

Separate Despatch to Bengal (No 71 of September 21 1785; Bengal Draft Despatch  
chce No 1 pp 549, 1784-1786 March)

- B-11/1
1. Board's instructions to prepare draft: 16.6.1785 (pp 150-54)
  2. Court's reply to Board: 29.6.1785 (pp 194-96). seeks clarification, expresses concern about constitution of military board etc..
  3. Draft of No 71 (pp 222-304). Court's draft of August 11, 1785 ends on page 233. From para 16 only Board's draft is there till para 100 on page 304.
  4. Regulation on military hospitals (pp 304a-304g). Board's addition.
  5. Board's letter explaining alterations and additions dated August 18, 1785 (pp 305-7).
  6. Board's letter to Court asking preparing of similar draft to Madras and Bombay dated August 24, 1785. (pp 311).
  7. Court's letter dated August 26, 1785 to Board, expressing criticism of Board's alterations and additions. (pp 312-321).
  8. Board's reply of September 5, 1785 (pp 322-31) explaining purpose of changes and accepting a few minor suggestions.
  9. Board's memorandum of accepted suggestions to be incorporated (pp 332-4).

( The volume deals with drafts by Court, alterations made by Board of Commissioners ( Henry Dundas, Walsingham, W.W. Grenville, Mulgrave; William Pitt also with regard to transfer of debts from India to England. )

Para 16 Instead of the various sub-divisions of departments, by which the business of our settlements is now conducted, it is our order that the whole detail should be carried on under the following branches:

first The Board of Council

second A Military Board

third A Board of Revenue

fourth A Board of Trade

Para 17 The first of the Boards is to be the same in its constitution as the Council, lately established by the Act of Parliament, for regulating the affairs of India, and with which, so constituted, the legislature has intrusted the Supreme Government of our respective settlements; in them is vested the general executive government together with a superintending power over every other department, subject only in the exercise of their authority to such rules and limitations as the legislature has prescribed. The superior council will still continue to act in its double department of Public and Secret, and the duties respectively belonging to each seem to be accurately defined in the Minute of the Governor General and Council of the 23rd of September 1783, ( to which we refer you; except in so far as in the definition of the business of the Public Department it mentions " matters which regard commerce and shipping", our intention is that matters of that description are to belong to the Commercial Department.

Paras 18-29 The Military Board

Board of Revenue

Para 30 Various plans have been devised and carried into execution within these fifteen years for the collection of the revenue. It is no part of our intention at present to enter into a discussion of the merit or demerit of these various plans, but thus far we are clear, that the present variations of system which have occurred, have been attended with much inconvenience and great expense. It is therefore full time to adopt an settled plan; and for that purpose we direct that there be a Board of Revenue to reside at Calcutta, to consist of one of the junior members of Council, without any addition to his present salary, and four other of the most intelligent of the senior servants of the Company.

Para 31 To this department is to belong, subject to the control of the superior council, the whole administration, settlement, collection and receipt of every branch of our revenue together with the control of the several officers concerned therein; but they are to have no power of issuing any money for any purposes whatever, except in consequence of orders or warrants from the Board of Council, in whom this authority is

to be exclusively vested.

Para 32 We think it unnecessary to detail the particular regulations by which you are to arrange this department, we think it sufficient to refer you to the institution of the present Committee of Revenue, upon the foundation and principles of which we mean this Board should be established, and their general line of duty to be the same.

Para 33 The experience you have had of the conduct of your business of revenue, will enable you to judge how far the original regulation of that institution will admit of correction or improvement; and to that consideration your serious attention will be directed; and with respect to collectors and all other officers subordinate to the Board of Revenue, you will in concert with them, give a complete revision to the whole system of the Establishment, and will arrange it with due attention to the strictest economy, and to the general rules which we have prescribed for your conduct.

Para 34 We trust that long before this time you have made great and useful progress in this business and if in the arrangements you have already made either from motives of lenity or from your having been persuaded by the importunity or remonstrance of our servants, your measures have not coincided with the rules we now prescribe, you will revise your own conduct in those respects, and conform yourselves to the orders we have given.

Para 35 We think it almost unnecessary to add, as in justice to you we must suppose that immediately upon the receipt of our letter of the 11th April last (reproduced in vol IX of Fort William- India House Correspondence, pp206 ), you will have, according to the terms thereof, reduced the whole of our revenue expenses within the sum of seventy two lakhs sicca rupees. The further orders and directions we now give are founded on a full conviction, that by a steady adherence to the principles we have directed you to observe, a permanent establishment may be formed for the administration and collection of our revenues considerably below the large sum of seventy two lakhs of sicca rupees.

Para 36 As an essential part of the conduct of this Board of Revenue, will be connected with a steady adherence to just and uniform principles in their transactions with the zemindars and other landholders in the provinces under our government, we have bestowed much attention upon that subject. To arrange a final system upon that head would certainly require other aids than that of General Theory and would require the benefit of local knowledge, but being possessed, as we are, of much useful information by the able writings of our servants in India, who have discussed that subject, and having the still further advantage of the assistance of some of our most able and experienced servants who are now in England, we propose in one of the early ships of this season, to transmit to you our sentiments, upon the general principles which we conceive ought to operate in regulating the tenures of the landholders in India.

Para 37 The proceedings of our Board of Revenue will ofcourse be regularly reported to you, and by you transmitted to us in a separate packet under the head of Revenue Department.

Board of Trade Paras 38-45

Para 46 As we take it for granted you will instantly carry into execution the arrangements for the conduct of our business, which we have now ordered it only remains for us, upon this subject to inform you, that all our subsequent despatches on that supposition, will be addressed to you in your Public Department, Secret Department, Military Department, Revenue Department or Commercial Department.

Para 47 Despatches under the two first addresses will ofcourse remain with the superior council, in one of its departments, Public or Secret, and orders will be given by them to the inferior Boards, conformable to the despatches they shall receive in their Military, Revenue and Commercial Departments.

Para 48 By this means all correspondence will continue to pass through you, at the same time by a sub-division of the detail of our business, the whole will be conducted with regularity, dispatch and economy.

Para 49 Despatches from you are to come addressed to us under the same heads of Public, Secret, Military, Revenue and Commercial and the business of this Court will be arranged by us in a manner corresponding thereto, except so far as concerns business of a secret nature, which in terms of the Act of Parliament, must be conducted through the medium of the Secret Committee.

Paras 50-51 Steps to deal with leakage of official information through servants etc.

ends ~~Madras~~ Para 100 with

we are, your affectionate friends,  
( Madras : Your loving friends )  
W. Devaynes plus 14 others

#### Variations in Despatch to Madras of same date

1. Para 16 and part of 17 upto "...as the legislature has prescribed." are joined together and reproduced as para 13 in Madras.
2. Rest of para 17 with slight modification becomes para 14 in Madras.
3. Paras 18-29 on Military Board become paras 15-26 in Madras.
4. Part of para 30 is omitted upto "... full time to adopt a settled plan." and the rest is made para 27 in Madras.
5. Paras 31 and 32 become para 28 and 29.
6. Para 33, 34, 35, 36 are omitted. The following is introduced as para 30.  
Para 30: However by alluding to the Committee of Revenue in Bengal we do not mean that you are literally to adopt every article of the regulations prescribed for them by the Governor General and Council, some of which might be inapplicable to your usual course of business. It will be a necessary object of your care to form in concert with your Revenue Board, and to transmit for our approbation, such a permanent system of rules and directions for their proceedings as you may judge best adapted to the circumstances and situation of our territorial possessions on the coast of Coromandel; and you will be cautious to arrange the Establishment with the strictest regard to economy and to the general rules which we have prescribed for your conduct.
7. Para 37 becomes para 31 of Madras.
8. Paras 46 to 49 become paras 40-43 of Madras; and 50-51 become 44-45.

#### Despatch to Bengal of 9th December 1784. ( vol 13 page 383)

Draft by Court expunged by Board  
15th October 1784

Substituted by Board  
15th October 1784.

#### Para 34

That we may be enabled to comply with the clause in the late Act which has for its object affording redress to such Rajahs, Zemindars, Polygars, Talookdars, and other native landholders within the British territories in India, as have been unjustly deprived of or compelled to abandon and relinquish their respective lands, jurisdictions, rights and privileges or whose required tribute, rents and services are become grievous and oppressive; we direct that ~~the~~ you take the same into your immediate consideration; and that you state to us in the clearest and fullest manner, the respective cases of all such Rajahs, Zemindars & c. as have been dispossessed of their lands, together with every instance where their tribute, rent & c. have been increased or are become grievous and oppressive; in order that we may be enabled to give such directions thereon as shall be consistent with the humane intentions of the Legislature.

In the 39th Section of the before mentioned Act of Parliament provision is made for redressing any grievance which may exist among the Rajahs, Zemindars, Polygars, Talookdars and other native landholders within the British territories in India, and we think it proper by this earliest opportunity to inform you that those provisions will as they merit obtain our very early attention and we will then transmit to you at large our sentiments on that subject.

With copies

Revenue Despatch to Bengal: August 20, 1788

Para 12 .... We shall content ourselves with remarking upon the general question of the transfer of zemindary lands that although we certainly mean to maintain the ancient principle that no zemindar shall alienate his land without the sanction of the Dewanny government, we do by no means wish to contend against the occasional dismemberment of the large zemindaris. On the contrary we wish for many obvious reasons of Policy rather to promote than discourage it.

Para 14 We have examined all your proceedings relative to the appointment of Mr James Grant to the office of Chief Serishtadar. It has been our declared intention to govern our territories in Bengal by the ancient practices of that government from which we received them, as being more satisfactory to the inhabitants than any constitution transferred from a different state of society and manners and at the same time enabling us to maintain, where occasion may require it the acknowledged rights of sovereignty.

Para 15 Under these circumstances we are pleased to see measures taken to ascertain those principles which you have very prudently referred to periods anterior to the year 1765 and we shall wish to carry them into effect when they are compatible with our general system and with the nature of the connection by which Bengal is held as a dependency of Great Britain. The preservation and the regularity of the various Dufters or registers, which ought to be deposited at the seat of government is likewise an object of material importance. ( 14 and 15 substituted by Board for original paras 7 and 8 in the Courts draft in which the Court did not much welcome Mr Grants appointment)

Para 16 These duties we conceive to have belonged very properly to the officer styled Superintendent of Khalsa Records which Title was unnecessarily altered to that of Preparer of Reports to the Revenue Department. But if any new appointment was necessary you could not have pitched upon a more capable servant than Mr James Grant whose industry and peculiar talents for investigation had been so well demonstrated by the great mass of materials he had obtained and ably digested in his several labourious productions concerning the history of our possessions and revenues neither aided by the influence of office in himself nor interfering with the functions of any other servant.

Para 17 Seeing the matter in this point of view we approve of the new office as an experiment but as it is or ought to be purely ministerial we see no reason why the Serishtadar should attend either your Board or that of the Committee, except upon appointed occasions when subjects appertaining to his station are to be discussed and explanations required. We shall be anxious to know from you the result of the appointment and to have your opinion as to the expediency of rendering (it) permanent. Observing however that if without obvious and indisputable utility, it should tend either to excite alarm in the country by odious scrutinies and inquisition, or to the revival of ancient claims which time and circumstances have superceded or in fine to create any new power which will interfere with and impede the due exercise of authorities already stabilised for the administration of the country we shall certainly disapprove of it.

Revenue Despatch to Bengal: April 30, 1794 ( Reply to letter of March 6, 1793  
No 26, pp 380-5)

Para 3 Debarred by habit and disposition, as well as by the laws which conquest usually prescribes, from all share in the benefits of political freedom, the people of India have no security for their civil rights, but that which the sanctions of judicial establishments afford. Of that security in the time of the Mahomedan government, they were but imperfectly possessed, Property and life had no adequate protection, the laws were severe, but the judges were corrupt; and though the dangers attending a profligate decision, were sometimes exemplified in the rigorous punishment of the guilty magistrate, yet the effect of the example, was rather to gratify the hatred, than diminish the oppressions of the people. Nor

can we conceal from ourselves, that hitherto our own anxious desire to guard from incroachment the private rights of the nations intrusted to our care, has not been productive of such provisions for the due administration of justice as are adequate to the effectual attainment of their object. A sense of the difficulties which had occurred in the collection of the revenue, suggested the system we adopted in the year 1786; but we are now convinced, that the unions of functions so little allied, or rather so opposite in their nature; as those of a Revenue Collector, and of a judge, had created in that system an inherent and incurable defect. The decision might be often impartial, but a secret bias was suspected; the interests of the revenue were considered

+ 4 copies

Post Script to the Board's (of Control) Proposed Despatch to Bengal Relative to the Perpetual Settlement of the Revenue: 15.9.1792

B-XI/3

P.S.

Since writing the foregoing letter, we have gone into a distinct consideration of Lord Cornwallis's minute of 1 December 1790 referred to in your letter of 31st January 1791 proposing principles and rules for the ultimate determination of the long depending and important question respecting the alienated lands. The opinion we had before conceived from the outlines of his lordship's plan is by this minute fully confirmed. He appears to us to have, with a wise and happy modicum, consulted both the rights of Government and the ease of the people to have made the most perfect adjustment between them that such a case could admit, and we there(ore) give our approbation and sanction to the final regulation he has proposed.

BM: Add Ms 12573; ff 231 r

NOTE: Add Ms 12571, 2 & 3 deal with Bengal Settlement and Bauzee Zemeen. 12571 :ff 173-9 is Johnson's Memo on Bauzee Zemeen ff 32-134 is Beaufoy's review to 1790. Add Ms 12572 is Shore Minute dated 19.6.1789: ff 3-204, Enclo 205-15; Pro 216-34. 12573 contains Minutes of Shore, Cornwallis, Stuart (~~Feb~~ Sept 1789 -Feb 1790) and Board of Control's orders.

13-17/4

Despatch to Madras: No 50 of 12.4.1786

( conveys request to Lt John Dalling wanting him to resign and offering him annuity of £ 1000. Governor General or Governor to be commander-in-chief because of Parliament Act. )

REVENUE Despatch to Madras April 28th, 1786.

Para 9 (Public) Grants Political Survey of the Circars. Previous to the departure from England of your Governor, Sir Archibald Campbell, we furnished him with a copy of a political survey of the Northern Circars, by Mr James Grant, a senior merchant of the Bengal Establishment, and, deeming it well worthy your serious consideration, from the variety of useful information it contains, desired that he would on his arrival make it an official paper ; and on the presumption that he has so done, we now strongly recommend the same to your attention.

Para 23 (Revenue Department) Enclosed we transmit to you copy of a letter which we have written to the Governor General and Council on the subject of the revenues of Bengal. (following substituted on April 26 by Board for a single sentence of Court) It was likewise our wish to have formed a permanent arrangement for the Revenue Department under your Presidency, upon principles similar to those we have adopted for Bengal. But we do not feel ourselves competent to decide from the materials now before us, how far the Regulations prescribed for Bengal, may apply to the Management of the Revenues under your Presidency. We doubt likewise, whether at present sufficient information to be collected from our records, or to be obtained from persons now in England, to enable us to detail our system in an equal degree concerning the collection of your revenues, or the conduct to be observed by you with regard to the various landed tenures in the Deccan or Carnatic subject to your government. We shall give this matter an early consideration and if our researches should prove satisfactory to the object, we shall transmit our instructions to you by a subsequent conveyance. In the meantime, we wish to direct your particular attention to the several subjects suggested by our separate letter to the Governor-General and Council and transmit your sentiments to us, accompanied with every necessary document that can tend to the elucidation of this important subject.

Despatch to Madras: April 12, 1786 ( in No 12 (Sept 15, 1785-July 21, 1786); 106 paras, pp277-489; Revenue paras 63-78, pp411-39)

Para 66 As we wish to be regularly advised of the state of the several districts under your control, we direct that you order the chiefs at each subordinate settlement to prepare for our information an annual, well digested, clear and explicit account, under distinct heads, of the state of his district, that we may not only be acquainted with the real situation of the country, but be enabled to judge of the capacity and industry of the several persons appointed to such important offices,

Revenue Despatch to Madras: May 6, 1791.

Para 10. We must upon this occasion express our entire approbation of the principle laid down in the before mentioned report of the Revenue Board viz that in all settlements whatever, the just rights of the inhabitants should be the primary object of consideration, and should on all occasions be held inviolate.

Para 22. .... As doubts have been entertained to the Company's right to exact the scavengers' duty... and the payment of this duty universally refused, we desire that a proper case may be made out, and transmitted to us, that we may take legal opinions thereon. For it appears highly reasonable that any expenses incurred for the health, comfort, and convenience of the inhabitants of Madras should be defrayed by a general assessment as is the case in this metropolis.

Revenue Despatch to Madras: May 21, 1794.  
Captain Read's Settlement in Ceded Countries.

..The settlement made by Captain Read for 1202, at a rate so far exceeding what we had any reason to expect, can not but afford us the highest satisfaction.....

