is more open to discussion.

I should be glad to have your remarks on this Memorandum in a similar form, drawn up either by yourself or by Captain Wingate, or any one else who feels inclined to take a part in the discussion. Hereafter we may, if you have no objection, print the whole, and thus induce our fellow-servants in all parts of India to reflect on subjects which cannot be too constantly urged on the attention of all who take part in the administration.

I remain, &c.  
(signed) *J. Thomason.*

## No. 2.

MEMORANDUM by *J. Thornton, Esq.*, Secretary to Government, North-Western Provinces, on the *Bombay Plan of Survey and Assessment*.

1. THE Bombay plan, as far as I understand it from these papers, is as follows:

2. The country is divided into large villages, averaging about three square miles each. These are divided into thuls, &c., which we should call thokes, and the thuls into fields, much as is the case in the North-Western Provinces; but the revenue system deals only with the fields, on which alone the assessment is fixed. The fields, moreover, which are recognized by the system, are not the plots of one or two acres in extent, divided off voluntarily by the people for the convenience of cultivation, but they are arbitrarily formed by the surveying officers, so as to be in most cases from as much as can be cultivated with one pair of bullocks to twice that extent.

3. A fixed rent is laid on each of these survey fields, whether cultivated or waste, and these rents are to be unalterable during the term of 30 years. No field is on any account to be let for less than the fixed rent, and if the whole of the field cannot be kept in cultivation, no part of it is to be cultivated, unless the full rent is paid for the whole.

See Rules 7 and 8,  
page 314.

[21]

4. The tenures of land paying revenue to Government are of two kinds, meeras and gutkool; the holders of meeras lands are the descendants of the old proprietors. They have the power of underletting their lands, or of alienating them by sale or otherwise, and they follow the Hindoo law of inheritance, all sons sharing equally; it seems, however, that these meerasdars have only a right to cultivated land, as it is provided that the grazing of waste meeras land shall be sold by auction annually by the collector.

See Rule 14, page  
315.

[22]

5. The gutkool lands are those in which the race of the old proprietors is extinct. These are let indiscriminately to any cultivators who will pay the rent fixed on them. Such cultivators appear to have the power of disposing of their tenures by sale, it being stated that "a chief object of the survey rules is to convert the tenancy at will tenure of the gutkool lands into a proprietary and saleable occupancy." At all events they can procure the transfer of their right of occupancy to anyone else who is willing to take it. They cannot be deprived of the land which they have once occupied against their will, provided they continue to pay the stipulated rent.

See para. 6 of Cap-  
tain Wingate's  
letter, page 359.

[81]

6. Every such cultivator is at liberty, on giving due notice, to resign any field or any recorded share in a field, which he has hitherto held, retaining the remainder of his farm. If he falls into balance, and the collector in consequence resumes one or more of his fields, he is entitled to decide which shall be resumed, and which left to him; in this case it is proposed that the right of occupancy in the resumed fields shall be put up to sale, any surplus proceeds above the balance being paid to the defaulter.

See para. 15 of  
Captain Wingate's  
letter, page 348.

[67]

7. Hitherto the ordinary mode of enforcing the payment of the revenue has been by placing "mohussuls" (dustuks) over the defaulter, or by attachment and sale of moveable property.

8. The gutkool land, though leased out as above, is still called "Government land;" the occupant is therefore only a tenant, however easy his assessment may be, and he holds under special conditions with regard to inheritance. In case of his death, his eldest son, or next male heir, is allowed to succeed him; but the other sons, or other branches of the family, have no claim to share in the tenure. There is nothing, however, to prevent his admitting other persons to share with him if he chooses, he himself remaining responsible for the entire rent of each field which he retains in his own name.

9. The great object of the system is to prevent any recognized subdivision of the survey fields; this cannot be prevented in the meeras lands, and it is accordingly thought desirable to get rid of that tenure, whenever practicable. In the gutkool lands, those who have been recorded before the survey as co-sharers in any field are to have their names retained, but no waste field is hereafter to be entered in more than one name, unless its rent amounts to 20 rupees; in that case two or more names may be entered at not less than 10 rupees each.

See para. 16 of  
Captain Wingate's  
letter, page 349.

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Appendix.

10. No cultivator of any description is answerable for default on the part of another, unless they both cultivate parts of the same field, in which case they are jointly responsible for the rent of that field.

11. As the amount receivable by Government in any year depends upon the number of fields in occupation during that year, an annual inspection becomes necessary. This is carried on by the village officers, and is afterwards tested by the superior native and European authorities. From this annual inspection of fields, the village accountant frames an asameewar jumabundee; this is afterwards abstracted by the mamlutdar (tubseeldar), in order to form his rent-roll for the whole district.

See para. 21 of  
joint report, in Ap-  
pendix, page 365.

(4)

12. This annual preparation of village and district rent-rolls appears to be called the yearly settlement. The review and adjustment of the division of the country into fields, and of the assessment to be levied from each field, is called the survey. The method upon which this last operation proceeds is as follows.

13. The first step is to decide all boundary disputes between adjacent villages, which is now effected on a plan closely resembling that pursued in the North-Western Provinces. The area of each village is then divided, more or less arbitrarily, into "survey fields," and the limits of each of these fields are marked out, either by some existing object, or by sinking large stones into the ground.

14. The several fields are then measured with the cross-staff and chain, and a record is formed of their areas, owners, occupants, &c., resembling our khusrehs. As each field is measured it is plotted down, according to a fixed scale, on a separate piece of paper, from which it is afterwards transferred by means of tracing paper to its proper place in the map or plan of the village lands. In order further to facilitate the construction of these maps, the position of the village site, and the course of two or three roads or nullahs, which may intersect the area, are laid down by means of a surveying compass, or theodolite. With this help, and the use of an uniform scale, these maps should be much more accurate than most of those prepared in the North-Western Provinces.

15. With the exception just mentioned, no professional survey of the land takes place, according to the European method. The correctness of the measurement is tested by the re-measurement of a proportion of the fields by the superintending officer. The whole of the Deccan has, however, been surveyed and mapped in former years on the European system.

16. After the measurement comes the difficult work of classifying the fields according to their relative productiveness. It is evidently of much more importance that this should be accurately performed in Bombay than in the North-Western Provinces, since in the former the Government officers have to assess each separate field, while in the latter this is ordinarily left to the people themselves. The mode pursued, as regards land not irrigated artificially, is fully detailed in these papers. The soils are arranged in nine classes, chiefly with reference to their quality and depth, and the relative value of each of these classes is expressed by a series of numbers, the highest of which is 16, and the lowest 2. No scale has yet been formed for irrigated lands, which, under the names of garden and rice lands, seem to occupy a small proportion of the area of the country. As the classification scale for unirrigated land is used, with small modifications, for all parts of the country, and as only three different qualities of land are recognized in it, there must be a much greater uniformity of soil in Bombay than in these provinces.

See paras. 38-65  
of joint report,  
pages 303-308.

[9-14]

17. Next comes the ultimate question of the assessment. The method adopted to determine this (so far as it can be ascertained by comparison and calculation) appears to be nearly the same in principle with that now followed in the North-West. Each collectorate is divided into districts, and each district is considered separately for the purpose of assessment. The several villages contained in the district are first arranged in three or four classes, according as they may possess greater or less advantage in point of climate, markets and agricultural skill. Each of these classes is supposed to be capable of paying revenue according to an uniform standard; the actual condition of the cultivators being avowedly rejected as an element in the calculation.\* This having been done, the past history of the district is examined, for the purpose of ascertaining how it has flourished under former demands. This is shown in the form of a diagram, which exhibits, by linear proportion, the amount and fluctuations of the assessment, collections and cultivation, for each of the years to which it relates. Local inquiry is also made into the causes which have affected the past condition of the district,

\* See para. 67 of  
joint report, page  
308.

[15]

The condition  
of the cultivators  
appears, however,  
to be allowed  
weight in determin-  
ing the aggregate

district, and comparison is instituted between its capabilities and those of others in its neighbourhood. From these considerations a new total demand for the whole district is assumed. This again is distributed upon the several villages and fields according to their respective classes. The rates upon different soils assumed for the purpose of this operation are contrasted with what may be supposed on other grounds to be the proper rates, and the total assumed demand is again weighed with reference to this point.

18. When the aggregate demand, and the corresponding rates on soils, are thus finally determined, the latter appear to be followed implicitly, and every field, whether meeras or gutkool, to be assessed in conformity with them. If this is the case, it argues a much greater confidence in the accuracy of the whole operation than is ever felt, or pretended, in this part of the country. It is stated as a proof of the equality of assessment thus attained, that a rapid increase of cultivation invariably follows the proceedings, and that "the waste lands are uniformly brought under tillage, without any greater anxiety to obtain or shun particular fields being observable than can be accounted for on considerations independent of the assessment.\*

19. With regard to the actual amount of the Government demand, it is stated, that this has never been assumed at any proportion of the gross produce, nor, from the difficulty of ascertaining the true rent, at any proportion of that rent.† The principle is, however, acknowledged, that the revenue should be limited to a portion of the true rent, and it is asserted that this limit has been observed. Experience will show whether this assertion is generally correct or not. Hitherto, that is, till the introduction of the present system, it seems certain that the Government demand absorbed nearly the whole net rent, so as to deprive the land of all saleable value. There are no statements in these papers to show the amount of actual deduction allowed in the assessment of any district, but it is said that such reductions have been largely made, and that they have been followed by so great an increase of cultivation as immediately to make up the loss. It appears also by many signs, that the land has acquired a value in the eyes of the people which it did not before possess. These facts are hardly sufficient in themselves to show that the desirable end has been attained of conferring a proprietary interest on the possessors of land. That can only be proved by the tenures becoming everywhere saleable, and by the larger landholders finding themselves able to underlet their property, so as to yield them a reasonable profit after discharging the revenue of Government.

20. With this part of the subject is closely connected the practice, hitherto very common, of granting remissions from the fixed assessment on the occurrence of inferior seasons. These papers do not contain much information upon this head, but I gather from them that these remissions were frequent and extensive up to late years. In addition to these, heavy balances have occurred in some places. It must always be expected in India, that seasons will occasionally be such as to preclude the entire realization of the public demand; but any system must be a faulty one which contemplates the frequent recurrence of such a state of things. This gives reason to suspect, where the cultivators are themselves the party which pays the revenue, that not only the whole net rent, but more than the average net rent, is demanded for the state. I have seen this practice of granting remissions elsewhere adduced to prove that in Bombay a discriminating tax was really laid on the culture of the more valuable products. It was said that though the land which bore those products was not rated nominally higher than other land, yet the circumstance of its yielding valuable crops prevented the relaxation of demand which would have been otherwise granted on it.

21. It is now alleged that, under the new arrangements, remissions have become quite inconsiderable, and it is hoped that they will soon become little more than nominal, while balances, as distinct from remissions, are said to have ceased altogether.‡ I observe, however, that Mr. Tytler, writing in May 1849, does not entertain so favourable an expectation.§ He says, that if a general reduction of five per cent. in the survey assessment "were to secure the abolition of remissions to the lessees, it would be cheaply purchased." Experience must therefore be appealed to on this point also.

22. One fact seems to be clear in favour of the new settlements, that the people are well-contented with them. There can be no doubt, indeed, that they are an immense improvement upon all that has preceded them. The operations

demand upon a district. See para. 15 of joint report, in Appendix, page 364.

(4)

\* See para. 14 of joint report, in Appendix, page 363.

(3)

† See paras. 15 and 17 of joint report, in Appendix, page 364.

(4)

See para. 44 of joint report, in Appendix, page 368.

(8)

See para. 28 of joint report, in Appendix, page 365.

(5)

See para. 39 of joint report, in Appendix, page 382.

(23)

‡ See paras. 25 and 26 of joint report, in Appendix, page 365.

(5)

§ See para. 2 of his letter, page 357.

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have evidently been conducted with great care and ability, and provided the assessment is light enough (which is confidently asserted), all objections appear to have been obviated, except those which are inseparable from the system.

23. That village communities, closely resembling those of the North-Western Provinces, once existed in the Bombay districts, seems to be beyond a doubt. Each "thull or ticka" is still commonly owned by persons of the same family, and among these persons "a common responsibility for, and joint payment of, revenue did at one time, and in fact up to the accession of our rule, exist."

See para. 35 of  
joint report, in  
Appendix, page 367.

(7) The authors of the able joint report, dated 17th October 1840, have not fully understood the meaning of the term, "common ownership," applied to the tenures in the North-Western Provinces. This does not imply that each member of a village community may not, and does not, hold separate property in land, and in ordinary cases reap the fruits of his own industry. It means that these separate properties are subject to common obligations, that part of the profits attached to them consists of a share in proceeds which the community agree to collect in common, and that the brotherhood at large are common owners, in one sense, of the whole village area; viz., that they have, collectively, a prior right to the proprietorship of every part of the area, in preference to one not of their own body.

24. The village communities of Upper India might easily be reduced to the same state as those in the Deccan. The process would be, first, to fix the payments to be levied from each sharer, field by field, for the term of settlement, instead of allowing them to vary, as now, with the extent of cultivation in the village, and other circumstances; secondly, to dissolve the joint responsibility; thirdly, to collect the revenue from each man separately, instead of through the representatives of the body; fourthly, to assume possession on the part of Government, as "gutkool," of all lands the owners of which might die without immediate heirs. We should then have, in one or two generations, the precise state of things which, as I understand it, exists in the Bombay Presidency.

25. It is impossible to judge, at this distance of time and place, whether any other mode of managing the revenue was originally open to the Bombay authorities, by the reconstruction of the old communities or otherwise. The most prominent objections to the state of things, as it now stands, appear to me to be these:—

26. First. The system has a strong tendency to prevent the formation of large landed properties, the intermixture of which with smaller holdings is considered to be most desirable by the staunchest advocates of "peasant proprietorship." Wherever the Government demand is fixed on whole villages, as in the North-Western Provinces, a considerable proportion of these villages will be found to be held by single owners, and still more by two or three sharers. In Bombay, on the other hand, every recorded cultivator has been placed, in all essential points, in the position of a proprietor. The only way in which a large property could be formed would be by the slow and troublesome process of purchasing up these separate tenures one by one, but this could seldom be effected, as it is not likely that many adjoining fields would come within a limited period into the market.

27. The same cause must tend to prevent the investment of capital in land. In these provinces, when a man has gained a few thousand rupees by trade or otherwise, he can easily lay it out in the purchase of entire villages, or of large shares in contiguous estates, and this is the mode in which much of the accumulated capital of the country is annually invested. But this could only be done in Bombay by a succession of small purchases, which, after all might not form a connected property.

28. Secondly. Each of the small landholders in Bombay is placed in an isolated position, without any of that assistance and encouragement which he would derive from being one of a community, bound together by mutual interests. Every man depends directly upon the Government, and there is an entire absence of those arrangements for self-government in minor matters, which are in force where the communities have been kept up. These municipal arrangements must have a good effect on the character of those concerned with them, especially in this country, where the people possess no political power.

29. Thirdly. There is not the same guarantee for moderation of assessment in Bombay as in the North-Western Provinces, owing to the different course there taken with regard to the recognition of proprietary rights in land. In these provinces

provinces it is assumed that all land (except extensive wastes and forests) belongs to a private proprietor. In the few cases where no legal proprietor can be found, it is thought expedient to create one, either by gift of the right to the person best entitled to receive it, or by sale to the highest bidder. It follows that when the assessment comes under consideration, there are two parties in a position to bargain with each other as to its amount, the Government on the one hand, and the private owner on the other. If the owner objects to the sum proposed by the Government officer, the latter is led to reconsider his calculations with reference to the arguments adduced on the other side. If the two parties cannot finally come to terms, the Government officer must find a farmer for the land, or he must arrange for the collection of the rents direct from the cultivators. In either case the accuracy of his conclusions will be brought to the test, since he must provide, not only for the realization of the annual sum which he had required from the landholder, but also for the allowance (not less than five per cent. on the revenue) which all excluded proprietors are by law entitled to claim. The knowledge that this is the alternative commonly leads him so to shape his ultimate demand as that no reasonable ground of objection shall remain to it.

30. This useful check against over-assessment does not appear to exist in Bombay. The greater part of the land is there held at the time of survey to be the sole property of Government. The sum to be demanded from each portion of land is determined arbitrarily, according to the judgment of the officer employed. Each field must be taken up at the sum thus fixed, or must be allowed to remain waste. The modified form of proprietary right allowed to the occupants of these lands depends in its very origin on their acceding to the Government demand. It may be that this demand is fixed so low as to lead to rapid improvement of the country, and to the formation of a valuable property in land; but if so, this result is owing simply to the discretion of the assessing officer, uncontrolled by any power on the part of the people to stand up for their own interests.

31. It may be apprehended, moreover, that a revenue system which descends to such minute particulars as the capabilities of individual fields, the produce of fruit trees, the rent of grazing grounds, &c., will have a natural tendency to press harder on the people than one which deals only with larger and more general results.

32. Fourthly. Even if the actual demand from a given surface be not greater in proportion to the proceeds under a ryotwar than under a village settlement, the close and inquisitive nature of the demand must be more distasteful to those subjected to it than if they had to pay an aggregate sum from a large area, making up their respective quotas among themselves. The annual inspection and re-inspection of the fields by Government officers, necessary under the Bombay plan, is surely a much greater evil than an occasional disputed account between sharers in a joint estate, which generally admits of easy adjustment.

33. Fifthly. It must be a great discouragement to the extension of cultivation, that every piece of waste land brought under crop brings with it the same additional demand as if it had been always under tillage. It is true that in the North-Western Provinces some villages may pay a higher revenue on account of the existence of improvable waste land within their boundaries, while they may not for a few years turn this land to account. But the remedy for this lies in their own hands, and the additional payment required on account of the existence of such land is always trifling compared with what it will yield when cultivated. The stimulus to improvement is evidently much greater under this plan than it is under that pursued in Bombay. In the one case every extension of cultivation relieves the pressure of the Government demand; in the other, it has no such effect.

34. Sixthly. The effect of the rule which allows any cultivator to resign at his option one field seems to be doubtful. As the resignation must take place before the 1st of May, this rule cannot obviate the pressure of a bad season, for the cultivator must make up his mind to keep or to resign his field before he knows what the season will be. The rule may be of use in enabling an individual ryot to contract his operations in consequence of accidental losses; but if it produces any result on the occurrence of a general calamity, it can only be to cause an extensive diminution of cultivation in the favourable season, which commonly follows a bad one.



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35. There are two important subjects to which I find no allusion whatever in these papers. One of these refers to the numbers and position of the inferior class of cultivators, those who take lands on lease from the proprietary or privileged cultivators, recorded in the Government books. It is not stated whether these men are mere tenants-at-will, or enjoy any fixed rights, or whether any provision is made by recording their rents, or otherwise, for settling disputes between them and the parties under whom they hold. I should suppose from this omission, that though the right of underletting lands is uniformly acknowledged to exist, it is seldom exercised.

36. The other subject relates to the money dealings of the people, and the mode in which they obtain funds for carrying on their operations. It is nowhere mentioned whether they work entirely on their own capital, or on advances made by Government, or whether there exists in Bombay, as in Bengal, a class of village bankers, to whom the people trust for assistance till their own harvest comes in. I fear that the direct grasp maintained by the Government on every cultivator's returns, together with the over-assessment of former years, has prevented this useful class of small capitalists from springing up, and that whatever assistance the people receive is in the shape of tuccavee from the great landlord, the Government.

37. Some parts of what I have above written may not improbably be founded on misapprehension and imperfect acquaintance with the real facts. I will conclude by mentioning or recapitulating a few particulars, on which I should be glad of further information, in order to enable me more fully to understand the system.

1. Are meerasdars and the occupants of gutkool land required to pay similar rates for similar land? I presume it is so, but the fact is not stated.

2. If a meerasdar declines to assent to the rent fixed on his land, what course is pursued? Is he again allowed the option of engaging after a fixed term of years, and in the meanwhile does he receive any allowance from the Government or from the person who takes up his land?

3. With reference to the rule which limits the succession in gutkool lands to the eldest male heir, has any difficulty been experienced by the other sons or heirs in procuring a maintenance, and has this been productive of any general complaints?

4. What is the usual extent of the holdings in meeras and gutkool lands respectively? It would be interesting if a statement could be given for any considerable tract of country, showing how many men are recorded as holding one field; how many two; how many three, and so on?

5. It is stated that "great part of the expense of collection is made up of land and shares of the jumma, alienated to hereditary district and village officers, which are vested rights, and could not be got rid of under any system." What was the origin and what are the duties of these officers? In case of a vacancy, how would the place be supplied, supposing the late incumbent had no heir?