Revenue Despatch to Madras: July 3, 1795.

para 21. The circumstances we find noticed in the Doctor's letter referred to in Paras 40-3 of Revenue Letter dated 2.5.1793. (presumably about zamindars of Masulipatam and Ganjam where sugar was produced ) of the Zamindars exacting from the farmers, in favourable seasons a larger rent than is originally stipulated for, we consider as an act of oppression, which, in its consequences can not fail of proving a check to industry, and the improvement of the soil; you will therefore particularly direct your attention to this point, and act therein as you shall judge most effectual for remedying so injurious a practice.

Revenue Despatch to Madras: August 31, 1801. (pp 297-382, 81 paras)

Para 29. ( Zemindari of Poddapore ) Your proceedings and that of the Revenue Board on the subject of the Poddapore Zemindari, from the investiture of Raja, Juggaputty Rauze as Zemindar, to the report of the Revenue Board of the 15th September 1800, have been attentively pursued. And first we are to signify our approbation of your determination and of the perseverance, with which the same was persisted in, for an increased jumma from that zemindary, more adequate to its value as estimated by the Committee of Circuit or two-thirds of the gross produce. From the testimony you have borne to the/character of Mr Ince..

Para 38. .. This gentleman's report of the 1st January 1800 contains John Read , 4th Division Masulipat- a striking picture of the character of the natives of India in public employment and certainly has the appearance of corroborating what his predecessor Mr Cakes has observed upon the same subject, "That there is not an individual among the natives concerned in the Revenue whose ingenuity is not at work to defraud the Circar"...

Para 51. When we consider the criminal propensity of the natives of India to commit the crime of perjury, even upon the slightest occasions, without a due sense of the heinousness of the offence, we think it was highly judicious in you, as an example to others, to notice... by some distinguished and appropriate mark of your sense of his ( Gopa Naig) regard to truth.

1786-1818

Madras Board of Revenue: (First) Proceedings to President-in-Council:  
September 30, 1786, paras 42; Board appointed 20.6.1786  
( in Reports of the Madras Board of Revenue, No 1 June 1786  
to January 12, 1792; about 1000 pages; 32 proceedings in all)

Para 22 ... The Company have claimed a very considerable proportion of the produce of the country, and the first chief of Masulipatam who opened our immediate intercourse with the zamindars expressly recommends that their jumma be fixed according to the produce of the harvests, one year with another. It appears also that the Hon'ble Court of Directors in their letter of the 12th April 1775 strongly enforce the idea of compelling the zamindars to pay in proportion to the value of their zamindaries and of keeping them under the fullest subjection of the Company's power. Yet in opposition to these claims and opinions, there has been in almost every point a very close adherence to the tributary system.

General Report Board of Revenue: February 11, 1815 (No 4) ( Ganjam 6- ,  
Ceded dists 370- , Chingleput 413-503, N. Arcot 504- ,  
S. Arcot 513-568, Tanjore 569- , Tranquebar 731- , Trichi 770- ,  
Bindigul 810-884, Tinnevelly 885- , Canara 945- , Malabar 959-1080,  
Presidency 1081-1197, Taxes on income, professions etc 1198-1295,  
Mofturfa Regs 1296, Salt 1297-1387, Tent allowance 1388-95, Exemption  
in favour of Co's weavers from loom-tax 1396-1407, Stationery  
1408-14, Pensions 1415-26, Spiritous Liquors 1427-34, Stamps 1435-  
1449, Pusly year statements 1450-65) Mention of previous general  
report on January 3, 1814. No reference in Proceedings of Jan 3, 1814  
or printed index of 1813 and 1814.

Para 1051 It had been calculated that before the Mohammedan conquest , and consequently before the assessment of any regular public revenue upon the lands the kanum paatom, or share of the kanumkar or tenant in possession averaged  $66 \frac{2}{3}$  percent of the gross produce and the jenn paatom or share of the jennmdar, the remaining  $33 \frac{1}{3}$  percent. It had also been calculated that since the conquest the kanum and jenn paatoms had been respectively reduced, on an average, the former to 55% and the latter to 15; the remainder, being 30%, constituting, upon an average the sirkars paatom ( if it might be so called) or the government assessment.

Para 1052 It was probable that this estimate, which merely professed to be a rough estimate of averages, might even in that respect be very erroneous, while it was evidently not calculated to convey any information with respect to the various rates of assessment prevalent throughout the province. In some cases the jennkar was supposed to enjoy only  $\frac{1}{2}$ , in others  $\frac{2}{3}$ , and in some (particularly in the Northern Division) one half on the jenn rent, which taken at the assumed average of 45% of the gross produce ( the assumed average kanum rent of 55% being deducted) would give to the highest,  $22 \frac{1}{2}$ %, and to the lowest, only  $11 \frac{1}{2}$ % of the gross produce, but these were mere general calculations. The existing, actually existing rates of assessment were almost infinitely various. It had been observed that "no two estates, perhaps are assessed alike" and that the best rule "to judge if an estate was overassessed was to ascertain if it was cultivated or not".

Para 1054 The principles of this new pynaish ( proposed by Mr Rickards in a report dated 22.2.1804 and approved in a Minute recorded by Lord William Bentinck on 22.2.1804), as regards rice cultivation ( the chief source of the land revenue in Malbar) were these. From the gross produce

of the different sorts of land( Of which a Table was prepared exhibiting gradation of land from 3 to 30 fold) were to be deducted:

first seed grain

second an amount equal to the seed grain for charges, and

third a proportion equal to one-third of the remainder as korodaabam (or plough profit).

The aggregate amount of these three several deductions were to constitute the kanum panton, or share of the kanumkarsax or tenants in occupation of the land. The remainder constituting the landlords rent, or what, if the public assessment were out of the question, would be called the jemm panton, was to be divided between the jemmkar and the sircar in the proportion of 4/10 or 40% to the former and 6/10 or 60% to the latter.

Para 1062 The case of the land assessment in Malbar might, we conceived, be thus stated. In lieu of the personal services, the pecuniary aids, and the occasional contributions, with which the lands were charged under the native Hindu government, a land tax was imposed by the Mahomedan government, and continued by the British government, which, it may be presumed, was intended, as far as circumstances would admit, to be a fair and equitable commutation for the former burthens, but which from various causes( such as ignorance, corruption, the possession of less power in some parts of the country than in others etc.), had been so carried into execution as to prove in many situations different from a fair and equitable commutation. Ought, we asked, the unequal land tax so established to be perpetuated.

Para 1068 We stated that we had thrown out these hints as to the mode in which it had occurred to us, that it might be practicable in course of time to establish a more equal land tax than that which at present exists in Malabar( if it should be thought advisable) without injury to individuals, but we begged leave to explain that we were by no means prepared at present to recommend that any steps should be taken towards the adoption of this, or any other plan for equalising the assessment. Whatever might be eventually determined upon, we considered it to be obviously inexpedient that the existing assessment, and the existing state of landed property in Malabar should be disturbed by any temporary innovation. Whatever (if anything) was done in the way of rendering the land tax more equal, should we conceived be done with a ~~vixax~~ declared view to permanency. And we submitted therefore, whether, as a preliminary measure, it might not be advisable that the whole of the discussion on the subject should be referred for the deliberation of the Hon'ble Court of Directors, with a request that they would be pleased to pronounce their sentiments and orders on the subject.

General Report Board of Revenue: January 5, 1818( Paras 1-857, 858-12130

Para 876 But when we considered the great difficulty likely to arise in the Northern Circars, in the conversion of the governments share of the produce, which in some districts was as high as 60 and 70 percent of the whole, into a moderate money payment..... when we observed, the little regard paid to ancient usages and private rights under the surveys hitherto made on the ryotwar plan, .... that we were desirous that it should be rather well than hastily established.

( Minute of 308 paras( pp 31-352 of vol II) follows para 907. Defence of the country paras 1165-1186. Para 288 of Minute on causes of over-assessment refers back to Report of Board to government of 25.4.1808

Revenue Despatch to Madras: August 20, 1788.

Reply to Letter of 2.12.1786.

Proposed Regulation regarding Plan for Administration of Justice

para 42. How much so ever we may feel ourselves inclined to the side of clemency in all criminal prosecutions; we think it incumbent upon us, to say upon the 64 article, that in our opinion, it would give too great an encouragement to the commission of crimes, if no conviction could in any case be allowed without the unanimous consent of five judges. With regard to life and death, the restriction may be wise and humane, especially in a country where the psnal laws, both Hindu and Mahomedan, a-re tender in inflicting the punishment of death. But it likewise occurs to us, that the same country is remarkably addicted to intrigue, and secret practices about persons in situations of authority; and that such acts would frequently be attempted to frustrate the ends of justice, if by gaining one judge out of five, a criminal could obtain impunity. (page 424 of Draft Despatches, Plan submitted 12.1.1786 and 24.2.1787.)

Revenue Despatch to Madras: 6th June 1814 ( Tanjore)

Para 41 When the Collector assembled the meerasidars for the purpose of forming settlements with them either for ready money on the principle of triennial lease, or a fixed grain rent, commutable into money according to the market price of each year, it appears from Mr Wallace's letter of the 11<sup>th</sup> September 1810 that the landholders obstinately refused to enter into engagements for the payment of the revenue on either of the plans to which they were invited to accede. Their object being to obtain an aumnee division of the crops, or division in kind, or failing in this, a grain rent, retaining their high rate of warum, or share which in consideration of their being relieved from the risk of a fixed money rent, the Board of Revenue and the Collector has agreed in thinking to reduce from about 50 to 45 hundred parts of the produce, or about 10%.

Para 42 The Secretary of the Board of Revenue in a letter addressed to your Chief Secretary under date the 27<sup>th</sup> September 1810 states that the average rate of the meerasidars warum under the Dubbas Settlement was 43%, that in Fusly 1210 it was only 40% and, in the two subsequent years, that it was no more than 45%. On the first introduction of fixed managements it seems to have been increased to 53% ( though the inhabitants were at the same time relieved from payment of a number of arbitrary taxes) as an inducement to the meerasidars to accede to that mode of settlement. It might be equitable therefore, that under a different arrangement by which the meerasidars were to be exempted from the risk attendant on engagements of that nature, they should relinquish part at least of the advantages granted to enable them to meet that risk.

Revenue Despatch to Madras: June 16, 1814 (No 4 pp 1-201; paras 158, reply to letters of Feb 29 & Oct 17, 12)

Para 89 The engagements entered into by the renters of Bellary under the fear of losing their enams and the hereditary management of their villages are represented both by the Collector and the Board of Revenue to have been in many instances more favourable to the sircar than they were able to fulfil in reference to the state of cultivation and the means of the ryo ryots, whilst a latitude was left to the renters under the lease of exactin the full survey rent from their under-tenants. The consequence of such an arrangement were justly contemplated with serious apprehension by the Board of Revenue as appears from the following extract from their Report on the settlement of Bellary dated 29th October 1810:

" From the high rate of the survey rent which has been made the limit of the demand upon the under-tenants and from the uncertainty of the condition provided the ryots have the means of paying, we apprehend that the exactions of the renters will be restrained by no thing but their own interest. Where the renter looks to present profit rather than to future success, emigration has occurred and will again take place, and although it is some consolation to think that the ryot may find an asylum from oppression in flight, it is yet, but a melancholy consolation, since it involves the banishment of ryots from their villages, detriment to agriculture from the relapse into the habit of wandering, and insecurity of revenue which last must result from the almost certain failure of those imprudent renters by whose exactions substantial ryots are removed."

Para 90" The poverty of the renters will we fear, be a perpetually existing cause of the exaction, and when the ryots have been forced by their exactions to sell their cattle and quit their villages the same general poverty will prevent other renters, who may be willing, from renewing their stock and restoring their spirit by an advance of Tuccavy. These cases will we fear frequently occur, and a failure of rent if not an emigration to Mysore or the Nizam's country may be the consequence."

Para 91 That these apprehensions of the Board of Revenue were fully justified by what has actually happened, is but too apparent, from the report of the Collector of Bellary. " I have already found " says Mr Chaplin, " emigration to take place in some villages since the establishment of the lease but more particularly among the most substantial ryots who have gone off to a neighbouring village, where in a few instances terms have been held out to them by substantial renters more favourable than the limited means of the renters of their own village could possibly afford to grant them & c; In a subsequent paragraph of the same letter the Collector states, " There is a decrease of 4313 inhabitants arising partly from deaths but chiefly from emigration to the Mysore and other districts. This head of decrease from year to year ever since Fusly 1216 from the above cause has been extremely heavy, and I am inclined to think, the full extent of

Letter from the Collector of Bellary, dated 26th June 1810, Para 3 & 11

it has hardly yet been ascertained. Among the number of emigrants are many formerly substantial farmers who paid very high rents to government". Mr Chaplin adverts likewise to the decrease in the number of puttahs arising chiefly from the introduction of the lease puttahs being now issued only to renters instead of to each individual ryot" a circumstance which can not fail to be prejudicial to the subordinate class of land-holders, and to which we particularly called your attention in the 33rd para of our despatch in this department dated 16th December 1812. " There is also" says Mr Chaplin " a large decrease of 2460 inhabitants paying the house or income-tax."

Para 92 In reference to the foregoing alarming statement the Board of Revenue observe in the 23rd para of their Report dated 29th October 1810:

" The general spirit of migration we consider to be a demonstration of the error which we noticed in not reducing the rent in proportion to the deficiency of produce and will induce us to receive propositions in favour of a moderate settlement or even a remission of revenue with more indulgence from this than perhaps any other province."

Without dissenting from this observation we are not of opinion that it embraces the whole of the evil which we believe has been very considerably aggravated by the renting system. We are certainly willing to admit that the sudden and injudicious increase of assessment in Fusly 1218 may have impaired the future resources of these districts, a consequence which must always follow from over-assessment under any plan of administration that may be resorted to. We know however from the experience of eight years that it was practicable under a ryotwari settlement to effect a progressive augmentation of the revenue of those territories to the extent of above three lakhs of Pagodas without retarding their advance in improvement or repressing the industry of the population. And we know also from experience that under the renting system the revenue has been diminished in amount, its collection has been impeded, agriculture has declined and numbers of the cultivators have been driven to seek refuge from oppression upon a foreign soil. Judging therefore from the contrary effects of the two modes of administration there is, as we have expressed to you in preceding despatches, very serious cause for regret that the former was abandoned and the latter adopted. It would be easy to shew their respective tendencies to produce these opposite results but as the comparative merits of ryotwar and village settlements have been treated of at considerable length in our despatch of 16 December 1812 we shall rest satisfied at present with acquainting you that a careful perusing of the documents connected with the triennial settlement of Coimbatore and the two divisions of the ceded districts have strengthened our conviction of the soundness of the opinions and policy of the instructions contained in that letter of which we again enjoin a scrupulous observance in the future revenue administration of the territories subject to your government. We deem it an act of justice to add that however much we lament the abandonment of the ryotwar system we are perfectly satisfied with the judgement and assiduity evinced by Mr W. Garrow, Mr Chaplin and Mr Ross in their endeavours to carry into execution your orders for the introduction of village settlement on a triennial lease.

Revenue Despatch to Madras: April 12, 1815 ( NO 4 pp 213-500; paras 177  
reply to letters of Mar 5, Aug 25, 1813

Para 60 Were it clearly and satisfactorily demonstrated that the assessment in any of the provinces subject to your government is heavier than the land can bear, we should not be adverse to a suitable abatement of the jumma of the assessed district. For to persist in rack-renting the husband-men and after compelling him to part with the stock of his farm, in order to satisfy an exorbitant demand, to tell him, by way of comfort, that the rent which he has impoverished himself in paying is about to be unalterably fixed and that his circumstances will greatly improve under the perpetual settlement, is adding mockery to oppression.

Para 61 The Board of Revenue observe in their report ( January 28, 1813: paras 28 & 29 ) that, " the government rent or share of the produce is supposed to amount, generally to the value of little less than one half, and, in some situations to even more than one half of the gross produce." "If this" they add " be an accurate statement it is scarcely necessary to remark that an assessment so burthensome must be inconsistent with the accumulation of agricultural stock, and consequently, inconsistent with any reasonable expectation of improvement." The Board go on to state (para 33) that "under these circumstances to conclude a permanent settlement, that is, to fix the ultimate demand of government upon the lands in the system most likely to be attended with the least loss; that by their insuring to the landholders exemption from tax on improvement their industry may be so excited as to enable them, in progress of time, to pay with ease, that which is now collected from them with considerable and unnecessary difficulty." Now it is hardly requisite for us to point out the incongruity of these two statements. The Board set out with affirming the actual assessment to be inconsistent with any reasonable expectation of improvement and the conclusion at which ~~the~~ they arrive is that it is expedient, not to reduce, but to perpetuate that assessment which they had declared a little before, to be incompatible not only with improvement, but with the indispensable means of effecting it.

Para 64 If the Board of Revenue were satisfied that the assessment in any part of the territory subject to their immediate superintendence was so high as either to impair the permanent resources of the country or to prevent their progressive development it was their duty to make it the subject of a formal separate representation instead of introducing it as an incidental circumstance to help an argument for a favourite theory. Should such a representation ever come before us supported by well-attested facts, we shall investigate and decide upon it according to the best of our judgement. But we can by no means agree with the Board that in calculating the proportion which the government assessment bears to the gross produce of the land the enams, or rent free land should be excluded from consideration. In the survey report of the ceded districts by Col. Munro it is stated that the enaum lands in that portion of our territory amount to about 25,99,747 acres of which the estimated rent in star pagodas 12,35,458 being more than two thirds the revenue payable to government. Supposing therefore that the government assessment ( say 18 lakhs) absorbs 50% of the gross produce of the sircar or taxable land, when the enaum lands is included the revenue will amount to only about 30% on the gross produce. Whether the enams be distributed among the great body of landholders or held by the Potails, Gurnums or other

village officers their total value ought in the point of view now under consideration to be taken in deduction of the government rent or tax. In the former case the enaums may enable the holders to increase their farming stock, even though they should derive a bare subsistence from their mal-guzari land after defraying the expenses of cultivation and paying their rent to government. In the latter case the enaums afford provision for numerous classes of public functionaries whose pay and subsistence would otherwise constitute a distinct charge upon the funds of government which could only be met by additional imposition on its subjects.

Para 65 " Prior to the establishment of the courts of judicature" the Board of Revenue observe (Paras 31 & 32) " when the Collector was the depository of all civil authority, the revenue system was a system of restriction. His authority was exercised in inducing the ryots to occupy and pay rent for more land than it was consistent with their interest or inclination to occupy, and under this system the land revenue was not only upheld but raised to an amount exceeding the just proportion which it ought to bear to the actual resources of the respective districts. It was high in proportion to the population and stock whence it was derived. The revenue so raised has for some years pressed hard upon the country, in few or none of the provinces is it in a state of progressive advancement. But from the restrictive system being necessarily abandoned, combined with other causes a diminution is rather to be apprehended." We have already said that the question whether the assessment be partially or generally excessive ought to be investigated and determined separately because it has no necessary connection with questions relating to the form or duration of the settlement. The restriction alluded to by the Board are not inseparable from the ryotwar mode of collection and ought not in fairness to be adduced with the view of disparaging it.

Para 66 It is at all events quite satisfactorily established to our minds by the instructions of your Board of Revenue to the Collector of Bellary of the 9th November 1809 ( and similar instructions were also issued to the Collector of Cuddapah, both sanctioned by your government ) that the sudden abolition, by the new system of judicature, of the restrictions before practised by the Collectors on the freedom of cultivation, and the curtailment of their authority over the ryots at large, was premature and that in order to prevent the affairs of the districts from falling into perfect confusion and to guard against a serious deflation in the revenue the Collectors were authorised to resort to the employment of the same measures though in a far more objectionable form as well as other expedients which should never have been resorted to.

Para 67 The Board after having observed in those instructions that " of the increased difficulty" ( ie of collecting the revenue under the new system of judicature ) there could be no doubt and that if the means of removing the obstacles which had so suddenly and greatly increased, the local officers/in general the best judges" proceeded as follows:

" That the collector has been deprived of the chief part of his authority and that the revenue must in some cases immediately, although perhaps not ultimately, suffer. The Board are aware but still the collector has great authority, name and influence. He must make up in address what he has lost in power. He must devote

his whole attention to prevent the loss which the sudden changes are no doubt calculated to produce. He must make the most of what he has left in his hands, of what local circumstances can suggest to him and his servants. He must make the most of obliging or coercing ill-disposed or contumacious farmers which a collector still possesses in the distribution of tuccavie, in the repair of wells, tanks and channels, in the refusal of lands and distribution of good fields, in the restoration and resumption of enaums or at least in threatening to do so, in the removal and appointment of Potails and Curnums which the Board give you full authority to do at your own discretion, taking care not to get entangled in the courts and in the general vanity of mankind which is as strong in the cottages of ryots as in the courts of princes and disposes them to be well received at the cutcherry. In all these transactions the able collector will find motives of hope and fear, wishes and aversions to enable him to carry most points. If after everything all that ingenuity can suggest and address effect, the ryots will not consent to reasonable terms, other means of collecting the revenue must be had recourse to. These insuperable impediments must be forcibly pointed out to government, suitable remedies be considered and thrown into the shape of a regulation and the revenue be collected upon different principles."

Para 68 We have certainly nothing before us to dispose us to believe that the most objectionable cause of proceeding has not yet been resorted to in the settlement of the decennial leases. For though in the concluding part of the paragraph of the Board of Revenue, dated the 28th January 1814 which we have already quoted, it is stated that "the restrictive system being necessarily abandoned a diminution of revenue was rather to be apprehended" they therein must, as we conceive, mean to refer to the actual power possessed by the Collectors, antecedent to the establishment of the Zillah courts, and not to the substituted means resorted to make up for the loss of it.

Para 69 But admitting what is the fact that the Collectors have under the Regulations lost that power, and supposing also for a moment that the expedients afterwards authorised to be practised by them in Bellary and in Cuddapah are no longer resorted to, it is impossible, we should think that the Board can seriously believe that there was any species of interference exercised by the Collectors over the ryots which is not practised to a greater extent in a harsher form by the renters. The reports of the Collectors on the effects of the triennial lease were sufficient to extinguish such a belief if it ever existed. The representation made to your Board of Revenue by Mr Ravenshaw, the Collector of the Southern Division of Arcot, on this subject during the first year of the lease and which we have particularly noticed in our revenue despatch of the 17th December 1813, is not stronger than those contained in his subsequent communication to that Board.

Para 70 Mr W. Garrow describes the effects of the triennial lease in Coimbatore in the following terms and similar quotations might easily be

made from the reports of other Collectors:

" The last years of the lease became in a great measure a scene of scramble on the part of the mootahdars in order to make up for preceding losses, while the fear of a new renewal impelled them on the one hand to distrain unjustly and otherwise oppress the ryots, the expectation of a renewed lease on lower terms, excited on the other hand their spirit of intrigue, to depress the cultivation, when their misconduct had not previously effected it." (to Govt R. 24.12.1811)

It is in vain to say that the ryots are protected against harrassing and vexatious proceedings by the courts of justice, for the loss of time, the expense incident to a legal process, and the delay of decision will, in nine instances out of ten prevent the ryot from appealing to the court. If the courts were really effectual for the protection of the ryot, the oppression stated by Mr Ravenshaw and Mr Garrow to have been practiced upon them, could not have taken place upon the scale described in their letters. We entertain a decided opinion, founded on the reports of the Collectors respecting the triennial lease, that the apprehended decline of the public revenue was attributable not to the abandonment of measures of restriction, which would probably constitute an objectionable part of any system of revenue management, but to the substitution, in room of the ryotwar mode of collection, of the renting system, under which the great body of the cultivators were placed, in a considerable degree, at the mercy of a set of farmers of the revenue who struggled to indemnify themselves, by means of rapacity for the loss they sustained in consequence of having entered into improvident contract.

Para 71 The Board of Revenue profess to think that the suggestion we threw out for consideration in our revenue despatch to Bengal, dated the 13th January 1812, of reserving to government under any settlement of the land revenue which should be concluded, the right of claiming a moderate participation, at distant intervals in the growing improvement of the country must have proceeded from an erroneous conception, on our part, of the nature of the assessment which constitutes the permanent settlement in India, particularly where the settlement may have been, and may hereafter be concluded with the actual landholders. They admitting the practicability of the plan in question endeavour to show that it is applicable rather to assessment proportioned to the rent, than to an assessment proportioned to the produce of the land and with reference to the amount of the actual assessment in the territories under your charge, they pronounce such a provision to be calculated to perpetuate the present poverty of the landholders.

Para 72 Our suggestion certainly did not originate in any misapprehension of the real state of the case, and the reasoning of the Board has altogether failed in convincing us either of its inapplicability or ill tendency, if adopted. The Board state (correctly we believe) that:

"The Sovereign's share of the produce in India may be regarded in the same light as the landholders share of the produce in England and other European countries; and that the actual condition of the landholders is not that of landlords, but of tenantry deriving a subsistence from the occupation of agriculture and, in favourable circumstances, so much more than a subsistence as to make their interest in the land saleable."

And after thus describing the government as uniting in itself the rights

of general landlords with the powers of sovereign the Board recommend that we should altogether renounce the former, and that we should impose irrevocable restrictions on the exercise of the latter, in short that we should forever alienate all future claim on the soil either in the shape of rent or taxation beyond the present amount of our land revenue. To so extreme a proposition we are not prepared to accede.

Para 73 Should the alleged propensity of the natives to deteriorate the land towards the close of their lease with the view of obtaining a renewal of their engagement on the same, or still more favourable terms, be considered as an insurmountable objection to periodical settlements still it does not follow that we should entirely abandon the waste lands as a source of revenue. The lands already cultivated might be settled in perpetuity and the right be reserved to government of assessing such a proportion of the waste lands as may not have been included in the settlement, also in perpetuity at a subsequent period. All that is necessary towards this object is a complete survey, previous to the first settlement and an accurate register of the lands brought into cultivation subsequently to its conclusion.

Para 74 It is not our intention to dispute the policy of introducing the permanent settlement into Bengal nor is it inconsistent with the high respect we feel for the authors of that measure to express a doubt whether their expectations respecting it have been fully realised, whether inconveniences may not have resulted from it which they did not foresee, and whether advantages have not been imputed to it, which might with equal or greater justice be ascribed to other causes.

Para 75 Those who have objected to the reservation of the unquestionable right of the government to draw a revenue from such waste lands as may hereafter come into cultivation seem in general to argue as if the extension of agriculture were dependent on the conclusion of a settlement which shall not only fix the quantum jumma upon the lands in actual cultivation, without being liable to increase at any future period but shall also leave all the prospective advantages that may accrue from the culture of the waste to the exclusive enjoyment of those with whom the settlement is made, and those who may rent it under them. But this is a view of the subject in which we cannot agree. We on the contrary believe that in a country like India, where the great body of the people are husbandmen; where their wants are simple and few; where marriage is general; where the expenses of rearing children are trifling; and where other concurrent circumstances contribute to encourage population, where also, waste landx abounds, and where a state of internal tranquility prevails undisturbed by civil wars or the depredation of foreign invaders, the extension of agriculture will proceed as that population advances.

Para 76 The permanent settlement "If it did no more", it is argued" would do much by rendering land, in process of time a valuable property, and a security for the realisation of the present revenue." That this effect has been produced under the permanent settlement in Bengal, Bahar and Benares, is admitted. But it is equally true that the sales of land for arrears of revenue have occasioned a vast permutation of property in those provinces; that many ancient and opulent families have been thereby reduced to a state

of depression and indigence; and that however desirable it may be for a government to have such a security, the exaction of it is felt as a far greater hardship by the landholders, than the personal confinement or coercion to which they were subject under the native governments, when they failed ~~to~~ in discharging any part of the public dues. It should be recollected also, that this security is not a necessary consequence of the permanent settlement of the land, but that its existence depends entirely upon the lightness of the assessment, and the value of the landlord's interest in the land. In the zillahs of Chingleput, Ganjam and Rajahmundry, for example, all of which are permanently settled, it appears that no such security exists, as there are estates in each of those zillahs, which after being attached for arrears of revenue, and exposed to sale have remained in the hands of government, for want of purchasers.

Para 79 It is strenuously contended in the letter now under reply ( March 5, 1813, paras 131-133), and in the report of the Board of Revenue, that if the resources, and general wealth of the country were increased through the restriction of the demand of government upon landed property there could be ~~it~~ little difficulty in devising means whereby government might participate in the increase. This proposition in the general form in which it is put, appears to warrant an inference which, we believe its authors little intended should be drawn from it. If in the event of a general increase of the wealth of the country, it would be easy, by means of indirect taxation, to draw a due proportion of that wealth into the coffers of government, the conclusion is hardly to be avoided, that a part of the revenues now levied directly from the land, might be realised through the same channel of indirect taxation; and admitting this to be the case, it will be difficult to justify our not ~~not~~ having recourse to a fiscal system agreed to be less injurious to the prosperity of a country than that of intercepting a large proportion of the produce of its land and labour, before it has circulated through the community in the way of exchange, and performed in some respects the functions of a reproductive capital. The true defence of our system of taxation in India is not, that it is preferable to any other, when judged according to the generally received principles of political economy, nor even that it has been continued because we found it established, but because we consider it to be utterly impracticable to raise the same sum in a less exceptionable way.

Revenue Despatch to Madras; April 12, 1815

Para 122 We mean not to dispute that in the districts here specified by the Board ( Trichnopoly, Dindigul, Madurai, Tinnevely ) as well as in others the rate of assessment may be higher than is compatible with the prosperity of the ryots, and the improvement of the country, but we can not concur with you in opinion that under a ryotwar system a reduction of the assessment can be indispensably necessary which under other modes of settlement might be avoided. Under a zemindary or mootahdary settlement, it has been usual to grant a remission of 15% upon the government assessment for the purpose of enabling the zamindar or mootahdar to defray the expense of collecting the rents from the ryots, to subsist himself and family and to indemnify him for the trouble and risk of his speculation. Under such a plan of settlement a very small part of the remission if any at all goes to the ryots whereas under a ryotwar settlement the expenses of collection are defrayed directly by government and there is no intermediate renter to be supported or reimbursed. When government therefore under the last mentioned scheme, consents to a reduction of the assessment the whole benefit of the remission goes immediately to the ryots by whom all rent is produced enabling them to increase their stock , to improve and extend their cultivation and by augmenting the quantity of food produced to favour the growth of population. Under this mode of settlement also a larger amount of revenue can be realised from the cultivator and with less inconvenience to his circumstances than under any other because relieves him the most effectually from abuses practiced at his expense by those who make the collections.

Para 131 In our Judicial despatch of the 29th April 1814 we acquainted you that "from various respectable and concurring testimonies we were led to recognise in the pottail and curnum the most powerful instruments that any government can possess for conducting the detailed operations of its internal administration as well in regard to the distribution of justice, at the direction of the police. It appears to be through this agency that the frame and constitution of the little communities of which all India is composed , has been held together for so many centuries. They are unquestionably (what they have termed) the natural and permanent authorities of the country, and true policy strongly dictates the expediency of our availing ourselves of their services; for it is thus only that the business of government can be adequately conducted in a foreign country like India, in which the population is so extensive and the habits and the manners of the people so different from our own!" The sentiments we then communicated to you, still operate upon us with undiminished force; and if from inadvertance or any other cause, you have been led to countenance a settlement formed upon the principles laid down in the proclamation of Cuddpah we trust that on the receipt of the despatch above referred to you would take immediate steps for correcting an error which if persevered in, would in our apprehension produce highly injurious to the interests both of government and its subjects. We are the more sanguine in this expectation , because we observe that your final confirmation of the settlements was to be withheld until they had undergone a full investigation by you, and a scrupulous revision and correction by the different Collectors.

Para 132 A settlement concluded on the principles contained in the extracts

we have given from the report of the Board of Revenue, would not only only completely subvert those village constitutions which it is our desire and intention to uphold but it would according to our conception be fraught with the most glaring injustice to individuals. The Board observe that in the proclamation issued by Mr Ross the former meerasdars were informed that by the establishment of fixed rents the office of Reddee or Potal was virtually become. This proceeding probably originated in the orders which were issued to the Collectors of the ceded districts in the latter end of 1809 during the first year of the triennial lease and we regret to say under the sanction of your government.

Para 136 It is however very evident to our minds that in Cuddpah, Bellary, Coimbatore and the two divisions of Arcot, great numbers have been shut out who ought to have been included in the settlements, and the observation applies to other parts of the country into which the decennial leases were introduced. It appears from the papers before us and others which we have had occasion to examine that in the provinces that we have enumerated meerasy rights having/nearly extinguished by the exactions of former governments, the ryots of that description had been reduced in a great measure to the situation of colcoodies and paracoodies holding of the circar.

Para 137 In these districts the the general principle on which the Collectors proceeded under the instructions they received was to conclude their settlements with such of the principal cultivators as might be sufficiently respectable to give a value to their responsibility and on this point you observe in your revenue despatch, of the 29th February 1812, that the condition of the general body of the ryots as represented in the Minute and proceedings of the Board of Revenue while it leaves them without any plea of right to a direct participation in the settlement would render their exclusion in no respect an injury? A similar view of the subject is taken by Mr Ravenshaw, the Collector of South Arcot, in his letters to that Board dated the 7th February and 9th July of the same year.

Para 138 It is rather surprising that a different and in some respects an opposite state of things should have led to the same practical measures. In districts where private property exists, it has been pleaded ( and we think on satisfactory grounds) that the settlements ought to be concluded with the meerasidars ( that is as far as their rights of meerases legally extend) and not with the ryots who in such circumstances may be considered as their tenants; and in districts where private property is known to have but a partial existence, the settlement, instead of being concluded as one would expect with the actual cultivators, is confined to a comparatively few individuals, who are either selected indiscriminately from the resident cultivators or admitted from other quarters on account of their willingness to accept terms which the former have rejected; and those individuals whether natives or strangers, are on no good grounds of preference constituted really or nominally proprietors of the village: if really to the prejudice of others with equal pretensions, if nominally only with the certainty that the great object of the settlement will not be accomplished.

Para 139 We can not agree with you in deeming the case to be one from which considerations of justice were entirely excluded and therefore are not satisfied by the expediency of the cause which has been pursued for what is unjust can never be expedient.