6. Are the waste lands let indiscriminately to any one who will take them, or is any preference shown to the inhabitants of the village within the boundary of which they lie? It is not very clear how the residents of any village have an interest in preventing their neighbours from encroaching on the boundaries, which it yet appears that they have, or there would be no disputes.

7. What was the aggregate reduction allowed at the late survey in the assessment of any particular districts or collectorates, and did this reduction exceed the average amount of remissions and balances under the old demand?

8. Are any facts known which show that land is now freely saleable in the market?

9. To what extent is the power of underletting lands exercised, and are any steps taken in the revenue department in order to facilitate the decision of disputes between the parties in such cases?

10. Do the people cultivate on their own capital, or do they take advances from Government, or from private money lenders? If the last of these is the

See para. 29 in Appendix, page 366.

(6)



the fact, do the creditors show any inclination to obtain possession of the land in satisfaction of their accounts?

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38. I see a report of Mr. Goldsmid's mentioned, on Chandore, which would probably throw light on some of these points.

Simla, 11 July 1850.

(signed) *J. Thornton.*

No. 3.

REPLY to Mr. Thornton's Memorandum of 11th July 1850, on the *Bombay* Plan of SURVEY and ASSESSMENT.

1. In consequence of the absence of Captain Wingate from India, the consideration of Mr. Thornton's memorandum, dated 11th July last, on the Bombay plan of survey and assessment, was deferred until after his return. The following remarks are now submitted, with the object of explaining more fully the Bombay system, rather than with that of comparing its merits with those of the plan of settlement followed in the North-Western Provinces. The latter subject is discussed in the report of 27th October 1840, as fully as the limited information possessed by the writers would permit, and a practical acquaintance with the working of both systems seems necessary, in order to arrive at satisfactory conclusions as to their comparative merits. It seems only needful to premise, further, that the terms "Bombay plan" and "system," used by Mr. Thornton in his memorandum, and also in the present reply, are not applicable to the whole Presidency, but are to be considered as referring only to the collectorates above the Ghauts already surveyed, or in course of being so.

2. The summary of the system given in the first 21 paragraphs is generally correct, but the following remarks seem requisite, to prevent misapprehension on some points. The paragraphs of the memorandum to which they refer will be quoted in the margin.

3. The formation of the survey fields is, to a very limited extent, arbitrary, and does not interfere with the pre-existing divisions made by the people for the convenience of cultivation. It is made in accordance with existing boundaries for the most part, and the arrangements of the cultivators remain the same after as before the operation. The extent to which existing occupancies may be subdivided or amalgamated by the operation of the rules for the formation of the survey fields is explained in para. 18, at page [5] of the printed correspondence, and is, in practice, not very considerable. When two or more plots are included in one survey field, the area of each plot, together with the assessment of the same, is entered in the name of its holder in the survey settlement papers.\* The size of the survey fields is suitable to that of the plots found in the open districts above the Ghauts, to which the survey has hitherto been limited (*vide* para. 84, at page [19] of printed compilation); but in the low countries below the Ghauts, where the rice plots are frequently small, and at the same time valuable, it may be found advantageous to constitute each plot a subordinate survey subdivision, as was done in the case of Kownaee, a small district of the Nassick sub-collectorate, situated close to the Ghauts, which had its assessment revised some years ago by Mr. Tytler, on a plan of Mr. Goldsmid's.

*See para. 2 of memorandum.*

*Vide page 299.*

*Vide page 312.*

4. The survey rates are declared incapable of increase during the term of 30 years, but are not unalterable, as Government has not deprived itself of the power of reducing them, either generally or in special instances, as it may think desirable.

*Para. 3 of memorandum.*

5. In addition to the meeras and gutkool tenures, there is in the Canarese districts of the surveyed collectorates the joodee tenure, which is land held at a fixed assessment, paid usually on the whole estate, and not on the fields composing it. The joodee tax was originally supposed to be less than the standard assessment, the difference forming a remuneration for service performed by the joodedar; but in after times the joodee was increased, until it came

*Para. 4 of memorandum.*

in

\* In para. 6 of his memorandum, Mr. Thornton notices this practice when alluding to any "recorded share in a field."

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in many cases to exceed the standard assessment. When the jodee tax is in excess of the new assessment, it is reduced to the latter standard, but when it is not in excess, no change is made by the survey. In some instances the jodee lands follow the ordinary Hindoo law of inheritance; in others, they descend wholly or in great part to the eldest son or nearest heir. The jodee lands are nearly all held subject to service to the state, or to the village municipalities. Meerasdars can only claim possession of so much of their land as they agree to pay the full assessment for; the remainder is let by Government, at the survey rates, to any parties agreeing to take it; or if waste, the grazing of it is sold on behalf of the state. The merasdar was originally considered responsible for the full assessment of all his land, whether cultivated or waste, but as it was often impracticable to enforce this condition, it gradually became the practice for Government to limit its demands on him to the assessment of the portion of his land actually in cultivation, and to take the arrangement of the waste into its own hands. So long, however, as a meerasdar continues to pay the assessment, he is, of course, at liberty to keep his land in grass if he chooses, and holders under every kind of tenure can do the same. In some localities, land is kept in grass, as the most profitable mode of employing it.

Para. 13 of memorandum.  
Vide page 299.

6. As explained in paras. 20 and 21, at page [5] of printed compilation, the principal marks for distinguishing the survey fields are earthen embankments, and not merely stones.

7. To afford the means of judging of the value of the survey maps, we transmit herewith a case containing the following:—

## DHARWAR COLLECTORATE.

1. Map of the Hangul talook, exhibiting the boundaries of villages; prepared for the use of the collector and his assistants.

2. Lithographed map of the village of Arbekuttee, exhibiting the boundaries of fields, talook Kode; prepared for the use of the village and district native establishments.

## AHMEDNUGGUR COLLECTORATE.

1. Lithographed map of the Sinnut talook, showing the boundaries of villages; prepared for the use of the collector and his assistants.

2. Maps of the villages of Moon-gusra and Sakaray, exhibiting the boundaries of fields, talook Dindoree; prepared for the use of the village and district native establishments.

Not received.

Paras. 14 and 15  
of memorandum.

Of these, the village field maps are little if at all less accurate than if they had been protracted from a theodolite survey, as proved by comparison with a map of several fields in each village plotted from theodolite measurements, taken in the course of survey for the purpose of testing the original work.

Para. 16 of memorandum.

8. There are many different qualities of soils in the surveyed collectorates, but yet they do not differ so greatly in value as to interfere with their arrangement under the three orders and nine classes of the classification scale. The average rate resulting from the classification of a whole field, described in para. 48, at page [12] of the printed compilation, is not necessarily that of one of the nine classes of the scale, but more generally falls between two of these classes, so that between the two extremes of the scale there is no limitation to the number of the rates, or the degree of minuteness to which the classification may be carried. In practice, however, a rate with a fraction of smaller amount than six pies or half anna is not applied for the purpose of calculating the assessment of fields. The ascending scale of rates is thus, per acre, two annas, two and a half, three, three and a half, &c., up to the maximum rate for the best soil, whatever it may be, and it will be admitted that these rates are sufficiently numerous for all practical purposes.

Vide page 305.

Para. 19 of memorandum.

9. The landed tenures could only be expected to become generally saleable in well-peopled districts, with little arable waste. In all the surveyed districts land is frequently underlet. The Brahmins and trading classes are extensive landholders, but seldom cultivate themselves. They most commonly let their lands at a fixed proportion of the gross produce (from a quarter to a half, according to the quality of the soil), but also occasionally for money-rents in excess of the survey assessment. In exposition of the effects of the survey settlements are transmitted diagrams,\* showing the cultivation and collections for each year subsequent to their introduction, compared with the average of the same particulars for previous years for the several districts of the collectorate of Dharwar, and the surveyed portion of Ahmednuggur. A similar diagram for the collectorate of Sholapoor, exhibiting equally favourable results, will be forwarded as

\* Not received.

soon

soon as ready, its preparation being delayed for some information expected from the collector.

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10. In every agricultural community, and especially in one of small farmers, whatever be the average character of the season, individuals will be unable to discharge their rents through the occurrence of storms, droughts, disease among their cattle, and other misfortunes, or even through their own idleness. Under a field assessment these cases come before the revenue officers, whereas under a village settlement they do not, the defalcations of individuals in the latter case having to be made good by the community. Remissions to individuals, however, are alike unavoidable in both cases.

Paras. 20 and 21 of memorandum.

11. There are not at present in Bombay complete returns of the remissions made in each of the surveyed talooks, but the following statement exhibits the per-centage amount of these remissions on the realizable land revenue of the Sholapoor collectorate for the years 1846-47, 1847-48 and 1848-49, which were all fair seasons.

TALOOK.	1846-47.			1847-48.			1848-49.		
	Amount of realizable Revenue.	Of which remitted	Per-centage.	Amount of realizable Revenue.	Of which remitted	Per-centage.	Amount of realizable Revenue.	Of which remitted	Per-centage.
	Rs. a. p.			Rs. a. p.			Rs. a. p.		
Sholapoor - -	1,43,904 12 4	- - -	- - -	1,43,370 12 3	- - -	- - -	1,40,509 15 -	- - -	- - -
Mahole - -	61,214 10 10	3 14 -	- - 1	62,319 12 3	- - -	- - -	61,945 1 7	- - -	- - -
Marha - -	86,031 13 2	1,907 1 2	2 3 5	86,691 14 2	30 - -	- - 6	85,792 8 9	- - -	- - -
Barsee - -	1,22,924 9 3	148 - -	- 1 10	1,22,314 7 10	1,043 3 1	- 13 7	1,19,120 12 8	- - -	- - -
Kurmulla - -	91,908 4 5	633 4 -	- 11 -	90,829 14 2	- - -	- - -	87,732 15 8	- - -	- - -
Indee - -	1,08,602 4 11	1,342 - -	1 3 9	1,14,760 10 8	- - -	- - -	1,19,157 3 -	- - -	- - -
Mungolee - -	84,936 15 9	278 - -	- 5 2	85,932 15 -	- - -	- - -	87,311 13 9	- - -	- - -
Hyperga - -	1,32,256 6 11	41 8 -	- - 6	1,34,027 4 9	- - -	- - -	1,36,966 3 2	- - -	- - -
Moodebehal - -	95,788 5 11	85 8 -	- 1 5	96,782 7 3	- - -	- - -	99,220 11 -	- - -	- - -
TOTAL - -	9,27,568 3 6	4,439 3 2	- 7 7	9,37,030 2 4	1,073 3 1	- 1 9	9,37,757 4 7	- - -	- - -

P. S.—Since this was written, a Return for 1849-50 has been received from Dharwar, showing, that the assessment on Government land under cultivation amounted to 11,67,025 rupees, of which 29,730 rupees were set apart as compensation to the hereditary officers, whose huqs had been incorporated in the assessment; and the whole of the balance was collected and paid into the treasury, not a pie having been remitted.

It thus appears that remissions in the whole collectorate, on account of failure of crops, losses by fire, poverty of cultivators, and land agreed for but left waste, which are all included in the above statement, did not in any of the three years exceed Rs. 0. 7. 7. per cent. of the realizable assessment, and consequently not one landholder in 500 could have received any remission at all, from which it is abundantly evident that the assessment demanded, instead of equalling or exceeding, must be very far short of the average net rent of the land.

12. The proceedings of the Bombay Government, in reference to remissions in surveyed districts, are herewith transmitted, and they will, it is hoped, place this division of the subject in a clear light. Mr. Thornton is quite correct in inferring that a discriminating tax was really laid on the culture of the more valuable products in districts of Bombay, where the assessment was so heavy as to make annual remissions unavoidable; but the inference is wholly inapplicable to the surveyed districts referred to in this memorandum.

13. No change whatever has been made in existing properties by the survey system; and this is stated in the 3d and 5th paras. of the joint report of 1840. Were the village system, therefore, introduced into Bombay, larger properties than now found there could only be formed by the destruction of the already existing smaller properties, which would involve a great amount of individual hardship and suffering. It seems very doubtful if the advantages of large properties would compensate for these evils; while on the other hand, the field settlement permits of the accumulation of landed property in single hands to as

Para. 26 of memorandum.

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great an extent as seems desirable in the present circumstances of the country. And, as such properties would frequently be purchased with the view of under-letting them to inferior cultivators, the circumstance of adjoining fields seldom coming into the market would be of small importance, and interpose little, if any, bar to their extension.

Para. 27 of memorandum.

14. So far from the limited size of the survey fields having a tendency to prevent the investment of capital in land, their very smallness is highly conducive to this end, inasmuch as there are few capitalists who could purchase large estates to be found in the inland districts; and land, to be purchased extensively there, must be obtainable by people of limited resources. Traders in the country towns of the surveyed districts are often enterprising and successful farmers, and hold a large extent of land under the new settlements. This land, however, was not generally purchased by them, but taken into cultivation from the Government arable waste.

15. The only necessary difference between the position of the landholders in the surveyed districts of Bombay and in the North-Western Provinces, arises from the fact, that in the former he is liable only for the assessment of his own land, whereas in the latter he has the additional obligation laid upon him of having to contribute towards making good the defalcations of any of his fellow villagers. But irrespective of the payment of the land-tax, there is not necessarily less of municipal arrangement under the system of field than under that of village settlements. The limitation of a landholder's liabilities to his own estate, under the Bombay plan of survey, must tend to foster free and independent habits of thought and of action, which are greatly wanted in the agricultural populations of India, ground down into slavish subserviency and apathy by long ages of despotic rule. The municipal institutions have in nowise been destroyed in the surveyed districts. Villages there are still in almost every instance managed by hereditary officers. Their artisans, watchmen and other servants are paid by the contributions of the inhabitants, who also are in the habit of acting in concert for the attainment of objects of public utility, such as the repair or construction of wells and tanks, places of worship, village walls, on festivals and various other occasions. It does not appear that the villagers of the surveyed districts are less favourably placed for acting in concert than those of parts of India where joint responsibility for the discharge of the land assessment obtains. The following description of a Deccan village, from Grant Duff's History of the Mahrattas (*vide* p. 30, of vol. i., edition of 1826), is quite applicable to its state at the present day, and will better explain this than any remarks that could be here offered :

“ In Maharashtra, and indeed throughout all the country of the Hindoos, next to their singular arrangement into castes, the most striking feature in their polity is the division of the whole country into villages, each of which forms a distinct community.

“ A Hindoo village in the Deccan is termed Gaom ; when not a market-town, it is called Mouza ; and when it enjoys that distinction, it is styled Kusba. Every village is a small state in miniature, and all the land in the country, with the exception of inaccessible mountains, or places wholly unfrequented, is attached to some one village. The boundaries of its lands are defined, and encroachments carefully resisted ; the arable land is divided into fields ; each field has a name, which, together with the name of the owner or occupant, is registered. The inhabitants are principally cultivators, and are now either meerasdars or ooprees. These names serve to distinguish the tenure by which they hold their lands. The oopree is a mere tenant-at-will, but the meerasdar is a hereditary occupant, whom the Government cannot displace as long as he pays the assessment on his field. With various privileges and distinctions in his village of minor consequence, the meerasdar has the important power of selling or transferring his right of occupancy at pleasure. To render this right saleable, of course, infers a low rate of assessment ; and much discussion as to his being the proprietor of the soil has in consequence arisen in different parts of British India. It is a current opinion in the Mahrattée country that all the lands were originally of this description.

“ Besides the cultivators and the regular establishment, there are other castes and traders in proportion to the size of each village. The complete establishment consists of a patell, koolkurnee and chougula, with 24 persons called the barah balowtay and barah alowtay ; these 24 persons are of various trades and professions,

professions, necessary as artisans and public servants, or desirable on account of religious observances and common amusements. Very few villages are complete; and in a great part of the Concan, the khotes or ancient farmers of the village revenue have long become hereditary, and superseded the name and office of the chief village magistrate; but in the upper country every village has its patell and koolkurnee, and each of the larger villages has its bard and astrologer, as well as its carpenter, blacksmith, barber and watchman; the smaller have only one or two of the most useful artisans."

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16. It does not clearly appear that the village system possesses any advantage over the field settlement as respects a guarantee for moderate assessment. Under the latter, the cultivators have equal privileges of remonstrance against over-taxation, and the accuracy of the settling officer's proceedings is brought to the same test. If he disregard the remonstrances of the cultivators, and adhere to his original settlement, the increasing or diminishing extent of cultivation, coupled with the circumstances of the cultivators, will test the accuracy of his conclusions with as great certainty as in the case of the village settlement. In granting a 30 years' settlement, the Bombay Government merely binds itself to make no increase to the survey rents within that period, but remains at perfect liberty to reduce them to any extent that may appear desirable. We know that in parts of Guzerat, where the system of village settlement and joint responsibility obtains, an oppressive assessment has been longer in becoming unmistakably apparent than in other parts of the same province where the field assessment prevails.

Paras. 29 and 30 of memorandum.

17. The Bombay system does not descend to such minute particulars as the capabilities of individual fields, the produce of fruit-trees, &c., further than to assist in determining the relative values of fields *inter se*. The assessment placed upon them is determined on the same general data as in the North-Western Provinces, as explained in the 17th para. of Mr. Thornton's memorandum, and the parts of the printed correspondence to which it refers.

Para. 31 of memorandum.

18. It is a misconception to imagine that there is aught of a close and inquisitorial nature in the demand under a field assessment; on the contrary, its amount is known to all the parties interested from the time a field is taken into cultivation, and remains thereafter unvaried. The annual inspection of fields is undertaken simply for the purpose of preventing surreptitious cultivation, and of ascertaining that the boundary marks are kept in proper repair, but has nothing inquisitorial about it. Every landholder knows from the first the full extent of his liabilities, and it does not appear why this should be more distasteful to him than the system by which the amount of his payments is never exactly settled, but is left to be determined by the members of the village community, among whom feelings of ill-will and distrust are but too common. The want of a field valuation in the North-Western Provinces must render difficult the settlement of disputes regarding shares of revenue, and give rise, it would seem, to litigation, which could not take place under the plan of management by which the liabilities of all parties paying revenue to Government are distinctly specified. The registry of each estate or holding, with the name of its proprietor or occupant, under the Bombay system, leaves little opening for litigation regarding titles; and it may be affirmed that no parties, however influential, could appropriate the land of others in the surveyed districts, by means of legal decrees obtained through *ex parte* or fraudulent evidence, as would appear to have been extensively done in the settled districts of the North-Western Provinces.

Para. 32 of memorandum.

19. The extent of cultivation must depend on the amount of agricultural capital, and the system which permits of the most rapid accumulation of capital would seem to encourage most the extension of cultivation. The limitation of the Government demand to the assessment of land actually cultivated will certainly leave in the early years of the settlement, in all villages with a considerable extent of arable waste, a larger share of the produce with the cultivators, than the plan which claims from them an assessment over and above that of cultivated land, on account of the yet undeveloped capabilities of the waste. In all the surveyed districts of Bombay, it is probable that cultivation has extended beyond what the amount of agricultural capital warrants, and the revenue returns subsequent to the introduction of the survey settlements show that the latter, so far from discouraging, have greatly stimulated cultivation. The diagrams\* now forwarded will make this clear.

*Inter alia, vide Jackson's statistics of Agra.\**

Para. 33 of memorandum.

20. There is no danger of too much land being thrown out of cultivation on the

\*Not received.

Para. 34 of memorandum.

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the occurrence of a bad season, for the cultivators themselves must surely be better judges as to what they should relinquish and what retain than revenue officers can be; and it would appear, therefore, to be a decided advantage to leave them free to do in this respect as they may think best. It was certainly no part of the object of the rule, which allows a cultivator to resign at his option any fields before the 1st of May in each year, to obviate the pressure of a bad season. The nature of the season cannot of course be known till after that date, and when once the seed is in the ground, a failure of crop, if to be provided for at all, must be met by a remission of the assessment. It would be out of the question in such circumstances to allow of the resignation of the field in order to enter it in the returns as not in cultivation at all. The sole object of the rule is, to enable cultivators to contract their cultivation and liabilities when so inclined. They are certain to cultivate as much land as they have stock sufficient for; and it would be no advantage, but the reverse, to require them to do more; for their husbandry would then become inefficient, and the advantage of the favourable season adverted to by Mr. Thornton would thereby be lost.

21. The season of 1845-46 was one of great distress in the Sholapoor collectorate, owing to the failure of the ordinary rains; and heavy remissions had to be granted. It will be seen, however, from the diagram for that collectorate, that the cultivation of the following year, so far from falling off as apprehended by Mr. Thornton, increased in all the districts, and in the whole collectorate exceeded by more than one lac and 40,000 acres, or 8.264 per cent., the cultivation of the preceding year, and by more than two lacs and 18,000 acres the cultivation of 1844-45. The Dharwar diagram also shows similar favourable results as regards the season which succeeded the year of drought 1845-46, in the Nowlgoond talook.

Para. 35 of memorandum.

22. Inferior tenants (*vide* question 6) form a considerable class, and are to be found in every village. They are either tenants-at-will, or hold their land from the superior holder under some specific agreement. They have no transactions with Government, and no further definition of their rights and tenures than the simple entry of their names as cultivating the land at the time of survey is made in the survey records; such tenants derive their right of possession from the superior holder, and disputes between these parties, when not settled amicably through the intervention of friends, or of the revenue officers, can be referred to the civil courts for adjudication.

Para. 36 of memorandum.

23. There is no want of village bankers in the surveyed districts; every considerable village possesses one or more. The ryuts resort to them for such advances as they may require for prosecuting their farming operations, and for defraying the Government dues; advances for the purchase of stock and seed-grain used also to be made annually by Government in the early years of our rule; but in most of the surveyed collectorates, these have been nearly discontinued.\* Many cultivators in those districts farm entirely on their own capital; but the majority are in the habit of obtaining advances from the village bankers.

Some

\* For instance, in the collectorate of Sholapoor, which, in 1848-49, yielded a revenue of Rs. 9,53,889. 4. 9, tuccavee was only granted to the extent of 1,850 rupees, and no part of that was advanced to meet the ordinary expenses of cultivation, as will be seen from the subjoined statement of the amount given in each talook.

Names of Talook.	Amount of Tuccavee given.	For what purpose.
Sholapoor	30	For repair of wells.
Mungolee	200	For construction of wells.
Mahole	417	377 Repair of wells, &c. 40 Building a dhurumshalla for travellers.
	417	
Marha	778	For carts and repair of wells, &c.
Barsee	425	ditto - - ditto.
Indee	None.	
Heperga	None.	
Moodebhahal	None.	
Kurmulla	None.	
<b>TOTAL</b>	<b>Rs. 1,850</b>	

In Dharwar, consisting of eight talooks, and yielding in 1848-49 a revenue of Rs. 11,27,812. 7. 6., no tuccavee was granted.

The

Some of the more successful and wealthy cultivators are also themselves bankers, being accustomed to employ their spare capital in making advances to their neighbours.

24. Meerasdars pay exactly the same as occupants of gutkool land for soil of the same quality.

25. A meerasdar must pay the assessment placed on his land under the same penalties as in the case of a holder of gutkool land. He may be ejected, or his moveable property may be sold in liquidation; but he has at all times the right of relinquishing any of his fields which he may think over-assessed. As regards revenue management, indeed, there is no distinction between meeras and gutkool land. Meerasdars claim the right of obtaining possession of their relinquished lands at any future time. This privilege, however, is not recognized by Government if the land is in the possession of another party; and the meerasdar, even if willing to compensate him, is rarely, if ever, put in possession under such circumstances, unless by a decree of a civil court. Such instances of reinstatement are, however, rare, and the practice is gradually becoming obsolete. Should a meerasdar decline to cultivate his land at the survey assessment, he receives no allowance from the Government, or from the person who may take it up. The definition of the meerasee tenure by a specific enactment has long been contemplated.

26. The rule in question now comes into operation for the first time; and there has, consequently, been no opportunity for ascertaining its effects. Hitherto, from no specific rule having been in force relative to succession to Government lands, the matter has been left very much at the discretion of the village accountants. When the deceased had grown-up sons, his land was sometimes transferred into the name of the eldest, and at others it was divided, and entered in the names of all the sons; but when he left no sons, or none grown up, it was entered in the name of the widow or of some male relative; and in the latter case, it often happened that the relative declined to relinquish possession on the children of the deceased growing up. The operation of the rule, however, would not occasion the ejection of the younger brothers from a share in the land, as from the circumstance of all the personal property of the deceased, inclusive of his farming stock, being inherited by them in common, they would, most probably, continue to hold the land in common, or the eldest, if so inclined, might transfer some of the paternal fields into the names of his brothers, under Rule 9 of the joint report, at page [21] of the printed correspondence. The rule, it may be added, is intended to be experimental.

27. A statement might be framed to exhibit the extent of the holdings in meeras and gutkool lands as these are recorded in the village books; but in the case of meeras lands especially, this would not exhibit accurately the extent of individual properties; for, in many cases, the meeras of families or parties deriving their title from a common ancestor is entered in the name of some one member, and the fractional shares of the various proprietors are not distinguished. Generally, however, it may be stated that the size of holdings in meeras held by the meerasdars is much smaller than in the case of gutkool land, which is owing to the former having descended to the present holders by inheritance, whereas the latter has not, to nearly the same extent, done so.

28. The origin of the hereditary district and village officers is various; but most of them are traceable to the old Hindoo administrative economy, under which each village, as also each district or aggregation of villages, had its own hereditary officers, through whose instrumentality it is conjectured that the revenue and police administration were conducted. These officers were generally remunerated for their services by shares of revenue, fees in kind, now absorbed in the new assessment of surveyed districts, and also by land held rent-free, or on more favourable terms than that of other cultivators. Most of these service lands and emoluments they still retain, though the offices to which they are

The standing orders of Government in regard to tucavee in surveyed districts are the following:

"The practice of making tucavee advances for purposes of ordinary cultivation (such as purchase of seed and cattle) should be restricted within the narrowest possible limits, and in districts where a revised assessment has been any time in operation should cease, excepting, perhaps, in years when there is a general mortality amongst the cattle of any particular district. To tucavee advances being made for constructing or improving works of irrigation, his Lordship in Council has no objection."



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are attached have become, in the lapse of time, more or less obsolete. The most important of these hereditary officers are the patel and koolkurnee (village headman and accountant), and the deshmookh and deshpandeh (district headman and accountant); of these, the patel and koolkurnee are still efficient, whereas the deshmookh and deshpandeh have been set aside by stipendiary district revenue and police officers, though they are still required to attend at the kutcherries of the latter, and to perform certain other services; which, however, in the districts to which this paper relates, are of little utility. In case of a vacancy occurring among the district hereditary officers through the last incumbent dying without heirs, his land would lapse to Government or become gutkool, and no successor would be appointed, as the office is not required under our plan of administration. A vacancy among the village patells or koolkurnees would, however, be filled up, either by conveying to the person appointed the land and privileges of the deceased, or the land would become gutkool, and a money stipend be substituted as the remuneration of the office.

Query 6.

29. Waste lands are let indiscriminately, but it is not often convenient for any other parties than inhabitants of the village within the bounds of which they lie to take them. The residents are keenly alive to the importance of preventing any encroachment on the boundaries of their villages by neighbours; but this generally proceeds from their feeling that the credit of their villages, rather than any material interest is at stake on such an occasion.

Query 7.

30. The aggregate reduction of the old assessment varies very much; but is exhibited in the survey reports for the several districts. To reproduce these statements here, would involve lengthened explanatory comments to make them fully comprehensible by parties unfamiliar with the revenue details of the district to which they refer. It will probably suffice to state, that the reduction of assessment of land in cultivation at the time of survey generally considerably exceeded the average amount of remissions and balances under the old demand. The new assessment, however, of the whole arable land, inclusive of waste, generally, it may be said invariably, exceeds the average collections from cultivated and waste land together under the old demand, and consequently the collections under the new settlement may eventually exceed those under the old, by waste being brought into cultivation. In several of the settled districts, this result has already been attained, as will be perceived from the annexed diagrams.\*

\*Not received.

Queries 8 and 9.

31. There is little land in the market, owing to there being few parties who wish to dispose of it. The cultivators, besides, are not yet familiarized to the idea of their possessing the power of selling and transferring their right of occupancy. Some instances of this, however, have occurred. The power of underletting land is widely exercised. Most of the land held by Brahmins, traders, and others whose habits or occupations do not usually permit of their cultivating it themselves, is underlet, and such land is extensive in all the surveyed districts. Rent-free land, also very extensive, is for the most part underlet. No steps are authoritatively undertaken in the Revenue Department to facilitate the decision of disputes between the tenants and their principals in the case of lands so underlet, though such disputes are often adjusted by the advice of the revenue officers given *ex officio*. They are also carried to the civil courts for adjudication.

32. It has been stated in para. 14, that some farmers cultivate entirely on their own capital; and it may be desirable to add, that nearly all do so to a greater or less extent, though the majority require at the same time to obtain advances from the village bankers. Advances by Government are nearly discontinued, as already mentioned, in most of the surveyed districts. The village bankers occasionally advance money on mortgage, and when this is done, they sometimes take possession of the land when the borrower fails to discharge his debt. They more frequently, however, make advances on personal security, and in such case, it is believed that they never sue for possessions of land held by parties failing to repay such advances in satisfaction of their claims.

33. Mr. Goldsmid's report on Chandore, referred to in the concluding para. of Mr. Thornton's memorandum, is now forwarded. It may be useful to add, that at the time it was written, the plan of survey pursued was less matured than the present.

(signed) H. E. Goldsmid.  
G. Wingate.

Bombay, 21 December 1850.

## No. 4.

PAPER on the Settlement of the LAND REVENUE in the North-Western Provinces  
of the BENGAL PRESIDENCY, by *J. Thornton, Esq.*

## EXPLANATION OF INDIAN TERMS.

- Abharee* - - Excise, or tax on spirituous liquors.
- Aumll* - - Revenue and police officer under the Native Governments.
- Bách* - - Distribution of the revenue by an equal or proportionate rate on the holdings of the several sharers.
- Beegah* - - Local measure of land, generally about 5-8ths of an acre.
- Canooogo* - - Pergunnah registrar.
- Collector* - - European revenue officer at the head of a district.
- Commissioner* - - European revenue officer at the head of a division, containing from four to six districts.
- Doonb* - - Country between the Ganges and Jumna.
- Jageer* - - Land held free of revenue for special services, generally on the condition of keeping up an armed force.
- Jumma* - - The amount of revenue claimed by the Government from any given portion of land.
- Jummabundee* - - The rent-roll of a private proprietor.
- Khusreh* - - The register of the measurement of an estate, giving the dimensions and description of every field contained in it.
- Lack* - - 1,00,000. Crore, 100 lacks, or 10 millions.
- Lumberdar* - - The party whose name is entered as proprietor in the Government books, both in his own right, and as representative of the other sharers.
- Malikánah* - - An allowance granted to proprietors when excluded from engagements with Government. It varies from 5 to 10 per cent. of the revenue.
- Maafee* - - Land held free of revenue on any grounds.
- Misl* - - Bundle of papers containing official proceedings on any subject.
- Mokuddum* - - This term is used to denote two distinct classes of men. First, the chief cultivator (called also Jeth ryot), who possesses no transferable rights, but is employed by the zemindar to assist him in managing the estate. Secondly, the head men of the agricultural communities, who with their brethren own the proprietary right in the soil, and are therefore now commonly termed zemindars.
- Moontukhub, or* }  
*Khuteounee* - } List of the fields in each subdivision of an estate, classified according to their owners and cultivators, with the area of each from the khusreh.
- Pergunnah* - - Subdivision of a district, varying much in size, but containing generally from 50,000 to 150,000 acres.
- Puttee* - - Minor subdivision of an estate.
- Putteedar* - - One of the sharers in the proprietary right of an estate.
- Putwarree* - - Village accountant. His duty is to adjust and record all transactions connected either with rent or revenue.
- Ryot* - - Cultivating tenant.
- Taloqua* - - A collection of villages, connected with each other by the circumstance of their being held by the same party under one engagement for the public revenue due upon the whole. The name sometimes remains after the single engagement has been broken up.
- Taloquadar* - - The party holding a taloqua, whether as a mere farmer, or on a hereditary footing.
- Teerij* - - Abstract of any list or register.
- Thoke* - - Principal subdivision of an estate.
- Tuhseeldar* - - Officer employed under the British Government to collect the revenue of one or more pergunnahs.
- Village* - - Properly a township, or collection of houses with the lands attached to it, but frequently used to denote a tract of country assessed under one name in the Government books, whether such tract contains one or several townships, or is altogether uninhabited. Such tracts vary in extent from a hundred acres, or less, to several thousand.
- Zemindar* - - Private landed proprietor, with rights varying according as there may be others or not entitled to share with him in the produce of the soil.

## THE SETTLEMENT OF THE NORTH-WESTERN PROVINCES.

1. *Directions for Settlement Officers, promulgated under the authority of the Honourable the Lieutenant-Governor of the North-Western Provinces. Agra, 1844.*
2. *Translation of a Proceeding regarding the Settlement of a Village, according to the system pursued in the North-Western Provinces of the Presidency of Bengal; compiled and published under the orders of the Honourable the Lieutenant-Governor, North-Western Provinces. Agra, 1847.*
3. *Settlement Reports of several Districts, printed and published at various times by order of Government, North-Western Provinces.*
4. *Memoir on the Statistics of the North-Western Provinces of the Bengal Presidency, compiled from official documents, under orders of the Honourable the Lieutenant-Governor, by A. Shakesear, Esq., Assistant Secretary to the Government. Calcutta, 1848.*

WHEN Ram Mohun Roy made his first appearance in the streets of London, he was greeted with the cry of "Tippoo," the mob apparently thinking that all who wore "the shadowed livery of the burnished sun" were equally entitled to that name. We have often observed a somewhat similar tendency to generalisation with regard to Indian matters, even among Englishmen of intelligence and education. They acquire notions, perhaps imperfect ones, regarding some branch of administration in a particular part of the country, and upon these they argue, when the occasion arises, as if they must apply to all our widely-extended provinces alike. If the editor of the "Spectator" wishes to prove that it is the pressure of the Government revenue which prevents the supply of cotton to the English market, he draws his conclusions from assertions of Bombay merchants, which, whether true or not as regards that Presidency, are certainly quite inapplicable to Bengal. Even Professor Jones, with his peculiar means of information, has erred in a similar way. When discussing the nature of ryot rents in India, and lamenting that Sir Thomas Munro's advice to reduce those rents in certain parts of the Madras territory was not complied with, he seems to have been totally unaware that, in the larger and richer portion of our Eastern empire, the Government is no longer the sole landlord; that the agricultural management now rests with other proprietors, whose interest in the soil has been created by the limitation of the public demand; and that the amount of rent paid by the actual cultivators, where not limited by special circumstances, is regulated by natural causes, with which the revenue paid to the state has no connexion.

We think, therefore, that it may help to correct existing misconceptions, if we attempt to describe the great work of the revision of the settlement in the North-Western Provinces of the Bengal Presidency, which has been brought to gradual completion during the last 20 years. In the execution of this attempt, we shall be led to speak of the general mode of revenue administration now pursued; to point out the evils which the settlement was intended to remedy, and to consider how far this end has been attained. The topic, thus set before us, is one of the highest interest. We have to deal with operations vitally affecting the welfare of many millions of our Indian fellow-subjects, not to reckon the millions more to whom the same system may be hereafter extended. In eliminating the plan upon which these measures were to be conducted, and in superintending their progress, men of the first intellect in the country found ample scope for all their faculties and energies; while, for the execution of the work itself, the best subordinate talent which the service afforded was for many years placed in requisition, and taxed to the utmost. The revision of the settlement has made us better acquainted with the people whom we have been called upon to govern than we might otherwise have been in centuries. It has given us an insight into their condition, feelings, desires and wants. It has thrown a flood of light on all the relations of the people with the state. It has furnished the Government with means, never before possessed, for encouraging industry and protecting private rights; while it has accustomed our subjects themselves to

to familiar intercourse with their rulers, and has inspired them with confidence in our moderation, and reliance on our justice. It has done more to prevent affrays, and to lead to the peaceable adjustment of disputes regarding real property, than all the terrors of the penal law could ever have effected. While in progress, the settlement afforded the best school for fitting men to fill other offices of every description; and, even now, the necessity of maintaining its arrangements, and acting up to its provisions, supplies a training of nearly equal efficacy. Those who, after such a training, are called to preside in a civil court, are enabled by the settlement arrangements and records to decide confidently, where they must before have groped hopelessly in the dark. A measure which has been followed by such results, besides its more immediate object of equalising taxation, must deserve the attention of all who take any interest in the welfare of India.

The treatise which we have placed at the head of this article, entitled "Directions to Settlement Officers," is the last which has been issued on the subject, and the only one which has aimed at embracing it in all its parts. It possesses further this great advantage over the detached instructions, issued at various former times for the guidance of the officers employed, that it has been drawn up after the plan originally laid down has been tested by experience, in the progress of which mistakes have been corrected, and the course of procedure matured. In the clearness of its arrangement, and the comprehensiveness of its views, this manual leaves nothing to be desired; and to it we must refer our readers for the details of that system, of which we are about to place the more prominent points before them. The specimen Settlement Misl has been prepared under the sanction of the same high and competent authority as the Directions. It only represents a supposed case, and is intended to show how the plan prescribed in the manual may, under particular circumstances, be carried out into practice. The printed settlement reports, on the other hand, detail the course which has actually been pursued by many able officers. We would recommend a careful study of these reports to any one who is really desirous of mastering the subject. They show the information which has to be sought for, the various difficulties which have been met with in different localities, and the mode in which they have been overcome. The statistical memoir relates principally to questions which are foreign to our present purpose, and we cannot now pay it the attention it deserves; but we have quoted it here, as containing many of the general results of the settlement. In it will be found the extent of land, cultivated or otherwise, in each pergunnah of every district, together with the amount of the Government assessment, and the rate at which this falls on the area. The corrected population returns given in this memoir are founded on inquiries made since the settlement was concluded; but that operation paved the way for a clearer knowledge upon this head, as well as upon all others connected with the rural economy of the country.

The North-Western Provinces contain, by the last and most accurate returns, 71,985 square statute miles, with a population of 23,199,668 souls. The land revenue demanded from them in 1846-7 amounted to 4,05,29,921 rupees; in addition to which, they paid in the same year a net sum of 16,60,901 rupees (including collections due for former years), on account of abkari, and of 12,33,903 rupees for stamps. The customs duties levied on the frontier during the same period (by far the greater part of which must be considered a tax upon these Provinces) amounted to about 62,00,000 rupees; thus making up, with other minor sources of income, a total revenue of more than five crores of rupees. The whole territory is divided into 32 districts, which are classed in six\* divisions. The whole of these have come under survey, but there has of course been no general revision of the revenue in those parts of the Benares division of which the Government demand was permanently fixed in the year 1795. The revenue has there remained unaltered, except in cases where an estate had always been farmed, and the demand had therefore never been determined in perpetuity, or where the permanent demand had broken down, and required reduction. The main object of extending the operations into that part of the country was to decide many long outstanding questions, in which the claims of the Government or of individuals were concerned, and to give the people

\* Delhi, Rohilkund, Meerut, Agra, Allahabad, Benares.

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people the option of placing on record the same detailed statement of private rights, and of the mode of internal administration, which had been introduced elsewhere.

In extent of territory, therefore, the provinces which, with the above partial exceptions, have come under settlement, are about equal to England and Scotland, without Wales. In point of population they about equal Italy, including Sicily and Sardinia, while the gross revenue realised from them exceeds by one-half that of the kingdom of Belgium. Following the line of the Ganges and Jumna, the extreme distance, from Goruckpore on the south-east to Hissar on the north-west, is nearly 700 miles. In this wide expanse of country much diversity of race, language and character is naturally met with among the occupants of the soil. The Rājput of Azimghur, the Brahmin of Cawnpore, the Ahir of the ravines of the Jumna, the Gujur of Meerut, and the Jât of Delhi, have all peculiarities, which distinguish them, not only from other tribes, but also from men of the same tribe in other places. To the essential differences of caste, with its influence on their occupations, lawful and unlawful, are added others, arising from social position or local circumstances, the last being aggravated by the want of communication between distant parts of the country. Among the Muhammedans, again, the Patan of Rohilcund and the Syud of the Upper Duâb have little in common with other landholders of the same faith, but of inferior descent; while the whole race were originally as distinct from the Hindus, among whom they settled, as the Normans were from the Saxons at the period of the Conquest.