Para 140 From the peculiar constitution of Hindoo Society, and the natural tendencies of their laws of inheritance, we conceive that landed property in India wherever it has existed, must have been more sub-divided than in any other country. If in consequence of the inordinate exactions of the native governments, you have found that species of private property in many districts either annihilated, or nearly so, and if you are actuated as you profess to be, by a sincere desire to restore it, the parties who should benefit from this intention are surely those, or the descendents of those, who have been reduced from their situation of proprietors to that of occupants of the soil. They are the great body of the colcoody, or resident ryots, as distinguished from the pyacaries or migratory cultivators, and where it could be done without injury to the just claims of the former, it would in our judgement have been an exercise of sound policy to have extended similar benefits to the latter, and thereby induce them to settle and concentrate their labours and industry in one spot.

Para 141 By confirming the boon to a few individuals, taken from the first class, you not only circumscribe a relief, which, however slender, ought to be general in its operation, but you do positive injustice to those of the same class who are not the objects of it, since by keeping them degraded from the rank of tenants of government and making them tenants to a renter, you render their situation worse instead of better than you found it.

Para 142 That the grievance just alluded to is, by no means an imaginary one, we have the respectable authority of Col Munro for believing. "The ryot" (says he) "feels a certain degree of pride in being a government tenant, he thinks that it adds to his consequence, and he feels it renders him more independent. There can therefore be no doubt that the inhabitants themselves under all changes of system would wish for the preservation of that right which they have ever enjoyed of holding their lands directly of government.

Para 143 Upon the whole, we can not help expressing our deep regret that a system altogether so objectionable, should have been so extensively established in our peninsular territories, and that the practical operation of the orders conveyed in our despatch of the 16th December 1812, has been so much narrowed by representations which ought not to have been listened to, or by circumstances which might have been prevented.

Revenue Despatch to Madras: September 29, 1824.

Para 67 Though the custom of the country must not be disregarded when it expressly requires a lower rate of assessment for some of the higher castes, yet the principle recommended by the Collector (Salem) of treating all classes with moderation and all with equal favour is the proper general rule and should be observed whenever there are not special and adequate reasons to the contrary....

Revenue Despatch to Madras: 28.4.1795

(extract)

"We are sensible with you that any effectual plan for reforming the revenue system must necessarily be accompanied with the entire reduction of the military power and independence of the Zemindars. Hitherto clemency and forbearance seem to have encouraged the perpetration of crimes, and a spirit of revolt against the authority of the Company. Hence we are convinced of the impolicy of any longer receding from our just demands from the apprehension of danger in the prosecution of them; sensible as we are of the accumulated evils which have arisen from any other military force, than that under the immediate authority of the Company".

Revenue Despatch to Madras: 11.2.1801

(extract)

"There is an material difference betwixt the state of the several of the provinces in the Carnatic and those of Bengal, where the measure of a permanent settlement was first taken into consideration. The Bengal provinces were infinitely farther advanced in the habits of order and subordination to Government than most places in the Carnatic; and certainly much more so than in the generality of the Polygar provinces, or the Northern Circars. They are not so ripe for the reception of these benefits and blessings intended for them, as if they were more accustomed to the habits and feelings of civilised society. This is a material circumstance to be attended to in the conduct of this important measure. Any attempt to introduce a regular system of order, or just sentiments respecting the value of permanent rights, would be idle and nugatory, till once their minds were to a certain extent prepared to feel the importance of the benefits they were about to receive. The first object therefore is to establish the authority of Government itself in the different zemindaris, before you attempt to invite them to participate in the advantages which you are authorised to confer on them. This never can effectually be done, till you have suppressed that spirit of rebellion and insubordination, which is so conspicuous in many parts of the Northern Circars; and it is of the first importance to the attainment of that object that all subordinate military establishments should be annihilated, within the limits now subject to your dominion. The countries to which this observation applies must be brought to such a state of subjection as to acknowledge and submit to this principle. As they must be indebted to our beneficence and wisdom for every advantage they are to receive, so in like manner they must feel solely indebted to our protection for the continuance and enjoyment of them. We hold these truths to be so incontrovertible, as to preclude all expectation of any benefit to be expected from an attempt to introduce either a permanent system, or the exercise of a regular judicial authority till once this essential preliminary is secured."

( These are the general principles adopted by the Court of Directors with respect to the present state of the Polygar countries in particular. With regard to the direct application of these principles to the subject now under consideration.....)

Both the above extracts are quoted in Lord Clive's Minute of 24.8.1802 on pages 331-2 and 360-2 respectively of Boards Consultations volume 148(No 2512) regarding Western Polygar areas(Tinnevely etc). The Minute is from pages 329-393 and also refers to Revenue Despatches of 3.9.1800 and 31.8.1801, and Political Despatches of 10.6.1795 and 5.6.1799. The emphasis and the last para(in brackets) are by Clive. Preceding Clive's is a Minute by Mr Dick, of about 4 pages, which gave rise to Clives elaborate Minute.

Revenue Despatch to Madras: No 5 dated May 6, 1835

We desire in this despatch to direct your attention to the very imperfect manner in which the collections to your general letters in the Revenue Department are prepared. The papers appended to the paragraphs consist only of the letters which have passed between the Board of Revenue and your government; the subsidiary correspondence between the Board of Revenue and the collectors and other subordinate officers, which is often necessary to the proper elucidation of the subject being omitted. The correspondence must therefore be supplied by transcripts from the proceedings of the Board of Revenue, and thus much of the advantage which was anticipated from the saving of time and labour in this country, which would be affected by the collections being transmitted to us in a complete shape is lost. We must therefore desire your attention to our orders communicated in our letter in the Public Department of the 10th February 1830.

You will likewise class the subjects comprised in your general letters under distinct heads and when the subjects in the aggregate make a long letter each head may furnish matter for a distinct communication.

2. It would also tend much to our convenience if some method of classification as directed by us in the despatch before referred to were to be observed. Such a plan has been adopted in Bengal, and separate quarterly letters in the Revenue Department are regularly despatched, each comprising a distinct class of subjects. The classification adopted there must be somewhat altered to suit the circumstances of your Presidency, and the correspondence might be divided into the following heads:

1. Settlements, sales for arrears, remissions, balances, and suspensions reported under the head of collectorates to which they refer.
2. Revenue accounts and statements.
3. Roads and Bridges.
4. Buildings and repairs.
5. Pensions and yeomials.
6. Alterations in offices, establishments and allowances.
7. Salt.
8. Customs.
9. Miscellaneous subjects, not comprised under any of the foregoing heads.

3. To the first head of the preceding classification we direct your particular attention as we attach great importance to our being furnished with a general and connected view of the administration of the land revenue under each collectorate instead of being compelled as we are at present to collect it in detached fragments from the general mass of your correspondence. Your proceedings under each of these heads should be communicated to us as soon as practicable after the termination of each quarter; this however must not be held to supercede the necessity of your immediately communicating to us in separate letters intelligence of any proceedings of your government which may appear of sufficient importance to require early and particular consideration.

4. We have also to notice with dissatisfaction the great irregularity in the transmission of your books of Consultations; the Revenue Consultations of 1831 and 1832 have not yet been received while those of 1834 have arrived upto the 27th June last.

We are, your loving friends,  
London the 6th May 1835

W.S. Clarke and 13 others

General Report Board of Revenue: July 25, 1836. ( Discontinuation of General Reports: paras 878 to 880 )

878. The following letter was received from government under date the 9th October 1835:

" The Hon'ble the Court of Directors having in a recent despatch ordered that the subsidiary correspondence between your Board and the collectors and other subordinate officers referred to in your communication to government should be included in the Collections appended to the general letters from government to them, I am directed by the Right Hon'ble the Governor-in-Council to request that from the commencement of the ensuing

year, you will accordingly furnish for this purpose two separate copies of all your communications to government, and of all the correspondence referred to therein.

As there would appear to be little or no use by the adoption of this arrangement, to transmit to the Hon'ble Court the Annual Report prepared by your Board and the Broken set of your proceedings now forwarded monthly, I am directed to request that you will from the same period discontinue their preparation, by which it is confidently expected that not only will the contemplated improvement in the Collections to accompany the general letters of government to the Hon'ble Court, be carried into effect without any additional expense, but that a considerable reduction will be effected in the expense of your establishment which you are accordingly desired to revise and to report the result to government for the information of the Court of Directors."

( Board replies that a saving of Rs 2,400 annually will ensue from 1.1.1836 )

Revenue Despatch to Madras: June 8, 1836 ( pp 437-44; answered Feb. 3. 1837 )

1. We now reply to your letter in this department dated the 20th October ( No 15 ) of 1835, in which you inform us of the arrangement which you propose of carrying into effect the orders contained in our letter of the 6th May ( No 5 ) of 1835 directing you to supply the omissions which we noticed in the Collections of papers accompanying your general letters in the Revenue Department.

2. It is evidently unnecessary that the correspondence between the Board of Revenue and the collectors and other subordinate officers, which is in the first place recorded on the proceedings of the Board, should be again entered on the Consultations of your government and that it will be sufficient to include it in the Collections which accompany your letters. The Board of Revenue have accordingly been required to furnish two separate copies of their communications to government and of all the correspondence referred to in them, for the purpose of being inserted in the Collections which will thus contain everything necessary for the elucidation of the subject matter of the paragraphs to which they refer.

3. In order to provide for the additional labour of transcription which

will thus be thrown upon the establishment of the Board of Revenue without occasioning any increase of expense, you inform us that you have directed the discontinuance of the Annual Report of the Board of Revenue and of the Broken set of their proceedings which have hitherto been prepared for transmission to us; and you state that by this means it is confidentially expected that the contemplated improvement in the Collections may be carried into effect not only without any additional expense but that a considerable saving may be effected in the Board's establishment.

4. With the Annual Report of the Board of Revenue we can dispense without inconvenience, and we accordingly sanction its discontinuance.

5. We have however frequent occasion to refer to the proceedings of the Board of Revenue for the purposes which would not be adequately supplied by the projected improvement in the Collections. We therefore direct that the Broken set be still continued and that it be transmitted regularly and as soon after the close of each month as possible. By this means however some saving of labour may be effected in the transcription of documents for the Collections. Many of the letters addressed to the Board of Revenue, such for instance as the collectors annual settlement reports, are accompanied by very voluminous statements. These statements we shall not require to be entered in the Collections provided that we have the opportunity of referring to them, when necessary as recorded on the proceedings of the Board of Revenue.

6. With respect to the classification of the subjects comprised in your correspondence with us noticed in paragraph 8 of your letter under reply, we have to observe, that it was our intention that the several classes specified in para 2 of our letter dated the 6th May (No 5) of 1835 with such modifications as convenience might suggest, should be reported in separate letters. With respect to the mode which we desired to be adopted in reporting on subjects connected with the administration of the land revenue we direct your attention to the observation contained in paragraph 3 of our letter before referred to, and in paragraph 32 to 34 of that dated the 4th November (No 20) of 1835.

7. The receipt of the Consultations of the year 1831 and 1832, the non-arrival of which was noticed in paragraph 4 of our letter dated the 6th May 1835 has been since acknowledged in para 34 of our letter dated 28th October (No 19) of 1835.

We are, your loving friends,

Reissuing of General Reports of Board of Revenue ( from 1262 (A.D. 1852-3))

Per Revenue Consultations: March 11, 1854 ( Minute of President Feb. 7;  
 Elliot Feb. 16; Thomas Feb. 18)  
 Revenue Letter from Madras: No 51 of September 1, 1854  
 Revenue Despatch to Madras: No 11 of July 18, 1855

Revenue Despatch to India ( in No. 14 pp698 plus contents and Index)  
12 April 1837(No 6)(pp 309-47, 49 paras) (35 Despatches)  
Sent to Madras Paras 26-35(pp 331-7).

26. We observe that heretofore there has been but little similarity in the mode of assessment in the districts of the Upper Provinces. We know that it may not always be possible to pursue one uniform course in this particular, but we are of opinion that generally speaking this essential principle may be preserved, especially in the districts where neither the forms of public institutions nor ancient usages present impediments.

27. With regard, for example, to the practice which exists of forming assessments according to the value of the crops produced, and not according to the value or capabilities of the land, a subject which was noticed by us in our Despatch of the 15th February 1833, this is a mode of assessment which we find by the proceedings under review, continues to be observed in many districts in the Western Provinces, a practice which as remarked by Lord Wm Bentinck must act as a check on industry and discourage cultivation.

28. We are desirous of drawing your particular attention to the subject in especial connection with the cultivation of cotton, sugar, coffee and other staple commodities suited to the Home markets.

29. You are aware that the equalisation of the duties on sugar is a subject that has engaged our anxious consideration, and you will have received from us through the Public Department under date 10th August 1836 copies of the Act recently passed on the subject. The advantages to individual skill and industry, and the commercial community of India in general which must result from this measure will doubtless be very great.

30. The prospect is thus opened to Europeans and will doubtless be embraced of investing their capital in the cultivation of staple articles of produce in India and it may be hoped that corresponding benefits to the agricultural community will accompany the extension of more valuable cultivation. It is nevertheless imperative on us not only to watch narrowly the interests of the native population, but use every means, and embrace every opportunity of improving those interests and ameliorating the general condition of the people.

31. European enterprise and European capital are ever ready to secure the advantages which any changes in state policy, commercial or financial, may seem to hold out; and this, it is not our desire to check. At the same time it behoves us to be something more than quiescent with regard to our native subjects who having the skill and industry may want the enterprise and the capital of the Europeans, and occasionally to lead and assist them in the line of improvement. This we consider to be the true policy of a liberal government ruling over a people not possessing the knowledge or means of developing all the resources of their native land.

32. No better means of securing this good object can be pointed out than the adoption of such a mode of assessment as shall leave the cultivator in possession of an ample and encouraging remuneration for the exercise of his industry in the growth of articles adapted to the demands of the Home market. The policy of long leases and moderate assessments is therefore not only recommended by general principle and general experience but is enforced by the peculiar circumstances of the time.

33. You are aware that the practice existed at Bombay and Madras as well as in Bengal of making the assessment according to produce and not according to the value and capabilities of the lands, and that it was stated that the revenue could not afford to bear the change contemplated by our instructions on this subject. We trust, however, that this practice is generally discontinued at Madras and Bombay, and that the prohibitory instructions which have from time to time been received from us on this subject will be kept in view during the progress of the new settlements in the Western Provinces, and ultimately put a stop to this very objectionable mode of assessment.

I

It is the productive power of the land and not its actual produce that should be taken as the guide in making the assessments. By this mode the best description of encouragement is given to the cultivator to extend cultivation and use crops immediately beneficial and profitable to himself, and such a system, we have on former occasions observed and are still of opinion would not ultimately be found detrimental to the interests of the state.

34. Where the system of assessing according to the actual produce has been abolished, and the character of the soil substituted as the basis of the assessment, the effect of the change has been most beneficial as is attested by Mr A. Fraser writing from Delhi, where this system has been for some time in operation.

35. We expect that the tenor of our instructions noted in the margin with which we refer you for for an more full detail of our sentiments on this subject than we now consider it necessary to enter on, will be strictly and invariably employed.

<u>BENGAL</u>	15 February 1833	
<u>MADRAS</u>		<u>BOMBAY</u>
18 August 1824		15 February 1822
18 May 1825		4 May 1825
17 January 1827		23 May 1827
14 November 1827		6 August 1828
30 July 1828		18 February 1829
27 May 1829		16 July 1830
15 June 1831		15 June 1831
3 August 1831		19 February 1834
23 October 1833		30 March 1836

( The above enclosed in Revenue Despatch to Madras of May 3, 1837, 1 para on pages 41-2 of Revenue Despatches to Madras 1837-8, No.10. Replied on 2.4.1838 and 8.9.1838. )

(In the same collection Despatch of 18 October 1837, pages 661-73, sent to Madras with Revenue Despatch of October 25, 1837—page 127— is on attitude to native religions. Advocates conciliatory response in the context of the instance of the Spring Festival at Surat.)