In a body of agriculturists thus constituted, there will be a considerable variety of customs, prejudices and institutions, to which due attention was requisite, when carrying out an extensive measure like that of the late settlement. Indeed it was one of the chief objects of the settlement to discover and record such peculiarities, whether they related to the extent of existing rights, or to the manner in which those rights were to be exercised and maintained. Nevertheless, while care was needful not to pre-suppose the existence of complete uniformity, especially in minor points, it was easy to trace a general resemblance in the landed tenures of all parts, and among men of all tribes and races. Whoever has once mastered the position in which the rural inhabitants of any single district stand to each other and to the Government, can find little difficulty in understanding any deviations from the same type which he may observe elsewhere. Of these apparent anomalies many will be found, on closer consideration, to involve differences only of names, or of methods; the principle remaining the same. Such are the various modes of distributing the Government demand upon the holdings of those who contribute to it; whether by a rate on the measured number of bighas, or on ploughs, or wells, or fictitious bighas of large size. Others again are more real, and affect materially the interests of those concerned with them; but these almost always relate to the position of the members of one grade of the agricultural community as regards each other; not as regards those of any other grade. Of this kind are the customs, met with in Bundelcund, of repartitioning the land on the occurrence of certain contingencies; and, under other circumstances, of the gratuitous liquidation of arrears due from defaulters by their solvent brethren. Such too are the peculiar rules, existing in particular tribes or families, regarding legitimacy and inheritance, and the singular distinction occasionally drawn between the possession of the land and that of the proprietary right; whereby a man may dispose of all his land, and yet retain an exchangeable interest in the estate.\* It is seldom that local or special custom interferes with the relations usually found to exist between the several grand classes who are entitled to share in the produce of the soil, as between the ryot and the zemindar, or the zemindar and the Government.† A clear view of these relations is therefore a requisite qualification, either for making a settlement, or for comprehending one, when made. We shall endeavour to state, in small compass, how they stood under the native dynasties, and in what way they have been modified under the British rule.

In tracing up the landed tenures, now existing in these provinces, to their earliest

\* See Report on the Settlement of Azimghur, paras. 65, 66.

† As a rare instance of a local rule of this kind, we may quote the custom prevalent in some districts, and especially in Azimghur, whereby cultivators of the higher castes (ushraff) pay uniformly a lower rent than those of inferior castes (urzal). See Report on Azimghur, paras. 92, 93.

earliest source, we find that there were originally but two parties who possessed any fixed rights in the soil or its produce. These were the Government, on the one hand, and those who first occupied and appropriated the land under the Government, on the other. Of these two parties, the ruling power must be considered to have been the chief proprietor, inasmuch as it was entitled to demand a full rent from all productive land, and to dispose, at its pleasure, of all extensive wastes and forests. These claims on the part of the state were, at various periods, more or less rigidly enforced; but they were indefeasible, except with its own consent.

The private proprietors to whom the produce of the land, after paying the Government demand, belonged, were, in some cases, single individuals, who managed a tract (of greater or less extent) through their own dependents. In these cases, the tenure had generally been obtained by direct grant from the Government itself. The zemindari right, in a region previously uninhabited, or tenanted only by predatory and wandering tribes, was often thus assigned to some man of wealth and influence, with a view to the introduction of order and agricultural improvement. The grantee then settled on the spot, and by degrees brought in cultivators of the industrious classes, to whom he portioned off the land according to their means. In so doing, he would often find it expedient to give the head man of each location a permanent interest in the increase of the produce. This was sometimes done by a written document (as in the case of the Briteas in Goruckpore), by which certain terms were fixed, as those on which the village was in future to be held. But it was more usual merely to acknowledge one of the cultivators, as mokuddum, or jeth ryot, and to give him certain privileges, such as a portion of land rent-free, or a small percentage on the collections in return for his service. The office of mokuddum, thus constituted, usually descended in the same family; but, unless it rested on some specific and permanent grant, it was not susceptible of division among heirs, or of transfer. The zemindar, or superior lord, remained sole master in a tract thus peopled, except so far as his authority was limited by his own grants, or by such other rights as might spring up under him by prescription and the usage of the country. He made his own bargain with the Government for the sum which he had to pay as revenue; while his receipts depended mainly on the skill and success with which he improved his domain.

Far more commonly, however, the private right in the soil was held by a numerous body of sharers, who were all descended from the same stock, and who, for the most part, cultivated as well as owned the land. These were the famous village communities, of whom so much has been written; the "indestructible atoms," to which the rural body politic chiefly owed its strength and permanency; the rocks over which the waves of conquest or intestine disturbance so often flowed, without moving them from their fixed position. These communities were as independent in their origin, as many of them have long proved themselves to be in their self-maintained stability. The foundation of their tenures was laid in those ancient times, when tribe after tribe of Rajpúts, or of Játs, and other races connected with the Rajpúts, left their home in the distant regions of northern Asia, and migrated to the then thinly populated plains of India. The rise of the Muhammedan power, in Afghanistan and its neighbourhood, barred the route against any further influx from that quarter, but similar migrations long continued to take place from the countries on this side the Indus, or from Rajpútána, to the Gangetic valley, and from one portion of that valley to another. These changes of location were not always accomplished without a contest with previous occupants; a memorial of whom may often still be seen in the old shapeless mound on which their fort, or little capital, once stood. However this may have been, as soon as the new-comers found themselves undisputed masters of the soil, they proceeded to divide it according to their families. Each of these at first settled down at some distance from the rest, leaving space around to provide for future expansion. In the next generation, shoots were thrown off from each of these stocks, who fixed themselves in the nearest unoccupied spot to that from which they issued. As time advanced, this process was repeated, till the whole tract, which the tribe had originally grasped, became fully tenanted and cultivated. It had then become divided into a number of separate properties, the limits of which had by degrees been carefully determined, though they were often interlaced in a singular way with each other. This was owing to the mode of partition practised by these communities. Instead

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of drawing a line through the centre of the tract to be divided, they considered it a fairer plan for each party to select their several portions, field by field, out of the whole area. Shares in the same property were divided in a similar way. The arrangement is an inconvenient and injurious one; but it forms a peculiar characteristic of these proprietary bodies.

The individual members of the village communities were the "raeia," or hereditary cultivators, the protection of whom was considered of so much importance by Akbár and Aurungzebe, and by every other native ruler who paid any attention to the welfare of his people. As individuals, their rights consisted in the permanency of their tenure as occupants of their ancestral fields, subject to the payment of the dues of the state. As collective bodies, they raised among themselves the whole sum required by the Government from the village, making their own agreements with any cultivators of other castes, or families, whom they might have introduced to assist them in the culture of the land; they collected and appropriated the spontaneous products of the earth or water within their precincts; they realised ground-rents from non-agriculturists resident in the village, and cesses from occasional fairs or markets. In the same capacity, they were entitled to manage their internal affairs without foreign interference; they provided for watch and ward, and for a rude system of detective police, and decided, by arbitration, or by the authority of their head men, almost all disputes of a civil nature which arose among the brotherhood. The amount of the Government assessment was usually determined by actual estimate of each crop, while on the ground; for which duty a special establishment was kept up by the amil (revenue collector). The demand, thus fixed, was realised when the crop was cut by the mokuddums, or chief men of the village, and conveyed by them to the district treasury; when they commonly received a turban, and an allowance of two per cent. on the sum paid in, as a remuneration for their services. It might occasionally happen, that the mokuddums, or one of their number, had the means and enterprise to engage with the amil to pay a fixed sum for a short term of years, so as to avoid the necessity for this constant examination of the crops. In that case, the party who took the lease entered into an engagement in his own name, and himself arranged with the other sharers for their quotas of the sum which he had agreed to pay. But, after the term of the engagement had expired, either the Government or the people had the option of reverting to the actual estimate of produce, which was better suited to the uncertainty of seasons, as combined with general improvidence of habits.

The rights and privileges thus described were amply sufficient to constitute a heritable and transferable property, notwithstanding the abstract right of the Government to claim, as revenue, the whole net rent of the land. The share of the gross produce, which both Hindu and Muhammedan Governments professed to take,\* would have always left a beneficial interest in the land to the ryot; and allowing that these professions were seldom adhered to in practice, it was probably impossible to exact a full rent with any degree of certainty or regularity. The value of the tenure was increased by the other sources of profit adverted to above, as well as by the houses, groves and wells, which were gradually built, or planted or dug on the land. The property thus formed was seldom transferred by sale, a strong prejudice existing against such a procedure; but it descended to heirs, was conveyed by gift, and was frequently mortgaged and redeemed.

Nothing but the greatest calamity, or the greatest injustice, could, by sudden violence, dislodge or break up the proprietary communities thus established. The nature of their tenure, as above described, was indicated by the designations assigned to them. They were called "Biswadars," or "Bhúmas," or by other titles, expressive of their indissoluble connexion with the soil. Their rights were considered as sacred as those of the sovereign himself, and were never infringed without the stigma of tyranny being attached to the aggressor. This public feeling in their favour, together with their own intense attachment to their patrimony, and the power of combination which they possessed for mutual defence and support, enabled them to weather many a storm, and to reappear, though perhaps

\* It is stated in the Ayeen Akbarry that the Hindu monarchs of Hindustan exacted the sixth part of the produce. The Muhammedan princes in different kingdoms of Asia exacted various proportions, as the fifth, the sixth and the tenth; but levied at the same time a general poll-tax and other imposts. Akbar abolished all arbitrary taxes, and fixed the Government demand at one-third of the produce. It will be seen that this nearly corresponds with the theoretical share taken under our own system.



perhaps with diminished numbers and resources, when the danger had passed away. The slow effects of time had, however, produced great changes among them, long before they came under our sway. A long series of years, extending often to several centuries from the first settlement of the tribe, and the succession of accidents in unsettled times, had tended to shake even the firm hold which they had upon the land. The Rajpúts, in particular, had gradually succumbed before the advance of other races of less ancient descent, but of greater industry. Where a "Chourassi" of Rajpút communities once existed, they had dwindled to a much smaller number; the places of the others being occupied by Kayths, Kachis, or Kuromis, or by some single owner.\* Still no change occurred in the relations of the occupants of the soil with the state. The new proprietors merely took the places of those whom they had supplanted, just as these had perhaps taken the place of others many ages before.

Such were the tenures which sprung up under the original, constitution of the country, according as the land was first occupied by a single individual of comparative wealth and power, or by a body of industrious cultivators. These parties respectively were, as we have said in the first instance, the sole private holders of any fixed interest in the soil. In the large zemindaris, other rights might by degrees arise by gift, contract or prescription; but this could hardly occur in tracts tenanted by the village communities. Their connexion with the land was too close to allow of any claims springing up under them, and, though they frequently admitted other ryots to share their labours, these last had no settled position, and were for the most part merely tenants-at-will. The simple system, thus established, was however often complicated from causes, of which some mention must here be made.

It has been seen that the Native Governments usually collected their revenue from the village landholders by means of temporary officers, corresponding in that respect with our talsildars. But it often happened that, from motives of policy or favour, they delegated their rights in this respect in one or more villages to some person previously unconnected with the spot, and permitted him to realize, on his own account, the share of the produce, otherwise due to the state. If this grantee was allowed to appropriate the revenue to his own use, or for special services, he was termed a Múafidar, or Jaghirdar. When he engaged to pay a yearly sum to the Government in return for his tenure, he was called a Talúkadar, or Zemindar. The only difference between these two last terms appears to have been, that the latter denoted a more permanent tenure than the former, a Talúkadar being simply a farmer upon a large scale.† Besides the grants of this nature, which were really made or confirmed by the sovereign power, there were vast numbers which could boast no such legitimate origin. Many were conferred by the amils, or usurped with their connivance. A large talúka sometimes sprung up by degrees from an originally small nucleus, the owner of which took advantage of periods of temporary distress to bring more and more of the surrounding estates under his influence. This was the more readily accomplished, as the people themselves were often not disinclined to the arrangement. They thought that, in transferring their payments from the amil to the talúkadar, they were only securing a powerful friend, who could help them in time of need.

It was indeed evident that the inherent and universally acknowledged rights of the original tenants and occupants of the soil were, neither in equity nor by the intention of the ruling power, at all affected by this interposition of another party between them and the state. The characteristic and distinguishing feature of their tenure was, that it should remain unaltered under every possible change of the Government, or of its delegates. The Government could only assign its own claims to the múafidar or talúkadar, which claims were, as we have seen, perfectly compatible with, and clearly distinguished from, the rights of the communities. The assignee was entitled to receive the Government share of the produce, but here his authority properly ceased. The village landholders had made no transfer of their rights, nor was it in the power of any party in the state

\* See the maps intended to illustrate this change of proprietorship between Akbar's time and our own in Sir Henry Elliot's Supplemental Glossary.

† The zemindar was also entitled to some deduction from the jumma, at which the tract made over to him had previously been rated; whereas the talúkadar merely made the best terms he could in settling the amount of his contract.

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state to deprive them of those rights against their will.\* Instead of settling with the amils for the revenue due from them, they had henceforth to deal with one who claimed, or hoped, to hold a more permanent office; but in all other respects their position remained unchanged. The new superior might often be induced by his wants, and enabled by his local knowledge, to lay a heavier burden on the land than would otherwise have been levied; but he was well aware that if he carried this to the extent of oppressing, or, *a fortiori*, of breaking up the communities, he was exceeding his known powers, and violating the tacit conditions under which his own tenure had been constituted.

Our readers will now be able, in some measure, to judge of the problem which lay before the Government, when, in the years 1801-3, such vast strides were made, by the cessions from the Nuwab Vizir, and the conquest from Scindiah and the Peishwah, towards the completion of our Indian empire. The difficulty of solving that problem consisted, partly in our ignorance of its conditions, and in the want of experienced revenue officers, and partly in the hurried way in which the first arrangements had to be formed. The most pressing object was to secure the revenue; and it was thought that this could be most easily done by fixing the responsibility of it upon the fewest and wealthiest of those willing to engage. Besides this, there was still at that time a general prepossession in favour of the zemindari system, under which the permanent settlement in Bengal, and more partially in Benares, had previously been concluded. The proper type of the rural system was thought to consist of one or more zemindars for each estate or collection of estates, in immediate connexion with Government, and of a body of ryots, some of whom had a right of occupancy, and others not. The idea of a community of cultivators, all of whom were also proprietors (though convenience required that their affairs should be conducted through a few of their number, as representatives of the rest), appears to have been scarcely realized. This tendency was observable in our laws as well as in our practice. Many enactments were passed in the earlier times of our rule in these provinces for regulating the dealings of the zemindars with their ryots; but none, for many years, which had reference to the mutual relations of the agricultural co-sharers, or which distinctly recognized the proprietary right of those not under personal engagements with the state. The Legislature, indeed, appears to have been fully aware, that the early revenue proceedings were likely to be very erroneous, and reserved to itself, by a special provision, the power of making any future enactments which might be necessary for the protection and "welfare of the puttidars, under-renters, ryots and other cultivators of the soil;" but it was long before this intention was fulfilled. †

In the meantime we proceeded, immediately on assuming charge of our new territories, to take some most important steps with regard to landed tenures in general. We relinquished the principle, which had been acted upon by the Native Governments, that the revenue of the state had no limit within the amount of the entire rent, as well as the arbitrary practice pursued by those Governments, of interfering at their pleasure with the exercise of established rights. We abjured this system as one which, though it had not extinguished the possession by subjects of property in land, had rendered it "precarious and of little value." We "confirmed and established" this proprietary right, in all persons before possessing it; we acknowledged the claims of such parties to engage for the revenue; and we even gave them a conditional promise, that the amount of their revenue should soon be fixed in perpetuity. ‡ The rule according to which the Government demand was to be calculated was not at that time clearly or finally laid down; but a pledge was evidently given to relinquish a portion of the net rent of the land. Upon no other principle could a contract be

\* See Elphinstone's India, Vol. I., p. 140, on this subject.—"It has been mentioned that the king can alienate his share in a village. In like manner he often alienates large portions of territory, including numerous villages, as well as tracts of unappropriated waste. But, in all these cases, it is only his own rights that he makes over; those of the village landholders and permanent tenants (where such exist) remaining unaffected by the transfer," &c. &c.

† See Regulation XXV. of 1803, section 35, clause 1; and Regulation IX. of 1805, section 25, clause 1.

‡ See Regulation XXV. of 1803, sections 34 and 35; and Regulation IX. of 1805, sections 24 and 26. The promise of a permanent settlement was repeated on several occasions afterwards, but was happily never fulfilled; otherwise we should have perpetuated a most unequal assessment, and stereotyped all our errors of other kinds, just as has been done in Bengal.

be entered into for a lengthened term of years, or could any benefit be derived from such a contract by those who were not cultivators themselves. A distinction thus arose between rent and revenue, which did not before exist. Before, the revenue might have been nothing more than the net rent, after defraying the expenses of management. Now, the revenue became that part of the rent which remained, after deducting both the expenses of management, and the proprietary profits.\*

The early settlements were made for periods varying from three to five years. They were effected in a very easy and cursory way. The collector sat in his office at the Sulder station, attended by his right-hand men, the kanúgos, by whom he was almost entirely guided. As each estate came up in succession, the brief record of former settlements was read, and the *dehsunní* book, or fiscal register, for 10 years immediately preceding the cession or conquest was inspected. The kanúgos were then asked who was the zemindar of the village. The reply to this question pointed sometimes to the actual *boná fide* owner of one, or of many estates; sometimes to the head man of the village community; sometimes to a non-resident syud, or kayth, whose sole possession consisted in the levying a yearly sum from the real cultivating proprietors; and sometimes to the large zemindar or talukadar, who held only a limited interest in the greater portion of his domain. Occasionally a man was said to be zemindar who had lost all connexion for many years with the estate under consideration, though his name might have remained in the kanúgo's books. As the dicta of those officers were generally followed with little further inquiry, it may be imagined that great injustice was thus perpetrated. Then followed the determination of the amount of revenue. On this point also reliance was chiefly placed upon the *doul* or estimate of the kanúgos, checked by the accounts of past collections, and by any other offers of mere farming speculators, which might happen to be put forward at the time.† Mistakes of course occurred, and it was often necessary to re-adjust the demand, even during the currency of the short leases then granted; but on the whole, this part of the system succeeded better than might have been expected. The earlier settlements were in general moderate enough, and the revenue was only raised gradually, as the capabilities of each part of the country became better known.

Great discontent was naturally excited by these blind and summary proceedings among those whose interests had been neglected or overridden in them. The increased value given to landed rights in general under our administration added to the dissatisfaction thus occasioned. Many a man who, under a Native Government, would have been content with permission to cultivate his plot of ground and live, began to see that he was unjustly deprived of the proprietary profit in which all owners of land were now entitled to share. Numerous complaints were preferred on this ground at times of settlement, or otherwise; but the petitioners were referred for redress either to the civil courts or to some future period, when the revenue officers would have leisure and authority to enter into such questions. The first of these expedients, and the only one available at the time, viz., that of resort to the civil courts, was worse than useless. In the absence of any detailed record of rights, or of the general nature of existing tenures in the revenue department, the courts could do nothing to remedy the errors which had been committed. They could only make confusion worse confounded. Situated as they were then, and indeed as they are still, the judicial tribunals of this country are in the worst possible position for building up any system of rights to which they are not guided by the letter of positive enactments. Bound to one spot, tied down by rigid laws of procedure, and debarred (as in these provinces at least they are taught to think

\* The allowance to the zemindars was reckoned vaguely at 10 per cent. on the revenue, besides the expenses of management, till the promulgation of Regulation VII. of 1822, when it was fixed at 20 per cent. in cases where an increase of revenue was demanded. The fact was, however, that in the early settlements the produce of the estate was unknown, and the supposed per-centage was therefore merely nominal.

† In this account of the early settlements we have described the usual course pursued. Occasionally the zeal and talents of the officer employed led him to devote more pains to the work, and enabled him to arrive at more satisfactory results. Such, for instance, appears to have been the character of Mr. Ross' settlements in the Agra district, in the year 1216 Fy. See printed Report on Agra settlement, paras. 4, 5.

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think themselves) from admitting any evidence but that spontaneously laid before them by the parties, they must necessarily often be misled by packed witnesses or partial documents. An honest and intelligent bar, the first requisite for diminishing the evil of strict legal forms among an ignorant population, is still wanting in this country. At the best, each new case comes before the courts in an isolated form, detached from any general principles or extended experience, and is therefore liable to every species of misconception. They are scattered over the face of the country, without any mutual communication, and with no provision for securing uniformity of sentiment, except the precedents furnished by the Sudder Court.\* These come few and far between, as regards any particular point on which opinions are likely to be divided; while of those which are applicable, some are likely to be erroneous, from causes of which the system, rather than the judges, should bear the blame. If a poor and uneducated man is perplexed by the forms, harassed by the delays, and crushed by the expense of the inferior courts, how is it to be expected that he can carry up his case through all the intermediate stages, so as to lay it fully and efficiently before the tribunal of last resort? The principle involved may therefore suffer from the helplessness of the rightful litigant, in the very cases which are to guide future decisions. The consequence of all this was, in the former times of which we are speaking, that not only were the errors of the revenue department too often repeated and confirmed in the courts, but decrees were constantly passed, so irreconcilable with truth and justice, that it was absolutely impossible to execute them.