Revenue of 1242 (1832-3)

Letter from Madras; September 20, 1833 (pp 599-602; from D. Elliott, officiating Secretary to Government to Peter Auber Esq, Secretary to Court of Directors; no reply or reference noted in register)

1. I am directed by the Right Hon'ble the Governor-in-Council to transmit to you for the purposes of being laid before the Hon'ble Court of Directors the accompanying copy of a letter from the Board of Revenue dated the 19th instant, containing report of the ~~ordinary~~ collections of ordinary revenue for Fusly 1242 which ended on the 11th July 1833, compared with the collections of the preceding Fusly year. Copies of the abstract statements which accompanied the Boards report are also herewith transmitted.
2. It is with great regret that the Right Hon'ble the Governor-in-Council has to bring to the notice of the Hon'ble Court so great a defalcation of revenue as is shewn in the accompanying papers. But the failure of the periodical rains was so general, and its effect upon cultivation and produce so extensive, that it was scarcely expected that the collections of land revenue would reach the amount now reported.
3. The southern province of Tanjore, Trichnopoly, Madura and Tinnevelly escaped from the general calamity of drought. Tanjore was highly favoured by the abundance of the supplies of water received by the river Cavery, and by the combination of full harvests and high prices.
4. The provinces of Malabar and Canara also escaped from the misfortune of drought. The high prices which prevailed enabled the cultivators of Malabar to dispose of their produce at such advantage as to admit of their paying up a large amount of arrears, besides discharging the current kists with extraordinary punctuality. The result it will be observed was a large increase of collection.
5. The increase in Vizagapatam it is believed is to be attributed to the vigorous measures which have been pursued in that quarter to enforce the authority of government, which have induced the zamindars to make exertions for the payment of the assessment by them, and for the fulfillment of their engagements for the satisfaction of the current demand.
6. The general distress which prevailed, has, as was to be expected, a very prejudicial effect upon the revenue from extra sources, especially the customs. It will be observed that there was a decrease in every branch except that of the Tobacco Monopoly.
7. The Right Hon'ble the Governor-in-Council has pleasure in reporting that the prospects of the current year are at present generally favourable. But considering the great loss of agricultural stock which was suffered last year, a loss which can not be readily supplied, it is hardly to be expected, under the most favourable circumstances that the land revenue will reach the average amount. And as the condition of the people generally is necessarily much depressed, and no material improvement can take place until the harvest have been got in, the Governor-in-Council does not anticipate much, if any, increase in the whole amount of the revenue from extra sources, though it is likely that larger collections will be made in some of the branches.
8. To assist the cultivators in replacing the agricultural stock and to relieve their present difficulties, the Right Hon'ble the Governor-in-Council has deemed it necessary on the recommendation of the Board of Revenue to authorise very large advances of "Tuccavy" in most of the district

Famine in Guntoor

Revenue Despatch of 17th August 1836 ( No 13 Reply to letters of May 2, 1834 and September 8, 1835 pp509-544)

Para 2 The effects of the disastrous season of Fusly 1242 have been particularly visible in this district. In that and the following year it is stated that under the united operation of famine and disease, the population was reduced one half and two thirds of the cattle were destroyed. Under these circumstances we can not feel surprise that a rapid and unusual decrease should have been experienced in the amount of land revenue.

Para 3 In the settled zamindari<sup>s</sup> composing of the Guntoor division the fixed peshcush of which is Rs 12,25,458, the total balance at the date of the last statement ( March 1835) is Rs 12,92,459 of which sum a large portion must we apprehend be considered as irrecoverable. It is unnecessary for us to examine particularly the result of the collectors management of the zamindaris, which we shall have occasion to notice when the separate proceedings are brought before us.

Para 4 We have given in the margin the amount of the settlement of Palanad, Fusly 1239 Rs 2,05,361 part of which is settled ryotwary, and part  
" 1240 Rs 2,08,018 under other modes of assessment. We fully agree  
" 1241 Rs 192, 479 in the opinion expressed by you and the Board  
" 1242 Rs 78,908 of Revenue that in the grant of remission a  
" 1243 Rs 151, 132 clear distinction should be drawn between enaums, shotriums, and other favourably assessed lands, and lands under ordinary settlement. In the case of the former it will be sufficient to allow a suspension of the payment leaving the balance to be recovered in more favourable years from the proceed of the estate at the discretion of the revenue officers.

Para 5 We are sorry to observe that the endeavours of the Collector to introduce a money assessment into Palanad have hitherto proved unsuccessful. As the reluctance of the ryots to enter into the arrangement is apprehended to arise from an impression that their share of the produce would be liable to reduction in the settlement of money rates, we desire that they may be distinctly informed in the event of the question being again agitated, that the assessment will be determined by a commutation at a fair average price, of the actual share which they now enjoy, and which is sanctioned by long established usage. It will however be expedient to wait until the district shall have somewhat recovered from its present state of depression before attempting any change in the accustomed method of collecting the revenue.

( Letter of May 2, 1834 to which this is a reply has only one para. Its enclosure from Board of Revenue proceedings is not with letter. The above is on pp510-13. Despatch replied May 30, 1837)

Despatch: N. Circars: 1789?

VII

B-71/5

Secret

The Right Hon'ble Earl Cornwallis, Governour General, Sir Archibold Campbell K.B. Government of Fort. St. George.

On considering all the circumstances of the Northern Circars, an important question of policy occurs for discussion, - in what manner, and upon what principles, that territory shall be held by, or connected with, Great Britain. We wish to draw your particular attention to the subject, that we may know the sentiments you entertain after a careful deliberation assisted with local knowledge; (2) and shall succinctly touch the different points of view, in which we think it ought to be examined.

First. The question must apply to the territorial possession itself, independent of the mode of internal administration. We must never lose sight of the importance of the acquisition made by Lord Clive, in obtaining the grant of the northern Circars in 1765, which enabled us to gain the interior command of the Sea Coast; and, excepting only the small (3) intervention of Cuttack, to unite our possessions in Bengal with those on the Coast of Coromandel. We have already informed this consideration in (4) our ~~xxxxxx~~ secret letter concerning the Guntoor Circar dated

On the other hand, there are some disadvantages attending this territory, which one must have constantly in view, and should use every possible endeavor to obviate. We are to consider the difficulties which have obstructed us, in our desire of gaining possession of the (4) Guntoor Circar, altho' strictly ours both by Imperial grant, and by treaty; the jealousy as well of Tippeo Sultan, as of Nizam Ally Cawn, the dissatisfaction, which seems from various late occurrences ~~from~~ to influence the mind of

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John Ryland Library: Eng: Mss 685/1396/A-0  
Manchester

the latter prince, probably heightened by the abrupt discontinuance of the Treaty, which had been carried into considerate forwardness by Mr. Richard Johnson ( 5 ) as ministers from the Bengal Government, for an unqualified cession of all the Circars. Nor can we refuse a degree of credit to the secret advices conveyed to us thro' different ~~channels~~ <sup>channels</sup> of a negotiation between him and Tippoo, in which it is natural to suppose the French will from various motives ~~knew~~ <sup>became a</sup> party.

We ~~also~~ observe as to the Zemindars likewise, that, altho' their country has been in possession of the East India Company, above twenty years; they do not feel their dependence (6) on our Government sufficient to restrain them from keeping up a correspondence with and occasionally seeking protection from the Nizam. Nor do we think there is much probability of being able to have them in absolute subjection, as hereditary land holders and still less, if it were in itself desirable, of reducing them to the condition of mere subordinate managers, as the Revenue Board describe them to be by Constitution. This consideration is likewise material to another view of the question, to (7) which we now proceed.

Secondly, as to the trading principles which ought to regulate us in our internal administration of the Circars, on the supposition, that it is most eligible to retain them entire as British territory; and that a cession of any part would deprive us of advantageous military stations, which we now have, or ought to possess; or weaken our powers of communication between the two Presidencies; and, in short; that no fresh measures can ( 8 ) take place without endangering important national benefits.

We are sensible that all the orders of the Court of Directors, and to which they have been urged by many of their ablest servants on the Madras establishment, have hitherto gone to effectuate the complete subjection of the zemindars, and to deprive them of all military

⑧ *destruction of military power:*

power or authority whatsoever. But our <sup>records</sup> ~~Board~~ exhibit constant proofs of the difficulty and hazard of accomplishing it. In particular ( 9 ) we have observed, avoiding to go back to earlier ~~xxxxxx~~ periods, when our possessions had usually acquired stability, the high tone <sup>henceby</sup> assumed by Vizieram Rauze to our late Governor Lord Mecartney, in rejecting the Cowle that was then offered him and to the Committee of Circuit, in obtaining <sup>from</sup> our Government as a right not <sup>to</sup> be contested, the pensions of his (Rachawars) ? <sup>claiming</sup> or military dependents; and his preposterous conduct in putting his troops ( 10 ) and guns in motion in the month of January 1787; in defiance of all Government and order. These proceedings of the Rajah of Vizianagram are certainly not the acts of a subordinate subjects and their existence <sup>impeaches</sup> the vigor of the Company's authority. But, if there would be danger in repressing them by the arm of power: it will then deserve consideration, how far it might be for our interest to consider the Raja as a tributary prince possessed of certain independent rights, rather ( 11 ) than to retain him as a refractory subjects, too great for control. Other instances prevent themselves of a similar nature. But it is unnecessary to specify them.

Or, if it be presumed, that the Zemindars in general may be heartily attached to our <sup>interests</sup> as our tributaries paying a permanent revenue not liable to alteration or inquiry from any authority of our Governments, a doubt arises whether it be politic <sup>totally</sup> to disarm them destroy all their strong holds and reduce them to a ( 12 ) state of imbecility, especially in those districts, which are much surrounded by other potentates, or such as possess frontier situations, with a warlike body of dependents capable of forming a barrier against the sudden inroads of an enemy. For it is to be observed that our territories on the Coast of Coromandel are very differently circumstanced in many respects from those of Bengal: and therefore



Ryotwari System of Rev Admin - Replies to Lord Bentinck's queries -  
Sept. 1834 (from Collectors of Salem & Coimbatore)

Questions replied to 37

(10) 175/2 (I.O. number)

Coimbatore

Q.6. Upon what principle was the assessment formed? Upon the quality of the soil, or upon an estimate of the produce taken from the village accounts, or upon actual payments of revenue to the State on an average of a series of years.

Answer: The lands having been measured, a scale of the assessment was formed so as to regulate the proportion of remission to be allowed on the ~~ix~~ difference between the old and new measurements; and as the quantity and quality of the land was ascertained, the assessment was fixed upon each field according to its class in the scale, and to the usual rates at which the produce was divided. Reference was also made to the situation of the lands, and their facility of cultivation, since lands of the same capabilities or even of better quality than others in adjacent villages, could not bear the same assessment from local causes, such as variations of situation from markets, unhealthiness of climate, and vicinity to jungles infested ~~ix~~ with wild animals. The actual produce was compared with the accounts of the produce of former years, and with the actual present state of the lands. The Government share of the produce was commuted into money on the average ~~exist~~ selling prices of grain at and in the vicinity of the village, for a period not less than ten years, excluding the accounts of such years in which the variation of the prices was more than ordinarily high, the cause of which was investigated; the average payment of revenue on each field, and the actual collections of previous years, were then compared, to determine the fair amount of rent to be finally assessed on the land. In some instances, particularly in the assessment of wet lands, a reference was in the first instance made to the actual payments of revenue for a series of years, and an equitable assessment was then made upon all the usable lands of the village which had been brought under cultivation under ordinary circumstances, which was sub-divided on the different fields separately, according to the quality of the land.

Q. 7. What was assumed as the Government share? Was it a portion, and to what amount, of the gross produce? or was it a portion of the remainder only, or of the *net gain* after deducting all the expenses of ~~the~~ cultivation?

Answer 7:- The Government share of the produce was assumed with reference to the usual rates, in proportion of one-third of the gross produce to the Government, and 2/3rds to the ryots, on all dry lands, including *pungah* and gardens.

In the dry lands of the southern division the produce was proportioned in five shares, of which three were taken by the ryot, and two by Government. On wet lands the gross produce was divided into eight shares, of which one share was deducted in favour of the ryots on account of *Podooshelavoo* and all incidental charges of cultivation, and the remaining seven shares were divided equally between the Ryot and the Government.

Salem.

Q. 2: What are the chief advantages or disadvantages, as compared with the Zamindari, or *other* system of *new* management?

Ans. 2 ---- Under the ryotwari the ancient village and municipal institutions are kept up; - under the Zamindari they are overthrown ----.

Q.7. Ans. - The Government share, when paid in kind, appears generally to have been assumed at  $\frac{1}{3}$  of the produce, and this was taken as the basis of the assessment of this district.---- I find by a letter from Col. Read (20.3.1798), the officer under whom the survey was made in this district, that the exact portion of the gross produce assessed on the land as rent was 32%, on the dry, and from  $37\frac{1}{2}$  to 45 on the wet. "An equal division of the crops "he observes", between the *livein* and the Ryots, being the rule of assessment throughout India, it was first taken as the basis of my assessments: but that rents in kind not being *desired* ~~derived~~, it was proposed to convert them into money rents by reducing the ~~rent~~ estimated full crop to the average crop, and putting on that, the average price of years, (not the price of a cheap or a dear season,) to constitute the rent." The average crop he estimated at 11/16th of a full crop in dry land, and 13 $\frac{1}{2}$ /16th in wet; and upon this estimate the rights of the

Government and the Ryot were defined, according to the following table inserted in the letter above quoted;

	Usual share in kind		proportion by survey	
	Ryots	Givcar	Ryots	Givcar
1. Dry	$\frac{1}{2}$	$\frac{1}{2}$	68	32
2. Wet - superior rivers	$\frac{4}{10}$	$\frac{6}{10}$	55	45
- inferior rivers	$\frac{9}{20}$	$\frac{11}{20}$	60	40
- tanks	$\frac{1}{2}$	$\frac{1}{2}$	62 $\frac{1}{2}$	37 $\frac{1}{2}$

India Office. MS.  
Revenue & Dept. by JAMES CUMMING  
30. NOV 1810  
NW

An Historical Account of the Administration of  
the Land Revenues in the Territories under the  
Presidencies of Fort St. George

(contents XXXVIII + 921)

Deals with all areas separately as they come under the Company during 1690, 1749, 1762 and 1792 onwards. (1799, 1800 & 1801)

pp.893/4

It has further been seen that the various productions of the soil, differing as they do materially in value, and in the expense of culture, and liable to particular contingencies have been assessed on principle applicable to each description of produce; that, in the Nunjah or paddy lands which are always covered with water by rivers or artificial means, the produce was, formerly divided in kind, according to a warum or customary mode of division, being generally half to the cultivator and ~~one~~ half to the government; that the produce of 'punjah' lands, watered only by the falling rains, requiring only partial supplies, and, therefore, not so frequently exposed to failure, which the articles of production which are various on the same ground, ripen at different periods of the year, had been generally assessed with a money rent; as had likewise the more valuable products which come under the description of garden and plantation produce, which as they were more expensive in the rearing and management were assessed at the lowest rates\*

(\*We have stated the rates of assessment in each district whenever it could be done, This information is sometimes given in the tabular statements which accompany the reports of the collectors and not in the Reports themselves, but the statements are frequently omitted to be sent to the India Office.)

pp.895

It is customary throughout that territory (and it is believed in every part of Hindostan) for deductions to be made from the gross produce of the land, as appropriations to the Municipal officers of each village; and for the maintenance of the pagodas and other public establishments.

The village officers are those who in various ways administer to the necessities and wants of the little community to which they belong. The shares of the produce which they receive, are, with nature of fees or a remuneratory consideration for the services they render. Those to the pagodas and other establishments are charitable appropriations. Both these descriptions of allowances in kind are called 'marahs' or 'russooms'.

The cultivator also paid certain fees or perquisites in ready money called 'Sandawared' for defraying the expenses of oil and stationery in the cutcherry of the villages and for other purposes.

pp.905/6

It is true that in most of the territory of the coast under their authority, the land revenue now exceeds the amount derived from them, under the assessments of native governments. But those governments though they had acknowledged principles of assessments, the collections made on the inhabitants were not confined to these,.....

pp.917

There is another circumstance which has rendered the situation of the cultivator under the British Govt, far more comfortable and happy than it was before they became subject to its rule; and by which all other blessings extended to them, are, as it were, confirmed and secured and that is, the vigour, the

*L power*  
 the efficiency and if we may be allowed the expression, the unity of its authority which neither acknowledges nor permits of a divided power; but which keeps all power in subserviency to its own.....

pp.921

.....It was formerly a usual thing for the Zamindars and others to be refractory in regard to their payments; and it was found generally necessary throughout the country to employ a regular military force in the business of the collection. This is no longer done except in an extraordinary case; the rents are paid with punctuality, and whenever there is a balance outstanding against a District, in almost every instance <sup>it</sup> to be <sup>li</sup> ascribed to inability and not to a contumacious spirit.

30.11.1810

James Cummings

1. The Government in their first order thus discussed the share of produce to be taken by the State:-

Survey Selections No. LIII, page 10.

"The classification of the soil, and the valuation of the land having been made, the next and final process will be to determine the assessment. This, as already said, should be moderate; but here the question comes in--What is a moderate assessment? The existing rates were based, generally speaking, on an assumed proportion of 50 per cent of the gross produce in the case of irrigated land, and of 33 per cent in that of unirrigated, after making certain deductions for Village Servants' allowances. These may be stated as the proportions generally; the actual proportions were in some cases exactly these, in some a little more, and in some a little less. The proportions taken in each District are generally ascertainable; but here comes in an element of uncertainty, because they were applied to the quantities of produce estimated by the classifiers; and it is very doubtful how far those estimates were correct, or were made bona fide. There seems reason to believe that they were often fraudulently low. Further, the quantity of produce thus fixed as the Government share was commuted into money at prices supposed to represent the average selling price at the time; but the mode of computing these prices varied much in the several Districts, and hence another element of inequality and uncertainty. In all Districts, however, without exception, from causes on which it is unnecessary to expatiate or to speculate in this place, the price of grain has fallen very materially since the period of commutation, and thus pro tanto, the assessment has in fact been raised. On the whole, probably, the proportion of the crop actually taken by Government at the present time, except where there have been recent reductions, is not less than 50 per cent. on irrigated and 35 per cent. on <sup>un</sup>irrigated land. In some Districts, however, and in some parts of Districts, the assessment is certainly lighter than this; in others it is probably heavier.

"Sir Thomas Munro was always of opinion that, in order to give the Ryot any proprietary interest in the soil, the share taken by the Government ought not to exceed one-third of the gross produce. But in the Ceded Districts, where the assessments were lowered in order to bring them to this proportion, there are still loud complaints of over-assessment; and the state of those Districts, of Bellary in particular, is certainly not such as to indicate much wealth or comfort among the people. In the North-Western Provinces, the rule was, never to take more than two-thirds of the net produce accruing to the proprietor; in other words, two-thirds of the rent. This share of the net produce would bear various proportions to the gross produce, according to circumstances; on the whole it may ~~perhaps~~ perhaps be assumed that it would be equal to about 30 per cent of the gross produce. And in an Essay on the Settlement of the North-Western Provinces, in the twelfth volume of the "Calcutta Review", generally attributed to the late Mr. J. Thomason, it is stated (page 442) that this, or nearly this, is about the real proportion in the most fertile and best irrigated Districts. But it is added, (page 443) that in Mozuffernugger the revenue is only 20 $\frac{1}{2}$  per cent of the gross produce; and in Bareilly about 22 $\frac{1}{2}$  per cent; and in Goruckpore not above 12 per cent. It must also be remembered that, under the settlement of the North-Western Provinces, the whole of the waste land is given up by Government

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to the proprietor for the term of the Settlement (thirty years), whereas under the Ryotwar system, all such land, as soon as brought under cultivation, will be liable to its full quota of tax, except so far as temporary exemption may be permitted to reimburse the immediate cost of reclaiming it.

"On the whole, taking all the circumstances into consideration, the Governor in Council is of opinion that, in order to give the Ryot a real proprietary interest in the soil, and to induce extended cultivation, 30 per cent, of the gross produce, computed\* as provided above in paragraph 15, may be taken as the maximum of the Government demand. This maximum to be fixed as the actual demand under the most favourable circumstances, as explained above in paragraph 16,\*\* but to be liable to deduction, according to the lower degree, or to the absence of such advantages or any of them. Probably on the whole it may be assumed that, under this rule, the average share taken by Government would be about 25 per cent, or one-fourth of the gross produce. This proportion is intended to be that taken for the general purposes of the State; besides which it may be proper to establish cesses for local objects, as in the North-Western Provinces; especially for the maintenance and improvement of the District roads, and for education."

Survey Se-  
lections  
No.LIII,  
Page 185.

2. The Home Government differed on this point. They said "We consider that this part of your scheme, is the one most open to objection, and moreover that it is inconsistent with the principle laid down in paragraph 13 of your Resolution that the right of Government is not even to the whole rent, but only to a share of the rent. In lands of a high degree of fertility, possessing every means of communication and in the neighbourhood of good markets, 30 per cent of the gross produce may fall considerably within the limit of the rent or net produce; in lands less fertile, and less favourably situated, a much smaller share of the gross produce might considerably exceed it. The natural and inevitable consequence, as it appears to us, of apportioning the assessment to the gross produce, is to favour the most fertile lands, and to press with increasing severity on the poorer lands, in an inverse ratio to their fertility.

"In a natural state of things when the demand for agricultural produce is such as to render it necessary to bring all the available land under the plough, the least fertile land in cultivation would be that the gross produce of which would merely furnish the wages of labour and the profits of the stock employed in cultivating it, leaving no surplus out of which any rent or assessment could be paid. If, as under our revenue system, an assessment however small, is imposed, such land must of necessity, all other circumstances remaining the same, be abandoned, and cultivation will recede until it reaches the point at which the gross produce is just sufficient to provide for the payment of assessment, in addition to the wages of labour and the profits of stock.

\* "On a carefully moderate scale, so as to allow for indifferent crops and bad seasons."

\*\* "Next to the classification of soils will come the valuation of the land. The classification having regard simply to the physical quality and the productive power of the soil, the valuation takes in also the considerations of nearness to the village, and consequent facility of manuring, cultivating and guarding the crop, nearness to a road or a market, facilities of irrigation, (a) and other accidental rather than inherent circumstances, whether affecting the value of the crop or its quantity. This may most conveniently be effected as in Bombay, by placing the field or the village, as the case may be, in a higher or lower class according to the aggregate of such circumstances."

(a) In the case of dry land, the actual payment for the use of Govt. water supplied, will be a distinct charge.

"The fact that the holdings are generally of very small extent, that the labour is performed in most cases by the Ryot and his family, and that the agricultural capital employed is of exceedingly small amount, does not, we apprehend, interfere with the operation of the principles to which we have adverted. The produce of the land must at least be sufficient to feed and clothe the labourer and his family, and to replace the cattle and agricultural implements as they become worn out; and besides this, a surplus must remain for the payment of the assessment imposed by the State.

"We are therefore of opinion that the assessment should be proportioned to the net and not to the gross produce. This course was followed in the North-Western Provinces of Bengal when the proportion demanded by the Government as its land revenue was taken at two-thirds of the net produce. You observe that, although this share of the net produce would bear various proportions to the gross produce, according to circumstances, on the whole, it may be assumed to be equal to about 30 per cent. on the gross produce. Admitting this assumption to be sufficiently correct for practical purposes, we must observe that the question is in no respect one of averages. It may be true that 30 per cent of the gross produce of a whole District may be equivalent to two-thirds of the net produce; but the object of your proposed operations is to apportion the assessment fairly on the individual fields composing the District according to their varying degrees of value, and this object will not be attained by making the gross and not the net produce of each field the basis of assessment.

"It may be argued that the net produce cannot be ascertained or even estimated, with any near approach to accuracy. No attempt to estimate the net produce has been made in the revised Settlements of Bombay or of the North-West Provinces, in the latter of which it is declared that the operation of determining the assessment is "not one of arithmetical calculation, but of judgment and sound discretion." We are well satisfied that absolute accuracy cannot be attained; but in endeavouring to fix the assessment on the basis of the net produce or rent, we apprehend that you would be pursuing a course founded on correct principles, although but imperfectly attainable in practice. For the attainment of this object, as of many others contemplated in the revised settlement; it is probable that much useful information may be gathered by consulting the most intelligent and influential inhabitants of the villages in course of assessment. The main point to be regarded is that the assessment should be fixed at a rate sufficiently moderate to allow for errors of judgment on the part of the settling Officer. If this be attended to, the effect of any irregularities which may occur, will only be to render the lower assessed fields more valuable than those on which a higher assessment is imposed; but, in all cases, the share of the net produce left to the cultivator after defraying the assessment, and the expenses of cultivation will still be sufficient to render his land a desirable property."

NOTE:- It should be remarked that the North-Western settlement is a village one, and that all waste is made over to the village proprietors

during the period of the settlement, viz., 30 years free of tax; whereas in Madras every acre of waste is taxed as reclaimed.

3. The following are the North-Western instructions above alluded to. "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.

"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.

"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.

"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.

"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 ~~that~~ he fancies that he has ascertained the actual net produce, should ~~he~~ 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~~ 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.

"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.)"

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4. In Bombay, the Settlement Officers reported thus: "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."

Survey Selections No. LIII page 237.

5. The Board of Revenue to whom the Honorable Court's Despatch\* was communicated, reported as follows:- "The Board are not disposed to deny that the views expressed by the Court are correct in theory, but they at the same time believe that to carry them out would not be practicable in a Khetwar Settlement. In the North-Western Provinces the Settlement Officer after discussing the subject with his employes and with the head Ryots, the representatives of the villagers, fixed at their discretion what they considered the net rent of the whole village. On what data they went is not explained in any of the printed reports, but it seems at best to have been but an approximation, and this might be possible taking a whole village by itself; but to attempt to estimate the net rent derived from each field must, in the Board's opinion, be futile. They doubt if there is a nearer plan than that of estimating for a considerable tract of country the average expenses of cultivation at so much per acre, and with these data making a per centage reduction from the estimated gross produce, considering the remainder as the net produce. That the gross produce of every field or rather of each class of land must be estimated first, is very clear, or else no classification could be made. This task is far from easy at the best, but to attempt field by field to estimate the net profit derived from it would be altogether impracticable, especially when it is well known that any Ryot when pressed to give a statement of his cultivating expenses, always arrives at the conclusion that he is a loser on every acre. In estimating the relative values of fields, the Board would invest the Settlement Officer with very full powers. None but those employed on the spot in personal investigations can presume to lay down detailed and inflexible rules, and it is not to be expected that the assessment eventually fixed on any field will be exactly a proportion either of the gross or the net produce, as there is a vast variety of local circumstances to cause variation from what may be taken as the primary data. The Government have already stated that they consider the share of Government should not exceed 30 per cent of the gross produce, and they expect that this will be about two-thirds of the net produce. This should be a sufficient guide for the Settlement Officer, whether he makes his original calculations on the gross or the net. The Board greatly doubt if the Settlement Officers of the North-Western Provinces could have attempted to apportion the two-thirds net produce on every field, and from the very earliest periods of history the Ryots of the Carnatic have been accustomed to, and understand the system of yielding to Government a certain per centage of the gross produce, ~~leaving~~ leaving it to the assessing authority to make this per centage lighter on the inferior soils; a plan which in practice would seem to meet the objections of the Court, that the better soils would be favoured."

6. Mr. Newill made the following observations: - "The

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\* paragraph 2 ante.

Survey Selections No. LIII, page 388

subject of the net profits being taken as the basis of the settlement instead of the gross produce has been perhaps sufficiently noticed by the Board in paragraph 8 of their Proceedings, but I may point out one circumstance which seems to meet in a measure at least the objection that the plan of assessing according to the gross produce is disproportionately favourable towards the more fertile soils. It is that the straw and other miscellaneous products, which are of much value to the Ryots and are not included in the estimate of the gross produce, do not vary in quantity and value in proportion to the fertility of the soils; and indeed practically this item has always been considered a partial if not a full compensation for the expenses of cultivation. The only data which I have available for illustration are those prepared by the Honorable W. Elliot when Commissioner ~~of~~ in Guntoor. From statement No. 2 of his Report of 18th December 1845 it will be seen that while the value of the grain produce on the best and worst lands is taken in the ratio of 17 to 1, the value of straw, &c. on the same lands is taken in the ratio of

		Rs.	A.	P.
1st Class	Produce per acre	8	7	3
	Straw do.	0	15	4
10th do.	Produce do.	0	8	0
	Straw do.	0	3	2

about 5 to 1, and again that in the first class the straw bears the proportionate value ~~of~~ of 1/9th of the grain produce, while in the last class the very poorest soil it is nearly one-half of it. Whether, therefore, the gross produce is retained as the basis of the assessment or the net profits kept in view for this object

the above circumstance affords material aid in proportioning the settlement on the several descriptions of land, and this, connected with the circumstance that the facilities or disadvantages of cultivation form a consideration in the valuation of the land, renders the distinction between the two ~~x~~ data of less importance than at first sight might be supposed."

Survey selections No. LIII, page 438.

7. The Revenue Board on this said "Mr. Newill's views seem to be those of the Board, in considering it impossible to ascertain the net profit derived from each field, but the proposed end may be attained by assuming a per centage of the gross produce to be expended in stock and expenses of cultivation, and fixing the assessment with reference to the remainder which may be considered the net produce.

"Mr. Newill (paragraph 21) remarks that in assessing land with reference to the produce reaped and threshed, the straw is not taken into account of value, and this is supposed to cover partially or altogether the expenses of cultivation. He observes that in the best lands in Guntoor, the value of the straw is about 1/8th of that of the grain produce, and in the poorer lands more than 1/3rd. The Board see no reason why the value of the straw should not be taken into account. They observe that Mr. Bourdillon draws attention to the fact that in irrigated land the straw alone is worth 2½ Rupees a Cawny, and supposing an average Nunjah field to produce 30 Cullums at 5 Cullums a Pagoda or 21 rupees, the value of the straw is 1/8 or 12½ per cent."

Do. Page 459

8. The Government replied that there was "an apparent inconsistency in the Court's Despatch on this subject. In one place it is stated (paragraph 19) that the mode of apportioning the assessment to the net produce was followed in the North-Western Provinces; but subsequently (paragraph 20), the Honorable Court say that "no attempt has been made to estimate the net produce in the revised settlement of the North-Western Provinces,"

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and the Honorable Court admit that the principle would, in practice, be imperfectly attainable, and that determining assessment is a question of discretion and not of mathematical calculation. The Board have already recorded their views to the latter effect, in paragraph 7 and 8 of their Proceedings to Government of 15th July 1857, and Mr. Newill's views, they now remark, seem to be in accordance with their own. The Government concur with the Board that, to ascertain the net produce of each field, is impossible, and the fact is, in reality admitted by the Honorable Court. The Government do not therefore wish that that the Director of Settlement should consider himself hampered by the necessity of endeavouring to ascertain what may be the net produce of the land.

"The Governor in Council is of opinion, with the Board, that the value of the straw should be included in the assets upon which the assessment of the land is calculated."

Survey Selections No. LXXIV,  
page 90.

9. Lord Stanley quoted these words and added "a reference to the "directions to Settlement Officers" will show that, while those Officers were warned not to harass themselves in endeavouring to attain accuracy in ascertaining the net produce, which was an operation not of arithmetical calculation, but of judgment and sound discretion, it was at the same time enjoined on them to keep that object steadily in view, to the end that the demand of Government should in no case exceed "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."

"You concur with the Board of Revenue that to ascertain the net produce of each field, is impossible, and you observe that the Court have in reality admitted the fact; and you therefore do not wish that the Director of Settlement should consider himself hampered by the necessity of endeavouring to ascertain the net produce of the land.

"I am satisfied that it is quite impossible to ascertain, with any approach to minute accuracy, either the gross or the net produce of each field; but I am at the same time convinced, that if either or both of these objects could be accomplished, the right course would be to take a fixed proportion of the net, and not of the gross produce. The expenses of cultivation vary greatly on areas of land of different qualities, yielding the same quantities of gross produce, and the net produce will of course vary inversely in the same degree. I do not desire that the Director of Settlement should endeavour to ascertain with precision the actual net produce of each field; but that, in determining the rates of assessment for the different qualities of land, the principle which was laid down should be carefully borne in mind."

10. In his Report for 1858, Mr. Newill made the following observations:-

Do. Page 234.

"In accordance with the views of the Court of Directors, that the net profits should be taken as the basis of the assessment rather than the gross produce, it is intended, in converting the grain value into money rates, not to take an arbitrary share of the produce as the Government portion, but to vary this somewhat in the different kinds of soils, according to the expense of cultivation, facilities of growing special produce, &c., and

thus to bring out the assessment approximately in the ratio of net profits. These calculations will vary for different tracts of country, and will belong to the report on the new assessment formed for the same, as well as the rate of commutation which will also vary in different localities."

11. The Board of Revenue remarked on this as follows:-

Survey Selections No. LXXIV, page 280.

"No assessment has yet been fixed on the lands which have been classified, but Mr. Newill has begun the enquiry, and intends to make it the subject of a special report. The Board will not, therefore, dwell on it at length in the present review. The principles upon which the assessment is to be conducted, are given in the pamphlet containing instructions to Deputy Directors. It will be seen, by reference to it, that all the circumstances likely to affect the normal assessment of a field, such as advantage of situation with regard to the village site, or to markets, roads and ports, better sources of irrigation, and means of drainage, the actual supply of water in irrigated tracts, extra expenses of cultivation, value of straw, &c., are taken into account in determining the grain value of each kind of soil, so that the classification may be brought as nearly as possible to the rates of the net profits, although owing to the ordinary charges of cultivation not being deducted, the actual standard obtained by the preceding process, will really be higher than that ratio. To make a further advance towards the standard of net profits, agreeably to the orders of the Honorable Court, dated 17th December 1856, and those of the Secretary of State, dated 15th December 1858, it is intended to vary the proportion of gross produce from 30 per cent the maximum on first class lands, to about 20 or 18 per cent or even less on the worst soils. The effect of these measures will, no doubt, be to place the assessment on a correct basis; but, it appears to the Board, that the same result might be obtained in a less arbitrary manner. Instead of one, there might be three tables, the first showing the intrinsic value of the land in grain, irrespective of other considerations; the second, the ordinary charges of cultivation, also in terms of grain; and the third, the proportion of the net grain value, payable as the assessment of Government, and fixed with reference to position and the other adventitious circumstances already alluded to. With such tables, prepared after careful investigation and experiment, the assessment to be fixed on any given field will become an easy operation. Thus suppose a field, the grain value of which is 60, and the ordinary expense of tillage 25, then the difference 35 will represent its net produce, and if the factor in table No. 3, applicable to the circumstances of the above land, be (say) three-fifths, the assessment will be 21 in terms of grain, the commuted value of which will be its equivalent in money.

"In the above example, the proportion of the assessment to the gross produce will be 35 per cent; but, if owing to unfavourable circumstances, the factor in the third table is only half, then the proportion of the assessment to the gross produce will be reduced to 29 per cent. A similar process may be followed in other cases. The chief advantage which this method seems to possess is, that it will scarcely leave anything to the discretion of the Native assessors; and on this account, the Board would recommend it for Mr. Newill's consideration and adoption, if deemed feasible."

12. The Government did not on this occasion notice the subject.

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13. Shortly afterwards in connection with the question of a separate water cess, the then Governor Sir C.E. Trevelyan recorded the following remarks:-

Survey Selections No.LXXIV, page 351.