The evils arising from the haste and ignorance of our early settlement proceedings were further aggravated by the measures pursued for the realization of the revenue. No record having been made of any sharers besides the lumburdars or actual engagers with Government, much less of the quota of revenue which each sharer was bound to pay, no attempt could be made when arrears occurred to discover the real defaulter.† The main expedient on which the collectors relied was to prevent default by keeping watchmen over the crops till the revenue was secured. When this failed, the lumburdars were imprisoned, and their personal property distrained. The next step was to put up the whole estate to sale to the highest bidder. Many of these sales were got up by the native officers of Government, or by their friends, who themselves became the purchasers at a merely nominal price. The rights of hundreds were thus often annihilated for the default of a few, when the smallest inquiry or consideration would have sufficed to prevent the catastrophe. Many a populous community was thus wrongfully deprived, not only of their privilege of contracting for the revenue, which is the just and proper penalty for real default, but also of their position as hereditary cultivators of their paternal fields. They were handed over as tenants-at-will to the tender mercies of a perhaps fraudulent purchaser, without any provision for the peaceable adjustment of the lands which they were to hold under him, or the rents which they were to pay. What wonder then was it if the high-spirited rajpoots often took their own measures to right themselves? if they refused to submit to this summary deprivation of all that they had enjoyed for centuries, and settled their disputes with the new intruder by open violence, or by midnight assassination?

The confusion occasioned in the state of landed property by these combined causes became at last so notorious that it could no longer be overlooked. The intensity of the evil, which called for correction, is best denoted by the extraordinary nature of the remedy applied to it. By Regulation I. of 1821, a Commission was appointed, and invested with powers amounting almost to a judicial dictatorship. Every public or private transfer of land which had taken place within the first seven or eight years of our rule,‡ was declared open to inquiry

\* The constructions which used to be issued by the Sudder Courts have been discontinued of late years, owing to, what appears to us, a groundless objection to extra-judicial interpretations of the law. On the other hand, the printed English decisions of the zillah judges now afford those officers the means of learning what the others are doing, and are likely to be of use in this respect.

† When the talsildar happened to be an honest and capable man, he might sometimes ascertain this by questioning the people and the putwari. The defaulter's share was then transferred by a sort of forced mortgage to some solvent sharer, who paid up the arrear; thus irregularly effecting what has since become the legal and authorized procedure.

‡ From the cession, or conquest, till 13th September 1810. The preamble to the Regulation is a full and fair confession of the mistakes which had been committed in all departments.

inquiry before this Commission, and if equity should require it, to annulment. Every act of the revenue officers performed in the same period, with all the immediate results of such acts, were similarly thrown open to revision. The previous judgment of a regular court of judicature was to be no bar to the exercise of these powers in any instance. We cannot pause now to describe the effect of the expedient thus adopted. On the whole, it failed to produce the advantages expected from it. Little was done till 1829, when the Revenue Commissioners became also Special Commissioners. They were overwhelmed with the number of suits brought before them in the latter capacity, in addition to their other duties. Differences of opinion also arose between them and the Sudder Commission, to which their acts were appealable—as might have been expected where so much was left to discretion. Their proceedings were thus hampered; the increasing lapse of time made it more and more difficult to restore parties, who had been so long dispossessed; and, at last, it became the great object to clear the files, with as little disturbance of the existing state of things as possible. Many gross cases of hardship and fraud were undoubtedly rectified,\* but even in these the remedy was imperfect. The inability of stationary tribunals to meet the wants, and thoroughly to understand the position of numerous bodies of men, unskilled themselves in legal matters, was felt even by these courts. Dissensions were often sown in the progress of the litigation among those who by its issue recovered their rights. Not unfrequently those rights themselves were mortgaged by anticipation, in order to defray the expense of the contest.

We hasten on to the brighter day which now began to dawn, when it was acknowledged that the revenue officers alone were in a position to correct, as far as circumstances allowed, the errors which had been committed, and to obtain and store up such information as would prevent the occurrence of others of a like nature. Holt Mackenzie, as is well known, was the man to whom this discovery, or its reduction to practice, was due. Of retired and studious habits, and gifted with a keen and comprehensive intellect, his official position had given him abundant opportunities for observing the defects of the past system. He saw that the only way to obtain an accurate knowledge of a practical but complicated subject, hitherto little understood, was to go familiarly among the people whom it concerned; to talk to them in office and out of office; † to permit every one, who had any representations to offer, to bring them forward freely, and without expense; and, above all, to consider each debateable point, not only as it appeared in one particular case, but with the cross lights thrown on it by many other analogous cases brought under discussion at the same time. He saw that an officer, who had such means of forming a correct judgment at his command, was best able to hear and decide in the first instance all claims connected with the possession of land, and thus to lay down the general principles to be observed in questions of that nature. Unlike his more dignified brother on the bench, such an officer could carry on his inquiries on the spot; could examine witnesses in the presence of their neighbours (the only real check upon false testimony in this country); and could procure other evidence from sources unconnected with either party, till he had fully satisfied himself as to the matter in dispute. He perceived also that the functions thus described could be best exercised at the time when the revision of the assessment was in progress. The only sure basis upon which this revision could rest was a detailed measurement, field by field, of the whole area under settlement, with a careful classification of the several soils, according to their varied productiveness. Great facilities were evidently offered, during the course of such a measurement, for ascertaining all facts connected with the ownership and occupancy of the land. The opportunity was, therefore, especially favourable, not only for adjusting actual disputes, but also for placing on record all possible information regarding the agricultural classes, their tenures, usages, numbers, wealth, and whatever else might be considered of interest in connexion with them.

These

\* In the Cawnpore district, of 405 public sales for arrears of revenue, 185 were annulled by the Special Commission.

† Holt Mackenzie was a great advocate for relaxing the stiffness of official intercourse with those from whom information was to be gained, or to whom it was to be imparted. His advice to the collectors was, "Take your gun in your hand, and go among the people;" to the Commissioners, "Get your collectors together over a good bottle of claret, and then talk to them about the settlement." We fear that one part of his counsel was often followed without the other.

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These views were fully adopted by the Government, and were embodied in the famous Regulation on the subject (VII. of 1822), and in the Circular Instructions issued at the same time. Their general wisdom and justice have been amply proved, by the continued growth of revenue knowledge since their promulgation, and by the entire change thus produced in the opinions and modes of procedure before prevalent. Nevertheless there were vital defects in the new system, arising chiefly from its author's want of personal experience in the duties of a subordinate revenue officer. He was not sufficiently aware of the extent and difficulty of the task which he imposed upon others. Too much detail was required on all points. In determining the revenue, especially, broad principles were liable to be lost sight of in the intricacies of a laborious calculation. Arbitrary rates were applied to innumerable arbitrary gradations of soil. No positive objection could be made to any step of the process, but no faith could be placed in its result. The invariable tendency of estimates thus formed is to excess in the aggregate. In judicial matters, again, too wide a door was opened to complaints and claims of every description. A court which professed to redress every grievance in a land, where might had long made right, was sure to be overwhelmed with work. The minute, and sometimes needless, inquiry made from each family into the ramifications of their genealogical tree was likely to excite disputes which might not otherwise have arisen. The interests of the great mass of the shareholders had before been wholly neglected, but the new measures ran in some hands into the opposite extreme. A spirit of insubordination was thus aroused, quite incompatible with the structure or welfare of the community. Every man wished to be independent of the rest, however much the expense and difficulty of management might thus be increased, both to the Government and to the people themselves. We have heard of an instance in which this wish was gratified by the appointment of no fewer than 80 lumburdars in a single village.\* The same error of attempting too much ran through the whole of the proceedings. A host of men were examined on miscellaneous points; some of which were of importance, but others not worth the trouble of recording. The mere accumulation of paper was in itself a great evil, which would have been felt more as the revision advanced.

Many of the faults thus described were doubtless attributable to misconception on the part of the collectors, which might have been obviated under more efficient superintendence. There was then but one Board of Revenue, and that was at Calcutta; too distant from the scene of operations to be of any use as a directing authority. All depended on the Commissioners; but of these, only one was found with the knowledge and energy which the position demanded. He will soon come again under our review in a higher capacity. In all the other divisions each separate collector was left to act upon his own unaided judgment, and without the necessary relief from his other labours. Some of these district officers were possessed of considerable talent, and had great knowledge of men and things within the sphere of their duties; but the mainspring of the work was wanting. The revision crept slowly on, not by pergunnahs, but by detached villages; 10 or 20 of which were thought to provide occupation enough for a whole year. When 10 years had elapsed since the promulgation of Regulation VII. of 1822, it was calculated that 60 more years would be required in many districts to complete the settlement at the current rate of progress. The system, in short, however admirable in theory, had broken down in common practice, and the only question was, in what way it could best be amended.

This question was determined at a conclave held at Allahabad, under the auspices of Lord William Bentinck, which ended in the enactment of Regulation IX. of 1833. The effect of that law, and of the corresponding instructions afterwards issued in the Revenue Department, may be thus summed up:—In the first place, it was no longer to be considered necessary that disputes and claims of all kinds, and of any standing, should be adjudicated at the time of settlement. The proceedings in this respect were ordinarily to be restricted to cases in which the cause of action had arisen within a year previous to the date of the complaint. This rule was a good deal modified by the provision, that it was not to apply to

\* Soon after these men were installed, one of the old lumburdars happened to get a new turban and pair of shoes, with which to make his appearance in the talsildar's kacherri. Every man of the 80 immediately followed his example; charging the cost, probably, to the general expenses of the village.



to suits already admitted on the file, nor to cases in which an order had before been passed, that the claim should be decided at the settlement. As it had for years been the custom of the collectors to engross such an order on the petitions presented to them, most of the disputes which really required adjustment were thus still left cognizable by the settlement officers. Means were, however, provided for submitting these disputes, when it might be found advisable, to arbitration; and the general intention and effect of the new rules was to shorten and facilitate the judicial part of the duty. The tedious estimates of the quantity and value of actual produce, hitherto thought necessary, were dispensed with, and a more reasonable and effective mode of fixing the assessment introduced. The important addition of a field map was made to the other measurement papers, and, together with these, formed a basis of a plan for registering private rights, which, though very minute and complete, was as simple as the object in view permitted. The putwari's annual papers, on which the future maintenance of this registration essentially depended, were put on a new and wholly different footing; and their punctual preparation was enforced by sections XIV. and XV. of the Act, which rendered them absolutely necessary for the assertion of any claim possessed by a landowner against his cultivators.

In the year immediately preceding this change in the system, the Western Board of Revenue had been constituted at Allahabad, and had become the principal authority in all matters connected with their functions. The senior member of this Board was a mild, intelligent, gentleman-like man, with much revenue experience and knowledge, but thrown in the shade, as many an estimable public man has been before him, by a superior colleague. The junior member bore the now well-known name of Robert Mertins Bird; and on him for many years the task of directing all revenue operations, and especially those of the new settlement, eventually devolved. He, indeed, was a man of no common order. The first 20 years of his Indian life were passed entirely in judicial duties; yet such was the activity of his mind, that he became, during that period, the best practical revenue officer in the country. This became evident, as has been already observed, on his nomination in 1829 to be Revenue Commissioner in the Goruckpúr division. His views were so clear, and the superintendence which he exercised was so effective, that, if all had been like him, any change in the law might have been unnecessary. In the more elevated sphere which he afterwards occupied, his talents were further developed, and took a wider range. A mind capable of dealing equally with minute details and general principles; stores of information collected by unusual powers of memory and observation; cheerful spirits and unflinching health; together with a robust energy, the "*vigor animi, ingentibus negotiis par*;" these were his qualifications for the great work which then lay before him. On that work he impressed his own stamp, and gave it all its form and feature. From the time that he took the reins in the Revenue Department, in which he long remained quite supreme, the whole conduct of the revision of settlements assumed a new character. Discordant ideas and conflicting theories soon disappeared before the influence of one controlling intellect, though free scope was still left on all needful points for the exercise of individual judgment. Allowed to select his own instruments, he usually chose young men, as being less encumbered and more manageable than their seniors, and less likely to be imbued with prejudices derived from the dark ages of our earlier administration. With these young-officers he kept up constant private intercourse, and thus instilled into them his own views, and animated them by his own hearty temperament. Where he reposed his confidence, he did so without reserve. He received the opinions of those employed under him with respect; looked after their interests, defended their proceedings, and fought their battles as if they had been his own. No better mode could have been devised of cheering those who bore the burden and heat of the day, and of exciting them to unwearied exertion. The result was, that in eight years after the enactment of Regulation IX. of 1833, he was able to report to the Government that he had redeemed his pledge; that the settlement, with some immaterial exceptions, was completed; and that he was at liberty to relinquish his arduous post, and to return to that native land, from which he had been 33 years separated. Doubtless there were some shades to the portrait which we have here attempted to delineate. Such is human nature in this world. The spirit, which is strung and nerved for great enterprises, finds it difficult to deal always patiently with dullness or opposition. The man who firmly grasps and vigorously defends a contested



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truth is apt to bear it, in the ardour of the strife, beyond its proper limits, and to leave it in a position where it cannot be permanently supported. On points like these we have no wish to enlarge. With all the failings ever imputed to him of whom we have been speaking, as an agreeable companion, a zealous and most able public officer, a warm friend, and a sincere and liberal Christian, it will be long before we meet his like again.

We pass, however, from the character of the man to that of the measures which will long be associated with his name. We have already seen the general nature of the landed tenures which the settlement officers had to define and protect. Let us now take a glance at the main features and capabilities of the country, the assessment of which they had to examine and revise.

The North-Western Provinces are situated almost entirely in the valleys of the Ganges and Jumna; the principal part of them lying between those rivers. There is little variety in the flat alluvial soil to attract the admiration of a passing traveller, accustomed to the interchange of hill and dale in other countries. Nevertheless, if he leaves the high road, and penetrates into the more secluded parts of the country, he will acknowledge that, even here, the hand "which makes all nature beauty to his eye" has not been wanting. If he visits the districts to the east of the Ganges, which border on the Sub-Himalayan hills, he will find much of the luxuriance of tropical vegetation, together with a brisk air and healthy climate in the winter months, such as few tropical regions can boast. There he will see the groves, of which Virgil had heard,

" Quos gerit India lucos;  
ubi aëra vincere summum  
" Arboris haud ul'æ jactu potnere sagittæ."

The tiger and the elephant still dwell in the remains of the primæval forests; and magnificent mango topes cover large tracts, not yet required for the plough. There the fields are rich with abundant harvests, produced with slight labour, and subject to few uncertainties. The little hamlets, with their low thatched roofs, stand closely together, but do not yet contain a population adequate to the full occupation of the land. Patches of bush and grass jungle are thus interspersed with the cultivation, and relieve its uniformity; nor have the palm and bamboo, the banian and the peepul, yet been proscribed as intruders. Streams and pools abound on every side, and assist in varying the landscape.

If the traveller now crosses into the Duáb, he will perceive a considerable change. There is no longer the same moisture in the soil or climate, nor the same spontaneous fertility. The industry of man has succeeded to the profusion of nature. He now meets with more towns of note from their size or antiquity. The villages are larger, and stand farther apart, while their flat roofs, and the height to which, in the course of ages, they have risen above the plain, give them an imposing appearance from a distance. The walls with which they are often inclosed; the mud fort, perhaps, at the foot of which they are built; the distance which the people have to go to their daily labour, all point to those former troubled times when a defenceless cottage in the open fields was a most insecure habitation. Yet the face of the country is by no means bare or unpleasing so long as the crops are on the ground. These are raised with greater toil than in the more humid districts, but are generally plentiful, except in seasons of peculiar drought. Wheat, sugar and rice are less extensively raised, but cotton, as a valuable article of produce, in some degree supplies their place. The trees, which love the water-side, have disappeared, but many remain; and some of these, as the mhowa, the tamarind and the jamun, still attain a noble size. It is not till the visitor reaches the arid plains to the west of the Jumna, from Etawah to Hissar, on the extreme verge of the British territory, that vegetation really languishes. There the red sandstone hills rise through the hitherto level surface. Except in those favoured spots where wells can be formed, or down the line of the Delhi Canal, the husbandman trusts almost entirely to seasonable rains. The hardy babúl and ferash alone break the line of the horizon; and every thing betokens the nearer approach to the deserts of Marwar and Bikanir.

In common with most parts of Southern and Central Asia, the fertility of the soil in this part of India depends mainly upon artificial irrigation. When the means for this are available, not only will a sandy soil yield a good crop, but the nature of the soil itself is often gradually improved. Vegetable matter accumulates in the course of years from the remains of former harvests, and from

from the manure, which it is worth the while of the cultivator to expend upon the land. If, on the other hand, water be wanting, the produce is always uncertain; the cultivation is less cared for; and the usually light soil drifts about with the fierce winds of May and June, till pure silex alone is left in it, or till the barren understratum of kunjur, or of red indurated clay appears. The lands nearest the villages are naturally those which receive most attention, and are worked up to the greatest productiveness. These lands often bear two crops in the year, and pay rents of 10 rupees or more the acre. Their extent varies according to the populousness and prosperity of the village, and to the classes who inhabit it, but seldom exceeds six or eight per cent. of the total area of the estate. Next to these come the second-rate lands, varying up to 12 per cent. of the whole; while the great bulk of the area is thrown into the third or lowest class. This three-fold division, with the additional distinction of irrigated and non-irrigated, is prevalent under different names in most parts of the country. Other local peculiarities are of course everywhere to be found. In the vicinity of the rivers it is necessary to distinguish between the low khadir land on the borders of the stream, and the bangur land on the level of the high bank. In other places, the gentle undulations of the surface cause a succession of clayey hollows and sandy ridges, each of which has its peculiar products and capabilities. Even in level tracts there is often much difference in the stiffness and strength of the soil, according as the sand, which forms its principal basis, is mixed with more productive ingredients. Some local soils are noted for their suitability to peculiar articles, as a certain wet clay in the eastern parts of Goruckpur for sugar, and the black soil of Bundelcund for the Al root. The quantity of saline matter in the earth and water is another point deeply affecting the value of the land. Where the water is brackish, the agriculturist is much restricted in his choice of crops; many refusing to grow at all under such circumstances, and others requiring an abundant supply of rain water to counteract the quality of that drawn from the wells. Where much soda is present in the soil, large plains are found entirely destitute of vegetation from this cause, nor has any remedy yet been discovered for the sterility thus produced.

Without, therefore, entering into that minute classification of soils, once thought necessary, but which only bewilders and misleads, there is abundant scope for discrimination in the measurement which is to constitute the basis of a settlement. The existing division of the land into estates of a reasonable size, and of these into fields, affords every facility for the purpose. Indeed it is upon this distribution of the whole territory into convenient portions (each of which, while it is small enough to be uniform in its nature and relations, is of sufficient size to be separately considered and classed) that the whole system now under discussion must be held to rest. We must refer to the Directions (sections 2 and 3) for an account of the manner in which the survey and measurement proceed, as well as of the important preliminary work of determining boundaries. None can appreciate the value of this last-named operation in diminishing the causes of animosity and strife, save those who remember the state of things before it took place. On this part of the subject we would only remark, that it seems to us an error to commit the preparation of any portion of the khusra, or native field measurement, to the superintendence of the surveyor. Something may at first be gained in expedition and economy by this course; but it is not to be supposed that the surveyor will take the same interest in the correct performance of this duty, as the officer, who has to depend on its accuracy for the whole of his future proceedings. It is necessary (see paras. 39 and 40) that the khusra should be tested and completed by the settlement officer; and it is, therefore, better that he should have the whole preparation of it. It is also a mistaken economy to confine the khusra measurement to the cultivated and culturable land. The barren waste, the site of villages, in short, the whole estate, should be included in it. The total area, thus found, may then be tested by comparison with that given by the professional survey, on which full dependence can be placed. The correctness of the details of the khusra measurement must be provided for by separate examination, which, with the establishment always organized for the purpose, is readily and satisfactorily effected.

We will now suppose a settlement officer to have collected his materials, and to be commencing the assessment of a pergunnah, and we will follow him sufficiently to give an idea of his mode of operation. He has before him a professional map of each village, on the scale of four inches to a mile, at the head of which is entered the total area, as shown by the survey and such other statistical

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information regarding the number of houses, ploughs, wells, &c., as the surveyor had been able to collect.\* He has also a pergunnah map of one mile to the inch, showing the boundaries of the several villages, and a third map of the whole district, which gives the limits of the pergunnahs, but not of the separate estates. These two last are of use in enabling him to lay out his work, and to obtain a general view of the relative position of the several localities. The first, after it has served its main purpose of testing the khusra, is again of value when the assessment is under consideration, as it gives a clear notion of the shape and chief natural peculiarities of each estate, and affords a good guide for personal observation upon the nature of the soil and crops. It is, however, on the native measurement papers that the work mainly rests. These consist, first, of a pen and ink plan of the estate, showing the position and form of every field, as well as the disposition of the uncultivated land; and, secondly, of a khusra, or measurement register; in which are detailed the dimensions and extent of each field, the name of the cultivator, the nature of the soil, the fact of its being irrigated or otherwise, and the crop grown on it in the current year. The entries in the khusra are numbered in consecutive order, corresponding numbers being inscribed in the plan or field map upon each plot separately measured, so that reference can easily be made from the one paper to the other. At the foot of the khusra the whole area of the estate is summed up under its several heads; and the aggregate of these entries for all the villages gives the total land of each denomination in the pergunnah.