"This subject of Land Revenue Settlement has been before me in a variety of ways, since I had to make such settlement myself thirty years ago in the Delhi territory; and I have arrived at at least one certain conclusion, which is that estimates of net profits founded upon calculation of produce, price and expense, are utterly untrustworthy and delusive. These elements continually vary, not only at different times, but also in reference to different places and persons at the same time; and if they are relied upon as a basis for fixing the amount of the tax, they are sure to mislead. If we wait for accuracy, which the Board of Revenue presume to be attainable, we must employ several years in the attempt; for nothing short of a long series of experiments, on a large scale, for a succession of seasons, would give a reliable result; and, after all, it would only be an average which might be totally at variance with the outturn of the next season."

14. The Honorable Mr. Walter Elliot on the same occasion wrote as follows:-

Do. Page 354.

"All attempts to regulate assessment by nice drawn distinctions and elaborate calculations are sure to end in disappointment. Mr. Pringle's survey of the Dekhan, undertaken on the principle of ascertaining the exact net share of the produce to be levied by the State on every acre of land, from which such important results were expected, failed utterly, from attempting too much in this respect.

"It is very well to take a given proportion of the gross or net produce, to serve for a general measure of the limit of the public demand, and such has already been done in fixing the dry assessment. But to carry such intricate investigations into the details of the assessment and still more to attempt to regulate the value of the water distributed to different localities by such a scale, is impracticable."

15. In his report on the assessment of the Mannargudy and Chellumbrum Talooks of South Arcot, Mr. Newill reverted to the subject thus:-

Do. Page 601.

"The question next ~~comes~~ comes whether a proportion of the gross produce thus obtained or of the net produce should form the basis of the assessment. The latter is undeniably the correct principle and in favour of it the Secretary of State for India has recorded his views in paragraph 15 of his Despatch dated 15th December 1858.

" \* \* \* The great objection totaking the gross produce is obviously that it over-taxes the poor soils and under-taxes the richer ones. Considering that none of the calculations by which the estimated gross assets have been arrived at can be taken as mathematically accurate, and that the conclusions illustrated by these figures are the result of discretionary deductions from a wider range of circumstances than could be condensed in any tabulated form, there seems no reason why a similar process should not be followed for arriving at the cultivation expenses and the net produce.

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"The cost of cultivation will, doubtless, be estimated differently by different persons, and the fact is that it does in itself vary considerably under vicissitudes of seasons, floods, and other accidents, the sizes of the several farms, the condition of the cultivator, and the description of the crops grown, and numerous other circumstances. Attempts to get at the exact expenditure on this account from the Ryots have obviously been of little avail beyond aiding in determining the relative cost for different descriptions of soil. The greatest labour is generally bestowed upon the better soils, although theoretically the poorer ones often require more expenditure to bring them into ordinary bearing; but practically the Ryots are content with the smaller return on these for the smaller amount of outlay, particularly as the return is generally less certain than in the superior soils.

"There are broad distinctions, however, which are practically observable; some kinds of soil are easier worked according to their constituent parts; others again, such as sandy lands, require more artificial aid in manure, &c.

"The following shows the conclusions that have been arrived at for Paddy and the average for the several dry crops, though as above observed, any calculations of the kind can have no pretension to strict accuracy:-

Tarams	Wet for Paddy	Dry Average		
	Rs.	Rs.	A.	p.
1	8	5	0	0
2	8	5	0	0
3	7½	5	0	0
4	7	4	13	0
5	7	4	6	0
6	8	4	11	0
7	7	4	5	0
8	7	3	13	0
9	7	3	11	0
10	7	4	3	0
11	6	4	0	0
12	5	3	8	0
13	5	3	8	0
14	4	3	4	0
15	4	3	4	0

"These sums being deducted from the gross assets, the result will be the approximate net produce of the lands" \* \* \* "It will be observed that the proposed assessment on the very poorest soils, compared with two-thirds of the net produce, runs up proportionately high, though in every case there is a profit left to the Ryot; but this is unavoidable without descending to rates below what will be admitted as fair charges for irrigation in addition to land tax, and in reality the net produce is not always so low as described in the statement, as the cultivation is often slovenly and the cost has been estimated for fair tillage, while the produce is taken from the actual outturn, and not at what it might be brought up to by improvement of the soil. Any attempt to adjust this to the rigid standard of a fixed proportion of net produce would only tend to produce greater inequalities hereafter in the assessment, as the lands come under a different

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treatment in cultivation, &c. In the wet lands past experience shows that, whatever may be the theory of small net profits on the poorest soils, the water alone is a valuable commodity, which will easily bear to be taxed at about the lower proposed rate of assessment when applied for Paddy cultivation." \* \* \*

"I may quote here an expression from one of the leading agricultural journals as to the difficulty of arriving at what should be considered a proper rent in the present day in England. "The greatest enigma at present in agriculture is rent. The most experienced farmer, the most avaricious landlord, the most sanguine improver is deceived in his calculations in this important element in land transactions." And with this admission in regard to a country where agriculture and the rents afforded by it have been studied for years back with the same attention as a science, it would be presumptuous in the highest degree to put forward this first experiment of assessment as possessing any pretensions to perfection considered in its relation to the present circumstances of the country, much less to those, that may hereafter arise.

Survey Selections No. LXXIV,  
page 703.

16. "Mr. Hall, then Collector of the District and subsequently Member of the Board, expressed the following opinion, on the subject: "The next question relates to the proportion of the produce at which the assessment should be fixed.

Theoretically the net produce should form the basis of the Government demand, but in this country I conceive it to be impossible, to apply this principle, simply because we have not the means of ascertaining, with any approach to accuracy, what the net produce is. It may be roughly estimated, but, in my opinion, every purpose is answered by taking a proportion of the gross produce as the standard of assessment."

"The expenses of cultivation vary so very much even within the same village that it is quite out of the question to lay down a correct scale per acre for each Taram of land. Mr. Newill has added a table to paragraph 57 for the purpose of showing what he considers may be regarded as the average expenses of cultivation, but he himself admits that his calculations can have no pretension to strict accuracy.

"Mr. Newill appears to have taken two-thirds of the net produce as the basis of the assessment both in respect of irrigated and unirrigated land, and he has viewed, this proportion as equivalent to one-fourth of the gross produce.

"My own opinion is that one-third of the gross produce should be taken as the standard for assessing irrigated and one-fourth of it for unirrigated land. I must, however, mention that I have long been in the habit of considering one-third of the gross to be equal to two-thirds of the net produce, and one-fourth of the former to be the same as half of the latter.

"Wherever I have served, the Ryots have admitted the fairness of this demand.

"In Canara the ordinary method of calculating the Government demand is as follows:-

p.t.o.

Say for example, that an estate yields gross produce to the estimated value of 200 Rupees; divide the sum by two and give a moiety to the tenant for cultivation expenses, his maintenance and profit. Then allot two-thirds of the other moiety for the Government and one-third of it for the landlord of the estate."

	Rs.	A.	P.
Thus <del>gross</del> gross produce	200	0	0
	-----		
For tenant ..	100	0	0
For Government ..	66	10	8
For landlord ..	33	5	4
	-----		
	200	0	0
	-----		

"In this case the Government demand is based upon a proportion of what may be called the net produce, but which it can hardly be with propriety termed, as the calculations from which it results are not founded on any accurate data as to cultivation, expenses or other charges upon the land. The proportion taken may be said to be one-third of the gross with as much truth as two-thirds of the net produce."

\* dated 27th  
Feb. 1861,  
No.3203.

17. In his report\* on the Western ~~Delta~~ Delta of the Godavery Mr. Newill wrote thus:-

"In the consideration of the gross produce, 30 per cent is taken as the maximum standard. Two-thirds of the net produce is found upon the whole to be more than the proportion of 30 per cent of the gross as at first assumed by Government, and thus to be a larger proportion of the profits than was intended to be taken. The table shows also the half of the net produce which, upon the whole, may be considered a fairer proportion, and has, as above stated, principally guided the present rates, which may be considered as being, on the whole, a little over this proportion and generally within the two-thirds."

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PAPERS RELATING TO THE  
PROPOSED GENERAL REVENUE SURVEY OF THE MADRAS PRESIDENCY

Extracts from the Minutes of Consultation under datethe  
14th August 1855.

Pages 1-11

(2) It appears superfluous to enter into any lengthened argument in this place to prove the necessity of a Revenue Survey of the Madras Provinces; it will be sufficient to allude briefly to some of the leading facts of the case. The necessity of accurate measurements of the land and of a more or less exact classification of soils, as the only right basis of a land Revenue Settlement, has been universally admitted; and this truth has been practically acted on in every one of the older divisions of the British possessions in India, except Madras. In this Presidency alone, though no extensive portion of it, except Kurnool, has been under direct British administration for less than half a century, there has been hitherto no regular survey. In some Districts attempts were made in the years immediately succeeding the British assumption to establish some thing like a Register of lands, and fixed rates of assessment, founded on actual measurement and valuation. But these measures were in every case carried out in haste, with imperfect Agency, and in many respects in a very defective manner. The surveyors, so called, were wholly ignorant of any correct methods of measuring and were under no effectual control; there were no Maps, either field, village or talook, and no permanent boundaries; and even the records of the surveys have been imperfectly preserved. Hence even in those Districts where the work was the least imperfect, as in the Ceded Districts, it is now admitted that few of the advantages of a really effective survey have been secured.

(4) Other Districts might be cited, but the foregoing may suffice. The absence of accurate information as to the extent and the fair liabilities of the land has the most pernicious results. Not only does it operate injuriously on the Public Revenue, but it becomes a means by which the poorer and less influential classes are made to suffer for the benefit of the wealthy; and as respects all, both rich and poor, it has the injurious effect of rendering their property uncertain, of placing them in dependence on grasping and unscrupulous men, and of diverting them from the pursuit of honest industry, to watch over their interests at the Cutchery, or make favor for themselves with the Tahsildar.

(11) After the Survey comes the question of assessment. The Government are of opinion that the Ryotwar or individual system, so long established in this Presidency, should be adhered to generally. They look upon the mode of settlement ~~and~~ as decidedly in advance of settlements by villages, or other communities; and they believe that in the progress of society the latter must give way to individual holdings. But there are many points in which the actual Ryotwar system of the Madras Presidency may be much improved; and such improvement will follow almost naturally under a moderate assessment, in the place of the exorbitant rates now existing prevailing in many districts. These improvements will in great part consist in or spring from the almost entire cessation of the present numerous remissions. Under a moderate assessment, such as it is the desire of the Government to establish, there will be no necessity for remissions except under rare and special circumstances and they should cease as a part of the annual and ordinary settlement.

(15) It is further the opinion of this Government that while noticing the actual physical characteristics of the soil, the classifier should also note, as nearly as he can, its productive power, stated in quantities of some one of the ordinary grain crops; paddy for irrigated land, and cumboo, cholum, or some other grain, for unirrigated. This will form the basis of the ultimate ~~settlement~~ assessment; the estimate should be made on a carefully moderate scale, so as to allow for indifferent crops and bad seasons. In making this estimate the classifier should consult Ryots and other persons of local experience, but should decide according to his own judgment. So important in the opinion of this Government is simplicity of classification, that they think it well may be considered whether it will not be practicable to abolish the distinctive classification of lands according as they are or are not capable of irrigation from a Government source, and to classify all land simply with reference to its soil, and its productiveness without irrigation; charging a water rate when Government water is used or is otherwise available. This is the practice in the

North West Provinces and has obvious advantages; and though the universal practice here is different, yet, the change might be made without inconvenience on the occasion of a survey, if on the whole deemed expedient.

(16) Next to the classification of soils will come the valuation of the land. The classification having regard simply to the physical quality and the productive power of the soil, the valuation takes in also the considerations of nearness to a road or a market, facilities of irrigation\* (\*In the case of dry land, the actual payment for the use of Government water supplied will be a distinct charge) and other accidental rather than inherent circumstances, whether affecting the value of the crop or its quantity. This may most conveniently be effected, as in Bombay, by placing the field or the village, as the case may be, in a higher or lower class of assessment according to the aggregate of such circumstances.

(17) The classification of the soil, and the valuation of the land having been made, the next and final process will be to determine the assessment. This, as already said, should be moderate; but there the question comes in - What is a moderate assessment? The existing rates were based, generally speaking, on an assumed proportion of 50 per cent of the gross produce in the case of irrigated land and of 33 per cent in that of unirrigated, after making certain deduction for village servant's allowances. These may be stated as the proportions generally; the actual proportions were in some cases exactly these, in some a little more, and in some a little less. The proportions taken in each District are generally ascertainable; but here comes in an element of uncertainty, because they were applied to the quantities of produce estimated by the classifiers; and it is very doubtful how far these estimates were correct, or were made bona fide. There seems reason to believe that they were often fraudulently low. Further, the quantity of produce thus fixed as the Government share was commuted into money at prices supposed to represent the average selling price at the time; but the mode of computing these prices varied much in the several Districts and hence another element of inequality and uncertainty. In all Districts however, without exception, from causes on which it is unnecessary to expatiate or to speculate in this place, the price of grain has fallen very materially since the period of commutation, and thus pro tanto, the assessment has in fact been raised. On the whole probably, the proportion of the crop actually taken by Government at the present time, except where there have been recent reductions, is not less than 50 per cent on irrigated lands and 35 per cent on unirrigated lands. In some Districts however, and in some parts of Districts the assessment is certainly **higher** lighter than this; in others it is probably heavier.

(18) Sir Thomas Munro was always of opinion that, in order to give the Ryot any proprietary interest in the soil, the share taken by the Government ought not to exceed one third of the gross produce. But in the Ceded Districts, where the assessments were lowered in order to bring them to this proportion, there are still loud complaints of over-assessment; and the state of those Districts, of Bellary in particular, is certainly not such as to indicate much wealth or comfort among the people. In the North Western Provinces, the rule was, never to take more than two thirds of the net produce accruing to the proprietor; in other words, two thirds of the rent. This share of the net produce would bear various proportions to the gross produce, according to circumstances; on the whole it may perhaps be assumed that it would be equal to about 30 per cent of the gross produce. And in an Essay on the settlement of the North Western Provinces, in the twelfth volume of the Calcutta Review, generally attributed to the late Mr. J. Thomason, it is stated, (page 442) that this, or nearly this, is about the real proportion in the most fertile and best irrigated Districts. But it is added, (page 443) that in Mozuffernugger the revenue is only  $20\frac{1}{2}$  per cent of the gross produce; and in Bareilly about  $22\frac{1}{2}$  per cent; and in Goruckpore not above 12 per cent. It must also be remembered that, under the settlement of the North Western Provinces, the whole of the waste land is given up by the Government to the proprietor for the term of the settlement (thirty years), whereas under the Ryotwar system, all such land, as soon as brought under cultivation, will be liable to its full quota of tax, so far as temporary exemption may be permitted to reimburse the immediate cost of reclaiming it.

(19) On the whole, taking all the circumstances into consideration, the Governor in Council is of opinion that, in order to give the Ryot a real

proprietary interest in the soil and to induce extended cultivation, 30 per cent of the gross produce, computed, as provided above in para 15, may be taken as the maximum of the Government demand. This maximum to be fixed as the actual demand under the most favourable circumstances, as explained above in para 16, but to be liable to deduction, according to the lower degree, or to the absence of such advantages or any of them. Probably on the whole it may be assumed that, under this rule, the average share taken by Government would be about 25 per cent, or one fourth of the gross produce. This proportion is intended to be that taken for the general purposes of the State; besides which it may be proper to establish cesses for local objects, as in the North West Province; especially for the maintenance and improvement of the District Roads, and for education.

(31) It is now necessary to consider how the measures above recommended would affect the revenue. The present Revenue from Ryotwar Districts and parts of Districts amounts to about 317 lacks of Rupees. It has been stated above that the present actual assessment probably takes not less than 50 per cent of the produce of irrigated lands, and 35 of unirrigated; speaking in both cases of land employed in the ordinary manner of each kind and omitting the effect of private improvements, and of special cultivation. Such being the case, it is obvious that to reduce the demand to 25 per cent of the ordinary produce, would, other things remaining the same, cause a very material loss of Revenue. But it is to be observed, in the first place, that the present assessments are as already said, much higher than they were originally, in consequence of a material fall in the price of the staple agricultural products; that they are admitted to be exclusively heavy; that the necessity of reducing them has been acknowledged; and that in several Districts they are already in course of reduction. Second: It is certain that the burden of the existing assessment has actually operated to keep much land out of cultivation and so to depress the Revenue. It is a striking fact that during the ~~thirty~~ thirty-four years that have elapsed since the final adoption of the existing Ryotwar settlements, though population has largely increased, and the country has enjoyed uninterrupted peace, there has been scarcely any increase in the land Revenue; showing how slight an extension of cultivation has taken place.