The first step in the operation is then to take an extended view of all circumstances relating to the entire tract under settlement. The collector's records will show the demands, collections and balances on account of the Government revenue of the whole pergunnah for the last 20 or more years, and will furnish further information regarding the degree of ease or of difficulty with which the collections have been made. The measurement papers afford the means of comparing the rate at which the assessment falls on the land, with that of neighbouring pergunnahs in the same or other districts. The general facts of improvement or deterioration in the means of the proprietors, of the spread or decrease of cultivation under the present demand, in short, the signs of a light or of a severe assessment, are matters readily ascertained, and not to be mistaken or concealed. The extent to which property has compulsorily changed hands, whether for arrears of revenue or by decrees of the civil courts; the proportion which the culturable land bears to that under crop, and the opinions of respectable natives acquainted with the spot, will easily lead to safe conclusions upon these heads. The information thus obtained will point out, within narrow limits, what the future demand from the pergunnah should be. Another mode of building up this estimate is, by going over every estate *seriatim*, having previously arranged them all in a form,† which brings prominently forward the apparent inequalities of the present assessment, and by roughly calculating the probable alteration in the jumma‡ of each. The aggregate of the separate jummas, thus found, will give the probable new pergunnah jumma. A third mode is by inquiring into the prevalent rates of rent, or into the rate at which the revenue falls on the particular villages known to be fairly assessed. These rates, when applied to the pergunnah area, will give a proximate rental or jumma for the whole. Recourse may be had to all three methods as a check upon each other; but we conceive that the first is the one upon which most reliance is commonly to be placed. The second is necessary when some parts of the pergunnah are in a much worse state than others, § as a review of the history and condition of the

\* It used to be the custom for the surveyor to give the extent of cultivated and culturable land also, for which purpose he kept up a special establishment. This was expensive and unsatisfactory, as from the nature of the operation only proximate results could be attained. Nor can the statistical entries be relied upon till they have been re-examined by the other means at the settlement officer's disposal. They might therefore be left to that officer altogether. The duty of the surveyor is to give the total area, together with a map, showing the main geographical features of the country; such as village sites, roads, rivers, &c. All else is extraneous to his proper work.

† See para. 54, and Appendix, No. VIII., of Directions for Settlement Officers.

‡ The "jumma" is the technical term for the amount of revenue payable to Government, as distinguished from the rental received by the private proprietors.

§ Where the productiveness of some parts of a pergunnah differs (from natural and permanent causes) from that of others, the villages should be classed in chucks or circles, and the process for each of these should be the same as is here described for the whole. For an instance where this plan has been followed with much care and labour, see the Agra Settlement Report, by Mr. C. G. Mansel.

the whole tract may in that case lead to no certain results; but it involves the disadvantage of a double operation as regards the determination of the jumma of each village; and there is danger lest the first rough inquiry upon this point should too much influence the subsequent more deliberate consideration of it.

A proximate rental or jumma, or both, being thus found for the whole pergunnah, the next process is to ascertain how this would fall upon the several component villages, taking the measurement papers as the guide. For this purpose average rent and revenue rates have to be obtained. The rent rates are supposed to have been already ascertained, as mentioned above, by preliminary inquiries, being those on which the assumed rental of the whole pergunnah was calculated. The revenue rates are deduced from these rent rates, in the proportion in which the total assumed jumma for the pergunnah differs from the total assumed rental. This proportion will vary, inasmuch as the probable jumma is computed not merely from the roughly assumed rental, but on other considerations also. Thus, if the proposed jumma is 35 per cent. less than the assumed rental, the deduced revenue rates will be 35 per cent. less than the assumed rent rates for each denomination of soil.\* The application of the rates, thus found, to the land of each village will show precisely how much that land should pay, supposing that the pergunnah estimate is correct, that full reliance can be placed on the measurement, and that nothing else intervenes to modify the conclusion thus arrived at. It is now, however, that the judgment and penetration of the officer who conducts the proceedings come into play. He has, on the one hand, to avoid too rigid an adherence to what is only intended as a standard of comparison, and, on the other, to equalize the public burdens as far as is safe and practicable. The degree in which he may be able to follow the easy and rapid plan of assessing each village according to the estimate by average rates will depend much on the moderation of his entire demand on the pergunnah. Where this is light, the rates deduced from it are of course light also, and there is less danger of future failure in following them as his principal guide. Still, however low he may fix his standard, some of the worst estates may suffer from too close an adherence to it, while a larger amount of revenue might doubtless have been safely obtained from all the better estates, under a more deliberate course of procedure. A careful officer will, therefore, test the results of his average rates by every possible means at his disposal. He knows what every village has paid in former years, and how it has paid it, whether with apparent ease or by constant compulsion. He knows the condition of the village and the circumstances of the proprietors. He can form a pretty good idea, by riding over the land, whether it is of more or less than the usual fertility. He has the estimates of the tahsildar, karcungos and others, as to the real capabilities of the estate. Above all, he can often obtain satisfactory information regarding the actual rents paid by the cultivators to the proprietors, or, at least, of the rate at which those rents are calculated.

This last expedient is, where practicable, the most satisfactory of all. When it is known how much a property has actually yielded for a series of years past to its owners, the Government share of the proceeds may be determined with a confidence not otherwise attainable. We believe that the fact in question can be generally ascertained with sufficient exactness wherever money rents prevail, and the land is occupied chiefly by rent paying cultivators.† Even then, however, it is useful to know how far the actual rental exceeds, or falls short of, what the estate would pay on the average of the pergunnah. Where this difference is great, it either arises from the skill and industry of the people being more or less than is usually to be found, or from particular circumstances favourable, or the contrary, to the full development of the powers of the soil. If the former of these be the cause, justice as well as policy will require that the indefatigable Jât shall not be reduced by disproportionate taxation to the level of the dissolute Gujur; if the latter, it will be right to remember that circumstances may change during the 30 years' term of settlement, and that both extremes of a too heavy

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\* The object of making the calculation in this manner is to secure a proper proportion between the revenue rates for different classes of soil. This can only be attained by making them bear the same ratio to each other that the rent rates do; it being supposed that the last are those actually paid to the zemindars by their cultivators.

† The Muzuffernuggur Settlement Report shows, that this information can be satisfactorily obtained, even in the much more difficult case where rents have been almost entirely paid in kind.

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or too light assessment should consequently be avoided. It is true that a rich and well-cultivated village must always pay more to Government than a poor and unproductive one, though the extent and original quality of the soil may be the same. Complete equality of taxation cannot be attempted; but the estimate by average rates, when properly used, will prevent any needless or extravagant deviation from it.

The sum which each estate should be called upon to pay having been thus estimated with all the care of which the operation is susceptible, it remains only to obtain the consent of the people to the terms proposed. The importance of this step in the process must not be overlooked. The work of assessment is not a purely arbitrary one on the part of the Government officer; all his labour will have been in vain if the result should prove to be excessive or unreasonable. Every proprietor has the option of declining to engage on the conditions offered him; the only penalty being his exclusion from the management for a period of 12 years, at the close of which he may again claim to be admitted. In such a case, the settlement officer must make other arrangements for the realization of the revenue, either by leasing the estate to a farmer, or by collecting the rents direct from the cultivators. But, whichever of these courses be followed, he will have to provide, in addition to his original demand, for the malikānah allowance claimable by the excluded proprietor; which by law must not be less than five per cent. on the revenue. It will, therefore, soon become apparent whether the owner had good grounds for his refusal; and, if so, there is no remedy but to confess the mistake, and reduce the demand. We have here supposed, what is usually the case, that the instances are comparatively few, in any tract under settlement, in which the proposals of the officer employed do not meet with ready compliance. But it does sometimes occur that very general dissatisfaction is shown by the landholders. A large proportion of them either decline signing their engagements at all, or they do so under protest, and immediately appeal to the higher revenue authorities against the severity of the terms offered them. Further inquiry and consideration are, under such circumstances, indispensable; and it becomes incumbent on the officer employed, either to revise his proceedings, or to prove indisputably that they are not open to fair objection. It is not of course intended to assert, that the mere acquiescence of the people is, in itself, an unerring test of the settlement officer's moderation; or their apparent discontent, of the contrary. Very loud and general complaints have often arisen from no cause, but a systematic combination. Willing consent has, on the other hand, been given, in seasons of temporary prosperity,\* to terms which could not be fulfilled in ordinary years. Still the power possessed by the people at large of forcing a re-consideration of the assessment, and the obligation to pay malikanah to recusant proprietors, are valuable checks on the proceedings, and place them in the light of a fair bargain between independent parties; rather than in that of a despotic demand on the one side, and of unavoidable compliance on the other.

The method of fixing the assessment, as it has been above described, will vary more or less in different hands, but its chief features will remain the same. Its essential principle is that, while it does not neglect the consideration of details, it sets out with wider and more comprehensive inquiries. From the result of these it obtains a standard, which it applies to all the individual cases, not indeed as an invariable guide, but as pointing out where discrepancy exists, which should either be remedied, or accounted for. In point of accuracy, this system has been proved to be far superior to the more laborious mode pursued under Regulation VII. of 1822. No means of comparison with other extensive data then existed; and, for want of this, the voluminous computations prepared for each particular estate led only into frequent error. In point of rapidity, the progress made in a given time under the new plan is probably ten times that effected by most

\* Such a season of unusual prosperity prevailed in Bundelcund in the years 1815-16, when Scott Waring made his memorable settlement, and nearly ruined the province. The demand for cotton, and the high price of grain, encouraged the people to enter into engagements, which broke down miserably, as soon as these advantages ceased. The eagerness of the Government officer, however, outran in this happily unparalleled instance, even the sanguine confidence of the people. He should have taken warning from the fact that in 178 instances he was obliged to lease out estates to farmers, as the proprietors would not accept his terms. See Report on Pergunnahs Mondha, &c., in Hamirpūr, para. 38, and on Calpi, &c., paras. 20-23.

most officers under the old. The saving of expense to the Government, and of annoyance to the people, is proportionate.

It is evident that, under the plan thus sketched out, no accurate computation of the proportion taken for Government from the proceeds of the land is either made or required. The general rule has, however, been to leave to the zemindars from 30 to 33½ per cent. of the gross rent, which is, or might be, levied from their estates, wherever that might be ascertainable. Supposing that this rule has been observed, and that the rent ordinarily represents from two-fifths to half the gross produce, about 30 per cent. of the latter will go into the coffers of the state.\* In the more fertile and best irrigated portions of the Duáb this estimate (though probably somewhat too high) may not be far from the truth; but wherever the cultivators pay in kind, or, from poverty of soil, the crops are uncertain, or waste land is abundant, the proportion of the total produce absorbed in the payment of either rent or revenue is respectively much less than above stated. Thus in Muzuffernuggur (*see Report*) the rent is only 31½ per cent. of the gross produce, and the revenue only 20¼ per cent. If the Bareilly officer, mentioned in the note, was correct in reckoning the value of the gross produce in that district at Rs. 8. 6. 9. per acre,† the revenue, which falls (*see Statistical Memoir*) at Rs. 1. 14. 3. on the cultivated acre, will be 22½ per cent. of the produce. In Goruckpúr it is probably not more than 12 per cent. On the other hand, there may be considerable tracts of country in which the proportion enjoined upon the settlement officers has been inadvertently exceeded. This may have occurred where the land was almost wholly cultivated by the proprietors themselves. It is not always easy to distinguish accurately the profits made by such men in their double capacity as farmers and landholders; while their enjoyment of these double profits, and the circumstance of their being generally excellent agriculturists, enable them to bear up against a heavy demand without complaint or difficulty.

Let us now turn our attention to the other main branch of the subject; viz., the mode in which the remaining share of the produce, after deducting that taken for the state, is divided among those entitled to enjoy it; and the provision made for protecting and recording all private rights connected with the land. In order to explain this, we must again revert to the distribution of the land into the fields, which, as we have said, forms the foundation of our system. As the classification of the separate fields, under different heads, according to their relative productiveness, was the first step towards the determination of the assessment; so the arrangement of the same fields, under the names of those who own and occupy them, must precede any attempt to adjust or record adjusting rights. This is effected by means of the muntukhúb, or kuteounee, which is

\* We have attempted, but with little success, to arrive at some trustworthy conclusions with regard to the actual weight of produce in this part of India. Even in England there is much uncertainty upon this subject; so the want of satisfactory data in this country is the less wonderful. We have now before us a number of estimates, all put forward with some confidence by their authors, but differing widely from each other. We will put their results, as regards the great staples of wheat and barley, in juxtaposition.

	PRODUCE per Statute Acre in Lbs. Avoirdupois.							
	1. Irrigated.	2. Irrigated.	3. Non-irrigated.	4. Irrigated.	5.	6.	7.	
Wheat	- - 1,845	- 1,571	- 1,080	- 1,234	- 1,046	- 653	- 794	- 836
Barley	- - 2,904	- 1,832	- 1,098	- 1,186	- 1,315	- 606	- 898	- 824

No. 1 is deduced from several trials lately made by an intelligent English zemindar in the Muttra district. No. 2 gives the opinion of Captain Brown, formerly surveyor in the Northern Duáb. No. 3 is taken from Mr. Mansel's Agra Settlement Report. No. 4 is the result of numerous trials, made about 1830, by a well-known revenue officer in the Bareilly district. Nos. 5 and 6 will be found in the Muzuffernuggur Settlement Report, by Mr. E. Thornton, the first being extracted from actual village papers for large areas, and extending over 14 years; the second, the result of immediate experiment upon 11,419 acres of wheat, and 1,020 of barley. The 7th is from a Statistical Report upon the Cawnpore district, by Mr. R. Montgomery. It will be observed that the three highest estimates for wheat, and the two highest for barley, relate solely to irrigated land. The Muzuffernuggur estimates, on the other hand, on which we should be inclined to place great reliance, are formed chiefly upon dry cultivation. From our own experience, we should say, that 1,200 lbs. is a high average for irrigated land, and 700 lbs. for that, of which a considerable proportion is dry. The first of these does not contrast unfavourably with the more expensive and skilful cultivation of England, the average produce of which (in wheat) does not probably exceed 1,440 lbs.; but, if only water is procurable, the Indian sun makes up for many deficiencies.

† *See Meerut Magazine*, No. 13, article "Agricultural Statistics," p. 26.



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is nothing more than a list of the cultivators (whether proprietors or otherwise), disposed according to the subdivisions of the estate in which they hold lands. Under each man's name are entered *seriatim* his several fields, with the number and area of each, as detailed in the khusra. There are also columns for the rate of rent, and for the total sum payable on each plot of ground. When the cultivator is himself a proprietor, and pays, by a varying rate, or "bàch," these columns are of course left blank; when he pays in kind, the proportion of the crop demandable from him is specified. From the múntukhúb an abstract is prepared, called the tírij, which shows only the total of each subdivision, and of each cultivator's holding within it—omitting the detail of fields. Whatever may be the size of the entire estate, and however great the number of subordinate divisions and separate tenures contained in it, this abstract shows them all with the utmost clearness, and renders the most complicated arrangements easily intelligible. When corrected, as they should always be, after the conclusion of the settlement, the múntukhúb and tírij will show the lumburdar of each thok the several sharers who cultivate in it, the cultivators possessing rights of occupancy, as well as those who are mere tenants-at-will, the actual lands owned and cultivated by every individual of these classes, and the sum annually payable by each, so far as it admits of specification. The holders of rent-free lands are also entered, with a list of their respective fields. It is easy to see how a record of this kind must elucidate all future claims and disputes, whether arising between landlord and tenant, or on any other point relating to landed property. At the same time it is obvious, that the entries contained in these papers would shortly become obsolete and incorrect if no steps were taken to secure their periodical revision. This is provided for by the jumma-bundí and tírij annually required from the putwarí. The arrangement of these returns, and their principal headings, correspond with those of the settlement múntukhúb and tírij; and, by means of them, the information, which it is so important to have always available, is at any time forthcoming in a corrected form.

Many questions will however arise, both in judicial and revenue proceedings, which a mere record of the above nature would not suffice to decide. In order to anticipate these, as far as possible, before actual disputes arise and parties become unreasonable, a different expedient has been adopted. This is the mutual agreement entered into by the body of sharers at time of settlement, which is known by various names; we will term it the administration paper. For an enumeration of the points which this agreement should embrace, we must refer to para. 167 of the Directions, and for supposed specimens to pp. 178-199, and pp. 230-235 of the English Settlement Misl. It must be observed that these specimens are more than usually complicated, in order to include many different modes of management.\* No fixed form can be prescribed in which this paper should be drawn up; it will vary in every case according to circumstances. The great danger to be avoided is the suggestion of stipulations and conditions by the Government officer, which he may think desirable, but which the people themselves would not otherwise have adopted. These are often heedlessly agreed to; but great discontent, or absolute confusion, arises when, on after occasions, it is sought to enforce them.† Caution being observed on this head, the more fully and accurately the agreement can be made to represent the real customs and wishes of the community on all questions of probable actual occurrence, the greater of course will be its value. It should, at all events, show the extent of the different existing shares, and the proportion of the revenue payable from each, or the mode in which that proportion is to be annually calculated, as well as the contingencies, if any, under which the present arrangements may hereafter become open to alteration. The practical question of most general importance among the Hindu village communities of Upper India is, whether, and to what extent, the right of succeeding to landed property, under the national law of inheritance, is in force among them. It is easy to understand how this question has arisen. Under the Native Governments no proprietary

\* For actual specimens, see Appendix to Agra Settlement Report, and an article on the settlement in the Meerut Magazine, No. 16.

† As instances, we would refer to such stipulations as that of re-admitting sharers now out of possession, whenever they may return to the village, or of making a fresh division of all the lands whenever any of the sharers may require it.



proprietary profit, strictly so called, was attached to the tenures enjoyed by these agricultural bodies. The maintenance which each man drew from the soil was the product of his own labour, assisted by his own individual resources. The community held a kind of joint farm, in which the land assigned to each member was proportioned to his means, and rose or fell in extent as those means increased, or were diminished. The brotherhood in general may be held to have been proprietors of the whole area; but no single member could assert his personal claim to any land, except that actually in his occupation. There would have been no advantage at that time in changing this state of things. The collective body was prosperous, or otherwise, according as their united means were more or less equal to the improvement of the entire estate; and the more any individual could contribute to this result, the larger share was willingly allowed him in the joint property. Even common tenants-at-will were often admitted to hold their lands on the same footing as the members of the brotherhood, in order to secure their assistance in keeping up the cultivation.\* But the case was altered when the country came under British rule; and the ownership of land became more valuable. If a man could not himself cultivate the whole of his ancestral lands, he could now underlet them, and still enjoy the proprietary profit accruing upon them. Moreover, the establishment of courts of judicature, bound to decide, as a general rule, according to the written laws of inheritance, drew attention to those laws, and excited hopes in men who would benefit by their application to their own claims. Much alteration has thus been gradually effected in common opinion and practice. Among Rajpûts, especially, the authority of the ancestral tree has often been fully recognised by the mutual consent of the sharers; and either the land, or its profits, are distributed according to the scale thence derived. The same has occurred in estates which have passed through the special commission, or have otherwise been much subjected to litigation. The Jâts, on the contrary, and other essentially agriculturist classes, have usually retained their old customs; the interest of each sharer in the property being measured by the land which he from time to time cultivates. The administration paper must, therefore, be particular on this head whenever any doubt can exist regarding it.

As the annual jumabundî is intended to keep up the record of the proprietor, cultivator and rent of each field, so the continued correctness of the specification of shares, as entered in the administration paper, is provided for by another of the annual returns required from the putwaris. This is the register of proprietary mutations, whereby the changes which may take place in any year are clearly shown, in the papers for that year; and the record is thus constantly altered, so as to correspond with the true state of things. This register is entirely independent of the other one kept up in the collector's office, which is only intended to show the changes among the lumburdars or principal managers of each estate.

The mode of determining the position of the ryots or cultivators in relation to the proprietors remains to be adverted to. This is a subject which has been at various times much discussed, but often misunderstood. Many have drawn their impressions regarding it from the known consideration shown to the "ryots" under the Native Governments, forgetting that the rights recognised under that title were chiefly those of the cultivating communities, whom we now style zamindars. The peculiarity attaching to these hereditary and proprietary cultivators, as compared with all others, lies in the independent origin of their tenure. They occupied the land, and made it productive, without needing the permission or requiring the assistance of any other private party. Hence they retain a special claim to protection, even when they have lost by default the malguzârî right, or privilege of contracting for the revenue. It is usual for the Government officer to accord them this protection, by fixing their rents for the whole term of settlement at rates somewhat lighter than are paid by other ryots. All other cultivators differ from these, in having been originally located on the spot at the will, or with the help, of the landlord; and it is only in the rare case of some express agreement with that landlord that they can claim to hold their lands permanently at a fixed rent. Inquiry, however, has shown that there are two grades of these non-proprietary cultivators. The one consists of those

\* This custom still prevails in many places, especially in the Delhi territory. See the Report on Pergunnah Boruh, para. 24, and Gohana, para. 3.

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those who are merely tenants-at-will, and who hold on from year to year at the pleasure of the zemindar. The other grade have a *prima facie* right to protection, the *onus probandi* resting upon the zemindar who may wish to raise their rents; nor can they be dispossessed so long as they pay the amount legally demandable from them. It is difficult to lay down with precision the grounds of the distinction between these two classes; but it is found in practice that, if the question is taken up before any dispute has arisen, it may generally be decided to the satisfaction of all parties.\* All doubtful cases are best disposed of by arbitration. A tenant may obtain admission into the more privileged grade by having overcome great natural obstacles in reclaiming the land from waste, by the subsequent expenditure of capital upon it in a permanent form, or by prescription under long-continued occupancy. The tenure, thus acquired, descends to immediate heirs, but cannot be transferred to another without the permission of the landlord.

It is therefore the duty of the settlement officer to determine the position which each ryot is entitled to hold, and the amount of rent which he is for the present bound to pay. The result of his inquiries and decisions upon these points will be shown in the first instance in the settlement *muntukháb*, and afterwards, year by year, with such changes as may be necessary, in the *putwari's jumabundi*. The rents entered in those papers against each man's name will remain in force, as regards the dispossessed proprietors first mentioned above, till the Government demand itself is again revised; and, as regards both classes of non-proprietary cultivators, till altered by mutual consent, or by the order of a civil court. As the law stands, a zemindar cannot oust even a tenant-at-will, or arbitrarily raise his rents, without first suing in court for that purpose. Should he be driven to that course, he ought at once to obtain a decree on the bare showing of the settlement record; but, in point of fact, a ryot of this grade will seldom resist the demand made upon him. If, however, the zemindar should bring a suit for enhancement of rent against a tenant of the other or privileged class, the court will require him to show good and sufficient cause for such a claim. He will have to prove, either that the former rates were inadequate as compared with those paid in the neighbourhood, or that the tenure had increased in value in consequence of improvements effected by himself or by the state, or that some other permanent change had occurred, which entitled him to demand more from the land than he had hitherto received.

The arrangements, thus detailed, provide sufficiently for the various interests of the proprietors and cultivators, whenever the former were found in direct relations with the state. But we have already alluded to the numerous instances in which a zemindar or talukadar had been admitted by the former Governments to an intermediate position between themselves and the proprietary occupants of the soil. Wherever this state of things has been found still to exist, that is, wherever a village was still occupied by the descendants of its original owners, who had never lost their rights by any legal means, though a different party had hitherto enjoyed the profits arising from the engagement with Government, the choice lay between two equally authorised measures. In single villages, or comparatively small properties, the recorded zemindar has been usually maintained in his position as *sudder malguzar*, or payer of the Government revenue, and the subordinate proprietors have been protected by a sub-lease, on terms fixed by the settlement officer. But in all the larger tracts thus circumstanced, the talukadar, or zemindar, has been set aside, and the village landholders have been permitted to engage directly with Government. In these cases, the superior landlord has been compensated for his exclusion from the management by an allowance variously calculated, but the minimum of which is considered to be 10 per cent. on the amount payable to Government. It is evident that either of these courses involves a diminution in the public receipts; for the usual proportion of the rent cannot be appropriated by the state when two parties, instead of one, are to be supported from the remainder. On this ground alone, independently of all others, the civil courts, having no jurisdiction over the revenue, could never have taken the initiative in proceedings of this nature. Any person, however, who may be dissatisfied with a judicial order passed by a settlement officer, is at liberty to bring a regular suit in the civil court within a limited period

\* See the Report on Muzuffernuggur, where much attention was paid to this subject, paras. 34 and 35.

period\* to set it aside; and this option has been extensively exercised by the former recorded proprietors in the cases under mention. The suits, thus brought, have been tried always, in the first instance, and frequently also in appeal, by the uncovenanted judges; and the result has not been satisfactory. Notwithstanding the clear tenor of the law, and of the corresponding instructions from the Sudder Dewanny Adálut,† the lower courts have shown themselves most reluctant to allow that two parties may possess heritable and transferable interests of different kinds in the same land. The strong tendency has been to look only to the records of past settlements, though these were confessedly imperfect or erroneous, and finding the plaintiff therein mentioned as zemindar, to consider him as being still the sole and exclusive proprietor. This feeling on the part of the inferior courts, together with the expense and delay of a civil suit, felt, of course, most by the poorer party, have caused many of the decisions to be adverse to those passed at the settlement; and it has not been always possible to have these proceedings set right in appeal. In what we have here said, we do not mean to deny that errors may have been committed by the revenue officers in the disposal of these difficult questions. The strong and legitimate feeling in favour of the village zemindars, who had been so long deprived of their full rights, may doubtless have led occasionally to the recognition of ill-founded claims to the same title and privileges. Even when the settlement award was substantially correct, the record of the investigations on which it was founded was often meagre and obscure, owing to the mass of work then on hand, and the consequent necessity of curtailing all the proceedings as much as possible. We only regret that the revision of the settlement decisions was not entrusted to men as well-qualified by talent, education, and knowledge of the subject, as those were who originally passed them; and that it has necessarily been conducted under circumstances less favourable to the ascertainment of the truth.

We cannot do more than cursorily allude to minor objects of the settlement; such as the arrangement of many matters regarding rent-free tenures, whether resumed or released; the division of estates, where the owners may wish it, or where it may be otherwise desirable; the assignment of a proper provision for the village police; and the adjustment of all outstanding questions of account between the zemindars and the Government. Enough, however, has been said on the more important parts of the work to show the great advantages derivable from it. In order to exemplify this, we cannot do better than contrast the proceedings in any judicial case, carried on without the assistance of settlement records, with those which would now be held in a similar case in the North-Western Provinces. Let us select the suit decided by the Calcutta Sudder Court on 24th March 1831, and published at page 102 of the fifth volume of that Court's printed reports. Here Ramnarayun Naga had sued Mussummat Deb Rani and others for enhanced rent on the land held by them as cultivators. If any one will take the pains to examine the report of this case, he will see that after 15 years' litigation in all the courts, up to the Sudder, and the deputation of three distinct officers to make inquiries on the spot, the only point decided was, that the defendants were not privileged to hold any lands at fixed rates. The extent of land in their occupancy, the question whether any part of that land was exempt from the payment of rent, and the amount demandable from the portion not so exempt, were all disputed points, and were all left as doubtful, as if no investigation had taken place. The plaintiff, in short, was very little nearer the attainment of his object than he had been at the first; and he was led distinctly to expect another course of law, such as he had already gone through, if he persisted in his claim. Suppose, now, that a similar suit were to be brought forward in the Duáb. Of all the above debateable points, the only one which the mere inspection of the settlement muntukhub and of the jumma-bundi for the past year would not suffice to decide would be the amount of the future rent, supposing the defendants not to be recorded as entitled to hold at fixed rates. This question would be brought immediately to a hearing, without being complicated or delayed by any extraneous doubts or objections, and might probably be settled at once, by referring to the recorded rates paid by other cultivators on similar lands, in the same or adjacent villages.

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\* Formerly 12 years; now, under Act XIII. of 1848, reduced to three years.

† See clauses 1 and 2, section 10, Regulation VII. of 1822, and Circular Order of Sudder Dewanny Adálut, North-Western Provinces, dated 31st January 1845.

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The benefit of the records which we are considering would be still more sensibly felt, if the suit were for a share in one of those estates mentioned above, in which the interests of the numerous proprietors depend upon the extent of land in each man's occupancy, and not on the laws of inheritance. From ignorance of this distinction, the civil courts used long to grant decrees for fractional shares under the laws in question, when the estates in which the shares were claimed had been, from time immemorial, separately portioned out on a totally different principle. No such decree could be enforced without disturbing the possession and injuring the rights of numbers in no way connected with the suit; and, in fact, many of them could never be executed at all. The settlement has now afforded an ample safeguard against errors of this description. Wherever the above tenure prevails, the plaintiff is required to state the exact fields, with their numbers, in the muntukhub, which he claims to transfer from the possession of the defendant to his own.\* The suit is thus placed with precision before the court, and is decided without any annoyance to the rest of the community. In fact, it is hardly possible that any dispute connected with land should now be brought forward, on which much light may not be thrown by reference to the collector's office.

In the Revenue Department itself, the difference between the former and present state of things is obvious. There is no more call for constant interference in the internal concerns of the villages than there was before; rather the contrary, as it was the previous confusion and uncertainty which used to render such interference necessary. Provided everything goes on smoothly, years may elapse without a question being asked, or the presence of a Government official on the spot. But whenever default occurs in the payment of the revenue, it is instantly known with whom it originated, and that party is first required to make good the deficiency. If it finally become necessary to call upon the other sharers, under their acknowledged joint responsibility, to pay the arrear, the tenure of the actual defaulter is in return transferred to them, either temporarily, or in perpetuity. The increased ease and certainty with which private transfers of landed property may now be made is a distinguishing feature of the new system. Formerly it was difficult to say, or at least to prove, what the precise interest was which thus changed hands. Now, whether that interest consists of separate lands, or of a share in the common profits, all needful information regarding it is immediately available. This has both facilitated the investment of capital in land, and increased the value of such property in the market.

So far, then, as the scheme of the settlement has been fully carried out, it may be considered that the objects contemplated in it have been satisfactorily attained. It must not, however, be supposed that this is hitherto universally the case. It could hardly be expected that, on the first introduction of a measure requiring so much judgment, care and diligence, it should be at once completed, with equal accuracy in all its parts, by the many different agents entrusted with its execution. Errors and omissions of one kind or another could not but occur; and it is only by experience that these can be brought to light. The amendment of these defects, as soon as they are discovered, as well as the maintenance of the arrangements, when perfected, must therefore rest with the regular revenue establishments; all of whom are now invested with the needful legal powers† for the former purpose. In the performance of this duty, great assistance will be derived from the native deputy collectors appointed under Regulation IX. of 1833; whose patience, assiduity, acquaintance with the country, and generally high character, fit them admirably for the work. In this view, too, the advance which has taken place under the late operations in the respectability of the putwaris is of much importance. Not only have the jurisdictions of these village accountants been revised, and their emoluments defined, but the closer intercourse into which they have been thrown with their European superiors has tended to increase their intelligence, while the corrupt or incompetent have thus been detected and weeded out. The annual returns now required from these men are not to be prepared without some degree of ability and carefulness, so that the present higher standard of efficiency is likely to be maintained, or even carried still further.‡ The advantage of this improvement will be duly estimated by

\* See the Circular Orders by the Sudder Dewanny Adalat, North-Western Provinces, dated 24th June 1842, and 15th March 1845.

† Under section 20, Regulation VII. of 1822.

‡ Several short treatises have been provided by the Government for the instruction of these officers in their duties, and have been introduced into the country schools, in which the putwaris receive their

by every public officer, whether judge, magistrate, or collector; for all have frequent occasion for the testimony of a sensible and independent witness on matters connected with the internal affairs of a village. It is, however, of special consequence, as it concerns our present subject, since it affords the means for counteracting the chief obstacle to the stability of the settlement arrangements. We refer to the frequent changes in the shape, size and number of the separate fields, on the correct classification of which, it has been seen, that the whole system mainly rests. This difficulty is for the most part confined to light sandy soils, and to lands subject to inundation, in which the action of the wind or water continually effaces the former lines of division, and occasions a new demarcation. It is less felt in stiff soils, especially where artificial irrigation is used; but even there, in the course of time, great alterations may occur. It depends, then, on the putwari to keep up the connexion between the khusrah and field map, with the other papers founded on them, and the varying disposition of the fields themselves. So long as the changes are confined within narrow limits, he can designate the new fields by the numbers of those, of which, either wholly or in part, they occupy the place. But if the alteration should in time become so general as to render the settlement papers totally inapplicable, the putwari should be able to recast them altogether; for which purpose a new measurement, field map, &c. will be requisite. That this work can be efficiently performed by officers of this description has been found by experience in Bolundshehur, Muttra, and elsewhere; and the measure must be resorted to whenever the necessity arises.

The total expense incurred in the revision of the settlement from 1834-45 to 1845-46 (which does not, however, include the earlier operations) is estimated at 54 lacks of rupees. Of this rather more than 22 lacks were connected with the professional survey, and the remainder was expended in the salaries of settlement officers, and in temporary extra establishments. We have been unable to obtain any exact account of the alteration effected by the revision in the Government rent-roll. The following statement will, however, throw some light on the subject. It shows the average annual collections, in the ceded and conquered provinces, for quinquennial periods from 1807-8 to 1846-47. Unfortunately the Delhi territory is not included in this return,\* which would otherwise be complete. For the first three periods, the totals only can be given:—

DIVISION.	1807-8 to 1811-12.	1812-13 to 1816-17.	1817-18 to 1821-22.	1822-23 to 1826-27.	1827-28 to 1831-32.	1832-33 to 1836-37.	1837-38 to 1841-42.	1842-43 to 1846-47.
Meerut	Rs. -	Rs. -	Rs. -	Rs. 57,58,125	Rs. 52,28,807	Rs. 56,54,624	Rs. 63,81,540	Rs. 69,05,136
Rohilkund	-	-	-	67,02,481	64,12,554	58,58,664	55,18,641	63,53,941
Agra	-	-	-	66,53,934	70,56,480	75,01,686	62,55,285	70,34,606
Allahabad	-	-	-	96,47,608	91,63,217	87,87,969	75,16,670	84,00,698
Benares (Goruckpur and Azimgurh only)	-	-	-	17,42,824	17,92,438	24,43,719	29,95,416	34,99,065
TOTAL	2,44,39,879	2,76,41,105	3,03,45,527	3,05,43,174	2,97,14,818	3,02,46,666	2,86,37,753	3,22,01,328

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their education. A further and still more important result is expected from this measure, which is to lead the zemindars themselves to understand and take an interest in the system. By their help alone can the plans which have been devised for the protection of private rights be carried to the perfection of which they are capable.

\* As far as we have been able to ascertain from the best information available to us, the account for the Delhi territory will stand as follows:—

Average collections on account of land revenue for five years previous to commencement of settlement	Rs. 27,85,912
Average collections on account of land revenue for five years after its conclusion	32,70,727
Increase	Rs. 4,84,815

Of this increase, however, about 3,19,000 rupees are derived from resumed lands and lapsed jaghirs, and the remainder is partly owing to some unfavourable seasons which diminished the collections in the earlier period. The actual demand of Government upon the old assessed lands has here, as in the greater part of the rest of the provinces, been rather diminished than increased.

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As the settlement was chiefly effected between 1832-33 and 1841-42, if we take the average collections for 10 years immediately preceding that period, and for the five years available which immediately followed it, we shall have a tolerable ground on which to form an opinion of the financial results of the measure. This comparison shows an increase in the annual collections subsequent to the settlement, amounting to 20,72,332 rupees. But closer examination will show that, of this increase, 17,31,434 rupees are derived from the districts of Goruckpúr and Azimghur alone, leaving only about three and a half lacks as the additional income from the rest of the provinces. When the resumed *múásís* and lapsed *jaghírs* are taken into consideration (between seven and eight lacks were obtained from the Begum Sumroo's estates in the Duáb alone), it will be evident that the general pressure of the assessment has been relaxed, as well as equalised. The two districts of which the *jumma* has been so much raised are known to be still lightly taxed, and pay their revenue with ease and punctuality.

The financial part of any settlement in these provinces must be always more or less at the mercy of the seasons. The utmost that research and caution can effect is to fix such a demand as may be easily realised under ordinary circumstances, the profit left to the proprietors being sufficient to meet any moderate fluctuation in the amount and value of the produce. But no foresight can guard against those heavy calamities to which the husbandman in India is peculiarly liable, when, from failure of rain, the earth becomes iron, and the heavens brass, or the ripening crops are beaten into mud by a tropical hailstorm. The late settlement has been severely tried in this respect. The *kurrif* crop of 1241. Fussily (A. D. 1833) was generally a very bad one, especially in Bundelcund; and the following 10 years were, on the whole, far from favourable to agricultural operations. One of these years, 1837-38, will long be remembered in the Duáb as a fearful period of absolute famine. We need not describe the misery then prevalent, which must be still fresh in the recollection of all who witnessed it. The weight of the infliction fell on the five districts of the Agra division, and on Cawnpore,\* and the destruction which it occasioned in the numbers and resources of the people, will be best understood from the following facts:—The settlement demand from the six districts named was in round numbers 95½ lacks of rupees, which was about one lack less than it had stood at before the general revision. Of this sum, 42 lacks were remitted in the year of famine, while, in the course of the next seven years, a further defalcation occurred of 59 lacks; so that the total loss of revenue to Government on these districts alone amounted during the above period to more than a million sterling. Nor was this all. Such was the extent of land thrown out of tillage, and the reduction of rent in the remainder, owing to the deficiency of cultivators, and such the impoverishment of the people, that it was necessary not only to refrain from the rigid exaction of the Government demand, but also to relinquish absolutely part of its amount. The aggregate revenue of the districts in question has consequently been reduced by three and a half lacks for the remainder of the 30 years' settlement; a much larger intermediate remission being allowed for some years, till the estates which had suffered most should have partially recovered themselves. These results cannot be charged as an imperfection upon the settlement; they arose from signal visitations of Providence, which were beyond human control; and the losses sustained, both by the state and by individuals, could not, under the circumstances, have been averted. The country has, on the whole, recovered itself wonderfully from the state of depression into which it was thus thrown; and it is a further consolation that, if any parts of the assessment were unsound, they can scarcely have escaped the searching ordeal to which they have been subjected.

No provision for artificial irrigation can altogether obviate the evils attendant on long-continued drought, but it may do very much to mitigate them. The plains of the North-Western Provinces possess great natural advantages for this purpose; the perennial snows of the Himalayas rise immediately above them, and contain an inexhaustible reservoir of the precious element, which it only requires skill and money to convey to any point where it is needed. Two of the principal channels which conduct the drainage of these mountains to the sea intersect the provinces

\* That it was also severely felt in all the districts of the Allahabad and Rohilcund divisions will be evident from the falling off in the collections during the five years commencing with 1837-38, as shown in the statement above given.



provinces throughout their whole extent. One of these, the Jumna, has been long made use of for purposes of irrigation to the utmost of its capacity; but the much larger stream of the Ganges has hitherto been allowed to run heedlessly to waste. This will soon be no longer the case. The great Ganges Canal has been now four years in course of construction, and it is hoped that six more will witness its completion. The magnitude of the undertaking, and the difficulties attending it, may be judged from the fact, that a volume of water, discharging 6,750 cubic feet per second, has to be conveyed over the bed of a mountain torrent by an embankment and aqueduct  $2\frac{1}{4}$  miles in length.\* This noble work will run along the high central land of the Duáb, throwing off branches along the ridges which separate the smaller streams, and will thus afford water to most of the worst sandy tracts, hitherto entirely destitute of irrigation. From Hurdwar down to Futtehpúr, it will immensely increase the produce of the country, while it will for evermore relieve the intense anxiety now occasioned by any signs of a failure of rain. Whatever may be the state of the seasons, sufficient food will always be grown for the subsistence of the people and cattle, and sufficient land will remain in cultivation to afford them employment. They will consequently neither suffer nor be driven away to anything approaching the same degree as heretofore. The effect of the canal upon general prices, and upon the fortunes of those estates which do not come within its influence, is another question, which must be left for experience to solve.

The period for which the settlement has been confirmed varies in different districts from 20 to 30 years. Some of the leases will begin to fall in 10 years hence; and it will then become necessary to consider whether they shall be renewed without alteration for a further term, or whether a new revision shall be entered on. We have no expectation that the present arrangements will be made absolutely permanent; and we should much deprecate such a course. The mere liability of the North-Western Provinces to accidents of season, even allowing for the great change which the new canal will produce, must always render it inexpedient to fix their assessment in perpetuity. A contract of this kind would always be binding on the Government; but could never be uniformly fulfilled by the people. Such a season as that of 1837-38 would make the permanent assessment a nominal one over a great part of the country. A sufficient argument against such a measure might indeed be found in its evident unfairness. The rate at which the demand of Government now falls on the cultivated acre in entire districts varies from *Rs.* 1. 0. 3. in Goruckpúr, to *Rs.* 2. 13. 8. in Cawnpúr; notwithstanding that it has been nearly trebled in the former district, and much lowered in the latter. There can be no question but that these extremes may be brought much nearer each other at the next revision, and that many other parts of the country will have so improved before that time arrives as to be well able to bear a larger portion of the public burdens; but the inequality to which we refer exists as much between different villages as between different districts. We have already observed that complete uniformity of assessment cannot be attained, even in adjoining estates; though any extraordinary deviation from it should be avoided. In the present agricultural condition of the North-Western Provinces, those villages which are found at the time of settlement to be from any cause in a flourishing state must of necessity be rated higher than those which are depressed and unproductive. A village held by a cultivating community, who labour with their own hands, will pay more than one tenanted by men of a higher caste, who employ hired ploughmen. Another, which possesses several masonry wells, will yield double the revenue of a neighbouring estate, which is without that advantage. The vicinity of a good market, facilities for obtaining manure, the number and caste of the resident ryots, are all matters on which the profitableness of different estates greatly depends; but these may all be modified, or entirely reversed, in a less period than that of the settlement. Cultivators and proprietors may vanish, and be succeeded by others; wells may become unserviceable, and others may be built elsewhere; markets may change; the populous village may dwindle to a few houses, and the hamlet may rise into importance. It is needless to remark on the

\* The masonry aqueduct under which the Solani river passes will be 1,010 feet in length. The total length of the canal, including its branches, will be between 800 and 900 miles. For full information regarding this undertaking, we must refer our readers to an elaborate article on canal irrigation in the North-Western Provinces, which appeared in a late number of this review.



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the revolution, in these respects, which the opening of a railway, and still more so perhaps of the new canal, will produce. The most carefully-adjusted arrangements will hereafter require reconsideration, when the conditions on which they must be founded are thus liable to change.

Our proposed task would be imperfectly performed if we did not advert to some of the objections which have been brought against the settlement. We need not dwell long on those which were more often advanced in former days than they are now, against the present mode of assessment, as being a system of mere conjecture, or an attempt to enforce an uniform rate, entirely inapplicable to the varying circumstances with which we have to deal. We have already shown that the average rates are only meant as a standard of comparison; that no means of obtaining really useful information need or should be neglected; and that the necessity of keeping up the appearance of extreme accuracy without the substance has alone been dispensed with. A more usual accusation on the part of the "*laudatores temporis acti*," has reference to the pains which have been taken to ascertain and protect all subordinate rights. This is the remains of the old leaven, which would have made every zemindar the little despot of the tract for which he had come under engagements with Government. We recollect "the father of the civil service" saying in 1831, with reference to a pending investigation into private claims in the Rajah of Benares's family domains, that it "was of a piece with the reform agitation, then going on in England; the setting up of little men against the great." Men of this stamp object to affording the ryots any species of redress against a rack-renting landlord; to the admission of the mass of sharers in a proprietary community to any part in the management, or in the annual profits; and more than all, to the independent tenures granted to the village landholders in talukas. Now, the principles which have been followed in these matters, may be viewed in relation either to their equity or their expediency. We do not believe that they have ever been seriously assailed on the former ground, though of course exception may be taken to the justice of their application in particular instances. If so, we are not very careful to answer in the matter; for it would be departing from the maxims of a civilized nation, as well as from the duty of a Christian Government, not to defend the oppressed from him that spoileth him. "*Fais ce que dois, arrive que pourra*," is the rule for public as well as private life. We are not called upon, like Lycurgus or Numa, to make laws for an infant people, by which their future opinions, habits and institutions are to be moulded and regulated. That was all settled for us 50 generations ago. We have only to recognize and defend private rights, in whatever hands, by the general sense of the country, they may be lodged.

Even, however, as regards expediency, we are well satisfied that, on the whole, the best course has been followed. The transactions between the zemindars and their ryots, as far as relates to the amount of rent, will be eventually determined, except in a few peculiar cases, on the same principles which regulate such transactions elsewhere. The only interference exercised under this head is to protect the tenant from capricious and unjustifiable acts on the part of the landlord. It never can be injurious to the interests of an agricultural country that some consideration should be necessary before the burdens of the actual tillers of the soil are increased; or that cultivators of long standing should be allowed a fixed tenure, subject to the payment of a fairly estimated rent. How fortunate would it be for Ireland if matters could be there put on the same footing. The other question, as to the recognition of subordinate proprietary rights, touches upon one which has been much discussed of late; viz., the advantages, or otherwise, of peasant proprietorship. If this subject were being considered abstractedly, together with the law of succession to immoveable property, with which it is intimately connected, we should agree with the supporters of primogeniture, rather than with the opposite party. We are convinced that of two nations, otherwise similarly circumstanced, that one will in the long run become the richest and most prosperous, in which consolidated estates descend to a single heir, and are leased out to a distinct class of substantial farmers; and not the other, in which every property, however small, is subjected at each succession to division and subdivision; in which the owners of land are thus reduced to the grade of mere cultivating labourers, and sink both in means and intelligence to that condition. The comparative state of England and France at the present day, allowing for all the conflicting

conflicting accounts which have been put forth regarding the latter country, is, in our opinion, quite sufficient to establish this conclusion; but with regard to India, the case is different. In the present state of agricultural science in this country, the produce of the soil depends mainly on the degree of positive labour bestowed on it; and this will be greater, *cæteris paribus*, when the cultivator is himself the proprietor, than when he is only a tenant. Certainly no villages pay the same amount of revenue with the same ease as those entirely occupied by Ját or Kuromí sharers, whose separate holdings may average no more than 15 or 20 acres. The time will doubtless come when knowledge and capital will assert their superiority in the husbandry of this as of other countries; when the success of agricultural enterprise will depend less on intensity of manual labour than on the introduction of more valuable products of improved modes of culture, and of the use of machinery. In the meanwhile, however, a process is going on which will greatly counteract the effect of the law of equal inheritance, and which the late admission of all sharers to defined and recorded rights will rather assist than retard. These sharers, and the smaller landed proprietors in general, are for the most part poor and improvident. Their custom of expending larger sums than they can afford on many domestic occurrences prevents them from accumulating funds against a day of difficulty, which, owing to the uncertainty of the seasons, is never long in arriving. The consequence is, that they are constantly in debt, and from their own ignorance of accounts, and of our forms of law, they lie much at the mercy of their creditors. On the other hand, the trading and money-lending classes are steadily amassing wealth under our settled Government; and much of this wealth is always seeking investment in land. Hence arise incessant forced or voluntary transfers of landed property; more and more of the soil is annually passing into the hands of capitalists; and properties which had been separated under the existing law of inheritance, are being brought together again under their new possessors.\* However much this course of events is on some account to be regretted, it can only be effectually checked by the spread of prudence and intelligence among those who suffer from it. The attempt to promote these qualities by an education suited to the mass of the people is not altogether neglected, though more may be, and doubtless will be, done in this respect; but amendments in the character of a nation are ever of slow growth. It is therefore well to look to the benefits which may hereafter accrue from the change now in progress to the country at large, rather than to the loss of position thus sustained by many of its ancient and far descended occupants.

The settlement has, however, been also attacked from an opposite quarter. It has been said that, when we proceeded so far as to record the sum payable to Government by every sharer, we should no longer have insisted on that rule of joint responsibility whereby the whole community is bound, in the last resort, and after all other measures have failed, to make good the default of one or more of its members. It has been urged that this liability is a check to industry, while it encourages extravagance and dishonesty. It might be sufficient to reply to this, that the same national feeling which has been appealed to already, as requiring the full recognition of individual rights, is also in favour of the rule thus objected to. It is part of the original constitution of these bodies, from which, so long as the community holds together, they never have been, nor do they

\* The following statement shows the mutations which have taken place in the Cawnpúr district since the cession.

Still in the hands of the Original Proprietors.	Transferred voluntarily.		Transferred by Operation of Courts of Law.		Transferred by the Operation of the Revenue System.	Total Number of Villages.
	In whole.	In part.	In whole.	In part.	In whole.	
808	465	127	279	174	405	2,258

Of the 405 estates sold for arrears, 185 have been restored by the special commission, as before stated.

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they seek to be, relieved.\* But, moreover, the obligation in question is a necessary feature of the arrangement, without which it would entirely change its character. The "village system" of Upper India, as it at present exists, is perhaps the best which could have been devised under the circumstances of the country. It diminishes the toil and cost of Government, by enabling the state to deal with the representatives of large bodies of men, instead of with each individual comprised in them. It lessens the expense of management to the people themselves. It tends to minimize the evils, inseparable from a multiplicity of small properties, by collecting their owners into corporations, each member of which has a strong claim on the sympathy and assistance of the rest. It does much to produce a degree of self-government among the people, and thus to obviate that utter dependence on the state, and that constant interference on the part of its officers, which are the general characteristics of eastern despotisms. But if the tie of joint responsibility were dissolved, the old fable of the bundle of sticks would be realized. It would be a matter of no consequence to the several sharers, whether the arrangements for the year's cultivation in the whole village were complete or not. They would no longer have any personal interest in the prosperity of their brethren. The revenue officer of Government would not only have to examine closely whether the distribution of the public demand on the numerous minute holdings was not designedly unequal, so as to throw the loss of the over-assessed portions upon Government, but he would also be obliged to inquire annually into the condition and prospects of perhaps 50,000 petty proprietors. He would be reduced, in short, to all the difficulties and uncertainties of a collector under the ryotwarí system; while the people would be subjected to the ceaseless annoyances, exactions and official intervention which that system involves.

It is perhaps too soon to point to the actual results upon the welfare of the country and its inhabitants as a conclusive answer to these and all other objections which may be brought against the settlement. The affairs of nations, like the tide, oscillate perpetually; and it requires some lengthened observation to perceive whether they are really advancing or retrograding. Still, we think, that we can adduce facts which may justly be taken as evidence of growing prosperity. The regular collection of the land revenue is the best proof we have that all is going on well; and this has, of late, become more and more satisfactory. We give a statement below, by which it will be seen that, during the last five years for which information is available, down to 1847-48, the total real balance upon a demand of more than four crores of rupees has decreased to less than one-half per cent.; and that a marked diminution has at the same time occurred in the coercive processes necessary to enforce payment.† The balances are given as they appeared at the end of each official year; and at least two-fifths of them were considered capable of realization. All the other branches of revenue appear to be in an improving state. The abkarí or excise, which is considered in all countries a good test of the public well-being, is increasing steadily year by

\* If the several sharers, or any number of them, wish to separate entirely from the rest, they can always do so under the laws for partition. The rarity of such applications among cultivating sharers of the same family or stock proves how sensible they are of the advantages of their present position.

YEAR.	Per-centage of Balance on Total Demand.	Coercive Processes.			
		Sales.	Farms.	Transfers.	Dastucks or Summonses to pay.
1843-44	2.25	221	260	423	3,78,597
1844-45	1.88	121	214	414	3,48,790
1845-46	1.20	97	127	347	2,92,682
1846-47	.46	115	129	238	2,58,235
1847-48	.48	52	41	108	2,35,127

by year.\* The ferry-tolls, from which deductions may be drawn as to the state of trade and of public enterprise and activity, are similarly advancing. † The customs yield now nearly 24 lacks more than they did 18 years ago, having been regularly progressing since that time; and, though this is doubtless owing to successive changes in the law, commencing with that which abolished the inland customs houses, and confined the demand to the two lines on the frontier and at Allahabad, still the ability of the country to pay this additional sum, without any apparent difficulty, is a matter for congratulation. ‡ The sums voluntarily expended by private individuals on works of public utility have averaged during the last five years 1,23,321 rupees annually. This may be some index to the very much larger amount, which is undoubtedly laid out with a view to individual profit or convenience. We now come to the value of land in the market. We have no means of ascertaining accurately the current prices obtained in former years upon any sales, except those effected on account of arrears of revenue; and as these were all forced sales, generally of deteriorated estates, and as many of them were purchased by Government at nominal prices, they would afford little information worth having. It was, however, usually calculated that an estate was worth rather more than a sum equal to the revenue which it paid each year to Government. It was stated in 1837, by the able writer of the article in the "Meerut Magazine," which we have before quoted, that the common price was one year's rent, which would be about half as much again as the jumma; and that an examination of 66 cases of private sale gave him a result of Rs. 3. 1. 7. per acre of cultivated land. More attention is now paid to this interesting subject, and we have been able to obtain very extensive data, which show that the price obtained at private sales has now risen to three and a half times the annual jumma, and that it averages Rs. 4. 2. 10. per acre on the total area sold. § It would be higher of course on the cultivation alone. Even compulsory sales for decrees of court bring a higher price than private sales did in former days. Putting all these circumstances together, and considering that there is nothing to be stated on the other side, and that no general distress exists in any extensive class of the population, we think we are justified in assuming, that the measures of internal policy which have been pursued have been successful,

\* Abkari Collections for current years only:—

1843-4.	1844-5.	1845-6.	1846-7.	1847-8.
Rs.	Rs.	Rs.	Rs.	Rs.
13,12,928	14,93,402	15,69,110	16,14,762	17,09,254

† Collection from Ferry Tolls:—

Average of four years from 1840-41 to 1843-44	- - - -	Rs.	1,32,391
Ditto - ditto - 1844-45 to 1847-48	- - - -	Rs.	1,36,643

‡ Average Customs Collections from 1824-25 to 1829-30

Ditto - - - ditto - - 1830-31 to 1834-35	- - - -	Rs.	33,42,644
Ditto - - - ditto - - 1836-37 to 1842-43	- - - -	Rs.	40,25,730
Ditto - - - ditto - - 1844-45 to 1847-48	- - - -	Rs.	43,79,324
Ditto - - - ditto - - 1844-45 to 1847-48	- - - -	Rs.	57,27,988

Two years have been omitted in which changes in the law took place.

§ Result of Sales in the temporarily settled parts of the North-Western Provinces, for Three Years from 1845-46 to 1847-48, omitting Goruckpür and Azimghur.

	Total Acre.	Government Jumma.	Price obtained.	Price per Acre.	Per-centage of Price to Jumma.
		Rs.	Rs.	Rs. a. p.	
Private sales - - -	7,15,032	8,60,455	29,92,221	4 2 10	347
Sales for decrees of court	3,11,791	4,24,623	10,94,832	3 8 2	258

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successful, and that we may look forward to their yet undeveloped results with well-grounded confidence.

We have reserved to the last the question touched upon at the commencement of this article, because it refers to the Indian revenue system in general, rather than to any particular measure connected with it. Those who assert that the cotton and sugar of India are kept out of European markets by the pressure of the land-tax, must be entirely ignorant of the nature of that tax, as enforced at least in the North-Western Provinces, and still more, in Bengal. It is acknowledged on all hands that rent, as generated and regulated in England, produces no effect on the price of agricultural produce. That price is influenced, from time to time, by the demand as compared with the supply, but is determined in the long run by the expense of production on the worst soils; and it is the value of the produce thus fixed which enables the better soils to yield rent. It is the same in India; although it is true, as Professor Jones has shown, that the conditions attaching to the origin and amount of rent are not precisely the same here as in England. The only difference between the principles which regulate the price of raw produce in the two countries is this: in England, the average price must be such as to afford the usual wages to the labourer, and the usual profits of stock to the farmer, upon the least productive lands, which the wants of the nation require to be kept in cultivation. In India, the labourer and the farmer are generally the same individual; there is no fixed standard for the rate of wages or of profits; and the mass of the people, having no resource except agriculture, are more liable to undue exaction than elsewhere. Still the price of produce must at least be such as to enable the cultivator to subsist, and to replace the little capital necessary for his operations. In both countries there are lands which are barely fertile enough to fulfil these respective conditions, under which alone the works of the field can be carried on; and such lands can, therefore, yield little or no rent. In neither can the rent, which the superior fertility of other lands enables them to yield, in any way influence the price of produce, this having been already determined on other grounds.

If, then, the fact of the payment of rent (it matters not whether to the Government or to a private proprietor) can in no degree affect the price of raw produce, it is still more certain that the demand by the state of only a portion of the natural rent can exercise no such influence. It has been seen that the revenue is limited in the North-Western Provinces to about two-thirds of the gross rent, and that it is often much less. In the permanently settled Provinces of Bengal, it probably falls short of one-half. It follows, that if the public revenue were to be immediately reduced 30 or 50 per cent., the only effect would be that the private proprietors would be richer men. They would probably spend larger sums in equipages, festivals, and, perhaps, in litigation, as they now do in Bengal. The market price of grain, cotton or sugar would remain the same as before. As no distinguishing tax is laid by Government, in either portion of this Presidency, upon any particular species of produce, the general diminution of the demand would in no way alter the relative profitableness of different crops. No stimulus would, therefore, be afforded by such a measure to the growth of any staple article; nor would any market be opened to it from which it is at present excluded.

Notwithstanding the unusual length to which our observations have run, we fear that imperfect justice has been done to the extensive subject of which we have

Result of Sales in the temporarily settled parts of the North-Western Provinces, for Three Years from 1845-46 to 1847-48, for *Goruckpúr* and *Azimghur*.

	Total Acres.	Government Jumma.	Price obtained.	Price per Acre.	Per-centage of Price to Jumma.
		Rs.	Rs.	Rs. a. p.	
Private sales	1,05,880	94,736	9,89,728	9 5 7	1,044
Sales for decrees	1,01,697	71,272	3,17,723	3 2 -	445

*Goruckpúr* and *Azimghur* are shown separately, as, owing to the lightness of the assessment, much better prices are obtained there than elsewhere.

have been treating. To all who have been experimentally acquainted with the work of settlement, it is associated with the remembrance of severe exertion, but at the same time of great and varied enjoyment. We look back, as through the vista of many years, and see the white camp rising in the long aisles of the ancient mango-tope. We see the fair-haired Saxon youth opposing his well-trained intellect to the new difficulties that crowd upon him; we see him exerting daily, and with no vain or fruitless result, all his faculties of observation, of research, of penetration, of judgment. It is a strange sight, a wonderful proof of the power of intellectual and moral education, to watch the respect and confidence evinced by grey-headed men towards that beardless youth. We see him, in the early morning mist, stretching at an inspiring gallop over the dewy fields. Not unmindful is he of the hare, which scuds away from his horse's feet; of the call of the partridge from the brake, or of the wild fowl on the marsh. The well-earned holiday will arrive when he will be able to follow these, or, perhaps, nobler game; but at present he has other work on hand. He is on his way to some distant point, where measurements are to be tested, doubts resolved, or objections investigated. This done, he returns to his solitary breakfast, cheered by the companionship of a book, or, perhaps, by letters from a far distant land, doubly welcome under such circumstances. The forenoon is spent in receiving reports from the native officers employed under him; in directing their operations; in examining, comparing, analysing and arranging the various information which comes in from all quarters. As the day advances, the wide-spread shade begins to be peopled with living figures. Group after group of villagers arrive in their best and whitest dresses; and a hum of voices succeeds to the stillness, before only broken by the cooing of the dove and the scream of the parroquet. The carpet is then spread in the open air, the chair is set, litigants and spectators take their seats on the ground in orderly ranks; silence is proclaimed, and the rural court is opened. As case after case is brought forward, the very demeanour of the parties, and of the crowds around, seems to point out on which side justice lies. No need here of *ex parte* decisions, or claims lost through default. All are free to come and go, with little trouble, and at no expense. No need of lengthened pleadings. A few simple questions bring out the matter of the suit, and the grounds on which it rests. No need of lists of witnesses. Scores of witnesses are ready on the spot, alike unsummoned and untutored. No need of the Koran or Ganges water. The love of truth is strong, even in an Indian breast, when preserved from counteracting influences; still more so, then, when the sanction of public opinion assists and protects the rightful cause. In such a court Abraham sat, when arbitrating among his simple-minded herdsmen. In such a court was justice everywhere administered in the childhood of the human race, before wealth increased; and with wealth came complicated interests, and law became a science, requiring a life's study to understand.

Strange must that man's character be, and dull his sympathies, who, in the midst of occupations like these, does not find his heart accompanying and lightening his labours. He sees the people in their fairest light; he witnesses their ceaseless industry, their contented poverty, their few and simple pleasures, their plain sense of justice, their general faithfulness to their engagements. He finds them, as a nation, sober, chaste, frugal, and gifted with much of that untaught politeness, in which the rustic classes of colder climes are so often deficient. For months together, he uses no language, enjoys no society, but theirs. To these causes of attachment is added that powerful tie, which unites us to those whom we have laboured long to benefit. The knowledge and feelings thus acquired under the green-wood tree will not be forgotten in after-days, when the dark side of the picture will alone be presented to his view; when he has to deal with roused passions and selfish desires, uncontrolled by a true faith; when his intercourse with the people is confined to the prisoner at the bar, or to the vakils of a grasping plaintiff, and of a fraudulent (perhaps because oppressed) defendant.

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