(35) There seems to be no ~~doubt~~ room for doubt that with a vast extent of unoccupied land, with a peaceable and industrious population, scantily fed and scantily employed to the extent of being led to cross the sea in search of employment, though peculiarly averse to leaving home; with roads and other means of communication being every year improved and extended; under all these circumstances, it seems clear that such a reduction of Assessment as would make agriculture profitable, would speedily be followed by a vast extension of cultivation. To these expectations are to be added the more partial causes which will make it practicable to enforce the fair claims of the Revenue on extensive tracts now evading them; and lastly, it must be noticed that the measures proposed must of necessity occupy a very considerable length of time. It can hardly be expected that the survey and settlement of this extensive Presidency can be accomplished in less than fifteen or twenty years; and thus only one fifteenth or one twentieth of the Revenue will have to be dealt with in each year, and there will be full time for the restorative agencies called into existence by the new measures to come into operations. On the whole, considering the present depressed condition of this presidency, it seems fair ~~iff~~ to anticipate with confidence that the result of these measures, instead of a falling off, will be an accession to the Revenue, while, as respects the payers and the public the gain will be enormous, the Revenue will be derived from resources double or treble those upon which it is levied now; and will be paid with corresponding ease and absence of privation.

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(5) It is very certain that the original Hindoo assessment, in its characteristic of moderation in the demand and simplicity in the mode in which it was fixed, was disregarded in the attempts subsequently made by the ruling power, and the Zemindars under it, to realise an excessive demand but the leading principle of a money rent on the land was probably never lost sight of and to general recognition of this principle is to be traced the muctah settlements of the Zemindars at the period of permanent settlement; although accounts have not been discovered to connect the ancient Hindoo assessment with the muctah rates just noticed, it is not to be inferred that such do not exist, nor is it improbable that a further acquaintance with the details of the muctah assessment as they now present themselves, and a comparison of these ~~details~~ with the knowledge, though small, which we possess of the assessment under former Governments, will

lead to the identity of the two being established. The principle of a money assessment on the land is recognised generally in the Circars and other parts, and as the different ancient standards of measurement are still found to prevail, it is improbable that the principles of the ancient assessment should have been altogether obliterated.

Page 120  
middle para

The proportion of the produce which may be taken for the land tax has given rise to a much diversity of opinion. If it were possible to calculate the data, the limit I would name would be one half of the net produce after deducting every possible outgoing for labour, profits of capital and stock, &c. leaving the other half as the proprietor's rent to be enjoyed by the ryot. But I do not think that such elements of calculations are attainable in operations conducted on so large a scale as those in contemplation. We are necessarily thrown back on general estimates of average produce of each class compared with average prices and with the run of past collections. About one-third of the gross produce of wet lands and one-fifth of that of dry have usually been considered to constitute a fair and moderate land tax. I believe that taken as a whole the assessment now levied does not generally exceed one-third of the produce. It is to the unequal distribution of its parts and to the pressure of unauthorised demands that the poverty and depression of the ryots are mainly due.

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MINUTES OF THE RIGHT HONOURABLE LORD HARRIS, ON THE PROPOSED  
GENERAL SURVEY AND ASSESSMENT; DATED 12TH MAY 1855

With respect to Sir H. Montgomery's remark, on my suggestion that 25 per cent should be the proportion of gross produce which Government should receive, I would take this opportunity of stating, that it by no means follows that nearly half the amount of the present land assessment would be sacrificed.

So far as I can learn, I am led to suppose that the quantity of land actually incultivation considerably exceeds that on which the rates are levied, and that consequently a correct measurement will give a gain to Government on this point.

But that argument is taken apart from the real point for consideration, which is, what is the maximum which Government can demand of the cultivator, leaving him a fair prospect of being remunerated for his labour and of receiving a just interest for his capital.

To exceed this involves ruin to him, and therefore loss to the country.

If one-third of the gross produce is equal to two-thirds of the net profit, I think it is more than should be taken with a just regard to the views above mentioned.

I have no doubt, that if fixed at the rate I have mentioned, not only would there be no loss to the general income, but that there would be in a short time a large addition to it, by the large quantity of land which would be taken into cultivation, and by the increased consumption of articles of import, both of which would be caused by the accumulation of capital.

The actual loss or gain to Government will only be known after the survey has been made and the assessment fixed, and I am disposed to think that the general out-turn would be far from unfavourable to Government.

The proportion of 25 per cent of the gross produce has been fixed on by the French and there can be no doubt of the result which has followed in their territories. It has been most successful. It should be remembered that even if diminutions of Revenue should occur in consequence, in some localities, these would be by no means contemporaneous; as the survey cannot be carried on all over the country, and will, however expeditiously effected, consume a great deal of time. HARRIS.

Minute of the Right Hon'ble Lord Harris,  
on the proposed general survey and assesment  
dated 26th October, 1854.

- (Para 3) It is generally asserted (and I see no reason to doubt it) that the measurements of the area are generally incorrect, and that in some parts of the country none have been taken on which reliance can be placed.
- (Para 4) The assesment would appear to have been fixed with no greater accuracy, and has in some districts been placed so ~~placed~~ high as to prevent the cultivation of the soil.
- (Para 5) Much has been published of late respecting the unsatisfactory state of this Presidency, of the poverty of the inhabitants and of the hopeless position in which they are placed, of the exorbitant taxation, and all this misery has been stated to be the result of British misgovernment.
- (Para 6) I have serious doubts of the correctness of these assertions.

That the majority of the cultivators of the soil are poor, is certainly true; but that is almost certain to be the case where the soil is divided into innumerable small holdings, each insufficient to provide for the most ordinary wants of a family of the lowest class.

That the position of the ryots is not very hopeful, may be attributed to many circumstances; but I am inclined to think that their depressed condition is as much the result of moral as of economic causes.

That the taxation which they have to pay is excessive, may in some instances be the case; but I cannot allow that public funds contributed by the Presidency is exorbitant: neither I am prepared to admit that the state of the country generally is deteriorating.

Page 105-106

- (para 43) I think, therefore, that though the assessment should be moderate, it should be calculated on a certain fixed basis which can be known, and which has reference to those points which are of material importance in the calculation, and which have been already, or which will be hereafter mentioned.
- (Para 44) In para 34, Mr. Thomas enters upon the consideration of what is moderate assessment.
- (~~Para 44~~) On this important point, he at once rejects the rates fixed by Sir Thomas Munro in the Ceded districts, which were 33 per cent of dry grain and 45 per cent of wet produce, and he would interdict any officer from taking 'a higher proportion than 30 per cent for wet and 22 per cent for dry grain land'.
- He would further reject all garden rates, as has already been authorised in South Arcot.
- (Para 45) I quite agree with Mr. Thomas in his objections to the rates fixed in the Ceded Districts, the faultiness which has been made manifest, by the necessity of having constant recourse to the very objectionable plan of giving remissions.

But I am disposed to think, that a closer approximation to a just proportion might be attained than that proposed by Mr. Thomas, whilst, at the same time, the general process would be simplified.

...2

(Para 46) I have already stated my views as to the classification of the land, including the quantities and species of produce which it should be declared to bear.

In the classification I have proposed to get rid of the division between wet and dry land, so that the soil would be classified solely on its merits, leaving the advantages gained by the opportunities for irrigation to be paid by a water rate, to be settled according to rules to be arranged by Officers deputed on that service.

(Para 47) The question then comes, what proportion of the gross produce of the soil classified as above stated should be claimed by the Government.

I think it is most important, in order to enable the valuers to have some sure grounds from which they can start, and ~~they~~ to enable them to settle that most difficult matter of a fair and moderate assessment, that one or two points should be definitively fixed.

The classification when determined on, though liable in some cases possibly from time to time revision, would be one of these.

The proportion to be paid to Government should undoubtedly be the other.

Sir Thomas Munro's proportion varied from 45 per cent to 33 per cent; but I believe he considered that it ought not in any case ~~exceed 33 per cent~~ to exceed 33 per cent. Mr. Thomas would range between 30 and 22.

At present in this Presidency, I hear it is often 50 per cent or even more.

It is calculated I have heard, though all such calculations are not worthy of very great confidence, that 33 per cent of the gross produce will give ~~at~~  $\frac{2}{3}$  of the net profit.

Whether this be the case or not, I will not pretend to decide; if it is correct, it is a larger amount than the Government should exact.

(Para 48) After the best consideration I can give the subject, I am of opinion that 25 per cent viz. one-fourth, is the maximum which Government may fairly claim on all lands, classified as I have mentioned above, but liable to such deductions in various cases as I shall now mention.

It is possible, that any immediate diminution of Revenue which might be likely to result from this change in the per centage might be in many instances provided against by allowing the Ryots to take a larger portion of land in proportion to the decrease of assessment.

(Para 49) I have now advanced to this position of the procedure.

1. The classification of the soil, the merits being declared by the amount and quality of produce applied to each class.

2. The proportion of that produce which is to be claimed as the Government demand.

It is now the time I think for the valuer, surveyor or whatever he may be called, to take into consideration those adventitious circumstances, which cause different fields, (tho' containing soils of similar qualities) to be more or less value, such as distances from villages, roads, or markets, &c. &c.

Having come to his conclusion on this point, and always retaining the 25 per cent as the highest Government claim for the most favoured soils, he will fix the amount of gross which shall be paid by all others.

Page 112-113

(Para 78) I consider that the land of the country belongs to the Government de facto, and should be held by it and should be distributed by it amongst the population in such a manner, as is likely to cause it to be most beneficially cultivated both as regards the interests of the cultivators, and of the whole community.

There may be and we know there are, many hindrances to this principle being even openly allowed, much more to its being fully carried out in all countries, but in those cases wherein the opportunity is afforded of starting from first principles it should not be neglected.

I think this opportunity exists in the Ryotwar Districts of this country.

(Para 79) The foundation of taxation in India, consists in its being direct, and in its being derived from land.

To this tax the people readily yield, and it would be therefore injudicious to make such alterations in its relative bearings to the whole amount of the public revenue, as might in a short time render it a small item amongst the general contributions to the income of the country.

If another course were to be pursued, it would shortly be necessary, in order to keep up the revenue, to have recourse to the many expedients of indirect taxation which create constant difficulties and dissensions and which are frequently unsatisfactory in their results.

PAPERS RELATING TO THE PROPOSED GENERAL REVENUE SURVEY OF  
MADRAS PRESIDENCY

Pages 112-113

(82) What I mean is this: there is a position differing from that of being the tenant of a landlord, differing also from that of landlord as it exists in England; that position is, being tenant of the State on liberal terms, which is in actual existence in this country.

I am of opinion, that it is very important on sound, industrial and financial grounds that this position should be perpetuated.

Morally, because I believe it will have the tendency to require each generation to act and work for itself.

Industrially, because it will insure the best cultivation for the whole of the soil; financially, because it will continue a simple and easy mode of taxation, which gradually and almost imperceptibly will augment the public funds in proportion to the progress made in the country.

(83) To secure these results, the assessment must be:

1. Sufficiently high to make each proprietor look after his affairs, or to hazard the loss of his holding by non-payment of his dues.

2. Sufficiently moderate, as not to interfere with the employment of capital, or to shake confidence in the certainty of a fair net return for the outlay.

3. Sufficiently important, in amount, as at all times to be the chief, or at all events a principal item of the public revenue.

(Minute of Rt.Hon'ble HARRIS)  
October 26, 1854.

(Letter from Court of Directors to  
Government of Fort St. George, 17 Dec 1856)

PAPERS RELATING TO THE REVISED SURVEY AND ASSESSMENT  
OF THE MADRAS PRESIDENCY, &c.

Page 16-17

15 The next and the final process is the determination of the assessment. You are of opinion that, with certain exceptions, the proportion of the crop actually taken by Government at the present time, except when there have been recent reductions, is not less than 50 per cent, on irrigated, and 35 per cent on unirrigated land. Under the revised assessment you propose that 30 per cent of the gross produce should be taken as the maximum of the Government demand under the most favourable circumstances, but subject to reductions in the event of the absence or lower degree of any of the accidental advantages referred to in the preceding paragraph. These reductions would, you apprehend, bring down the share taken by Government to about 25 per cent, or one-fourth of the gross produce.

16 We consider that this part of your scheme is the one most open to objection, and moreover that it is inconsistent with the principle laid down in para 13 of your resolution, that the right of Government is not even to the whole rent, but only to a share of the rent. In lands of a high degree of fertility, possessing easy means of communication, and in the neighbourhood of good markets, 30 per cent of the gross produce may fall considerably within the limit of the rent or net produce; in lands less fertile and less favourably situated, a much smaller share of the gross produce may considerably exceed it. The natural and inevitable consequence, as it appears to us, of apportioning the assessment to the gross produce, is to favour the most fertile lands, and to press with increasing severity on the poorer lands in an inverse ratio to their fertility.

17 In a natural state of things, when the demand for agricultural produce is such as to render it necessary to bring all the available land under the plough, the least fertile land incultivation would be that the gross produce of which would merely furnish the wages of labour and the profits of the stock employed in cultivating it, leaving no surplus out of which any rent or assessment could be paid. If under our revenue system, an assessment, however small, is imposed such land must of necessity, all other circumstances remaining the same, be abandoned, and cultivation will recede until it reaches the point at which the gross produce is just sufficient to provide for the payment of the assessment, in addition to the wages of labour and the profits of stock.

18 The fact that the holdings are generally of very small extent, that the labour is performed in most cases by the ryot and his family, and that the agricultural capital employed is of exceedingly small amount, does not, we apprehend, interfere with the operation of the principles to which we have adverted. The produce of the land must at least be sufficient to feed and clothe the labourer and his family, and to replace the cattle and agricultural implements as they become worn out; and, besides this, a surplus must remain for the payment of the assessment imposed by the State.

19 We are therefore of opinion that the assessment should be proportioned to the net, and not to the gross produce. This course was followed in the North Western Provinces of Bengal, when the proportion demanded by the Government as its land revenue was taken at two-thirds of the net produce. You observe that, although this share of the net produce would bear various proportions to the gross produce, according to circumstances, on the whole it may be assumed to be equal to about 30 per cent on the gross produce. Admitting this assumption to be sufficiently correct for practical purposes, we must observe that the question is in no respect one of averages. It may be true that 30 per cent of the gross produce of a whole district may be equivalent to two-thirds of the net produce; but the object of your proposed operations is to apportion the assessment fairly on the individual fields composing the district according to their varying degrees of value, and this object will not be attained by making the gross and not the net produce of each field of assessment.

Directions to  
settlement  
Officers,  
N.W.P.  
para 52.

20 It may be argued that the net produce cannot be ascertained, or even estimated with any near approach to accuracy. No attempt to estimate the net produce has been made in the revised settlements of Bombay or of the North-West Provinces in the latter of which it is declared, that the operation of determining the assessment is 'not one of arithmetical calculation, but of judgment and sound discretion'. We are well satisfied that absolute accuracy cannot be obtained; but in endeavouring to fix the assessment on the basis of the net produce or rent, we apprehend that you would be pursuing a course founded on correct principles, although but imperfectly attainable in practice. For the attainment of this objective, as of many others contemplated in the revised settlement, it is probable that much useful information may be gathered by ~~constructing~~ consulting the most intelligent and influential inhabitants of the villages in course of assessment. The main point to be regarded is, that the assessment should be fixed at a rate sufficiently moderate, to allow for errors of judgment on the part of the settling officer. If this be attended to, the effect of any inequalities which may occur, will only be to render the lower assessed fields more valuable than those on which a higher assessment is imposed; but in all cases the share of the net produce left to the cultivator after defraying the assessment and the expenses of cultivation, will still be sufficient to render his land a desirable property.

21 The proportion of the produce to be taken as revenue being determined, the next step, you observe, is to decide the principle on which to convert it into money. You propose that the assessment of each field should be fixed in terms of so much grain, and that the grain should be converted into money at the average price of the preceding seven or ten years (according to the period that it may be thought advisable to take) and that the prices so fixed should endure for a term of the same length, at the expiration of which they would again become liable to readjustment on the same principle. You are also of the opinion, that the grain assessment should not be fixed in perpetuity, but declared unalterable for a period of 50 years.

NB: It is also suggested, that the mode practiced in this country for the commutation of tithe into a rent charge, might perhaps be beneficially adopted, viz. to take the conversion price of each year at the average price of the preceding seven years.

22 We entertain great doubts of the expediency of these proceedings. We think that the rates, as we propose them to be assessed should be sufficiently moderate to allow for all ordinary fluctuations in the price of grain, and that all needlessly frequent alterations in the amount of the ryots payments should be avoided. The grain assessment having been determined and converted into money at a fair and moderate rate, we should prefer that the assessment so fixed should be declared unalterable for a term of 30 years (as in Bombay and the North-West Provinces), at the expiration of which period both the amount of the grain assessment and the rate of its conversion into money, would be subject to readjustment, according to the circumstances.

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23 We cannot doubt that rules framed in accordance with the principles indicated in the preceding para would have the beneficial effect of preventing further subdivision of holdings, and ultimately getting rid of a large proportion of the very small ones which now exist, that they might be carried into effect ~~may~~ without any objectionable interference with private rights.

28 In para 27 you have referred to the rights of meerasidars over the waste lands of their villages, and you observe, that 'under moderate assessment land will become valuable, the rightful holders will occupy it themselves, subletting it, or part of it, and will no longer quietly submit to its being given away to those who have rightful interest in it'. The question involved in this paragraph, is one of very considerable importance, and it would appear that you have now propose to deal with it in a manner at variance with the practice which has hitherto prevailed. We desire that, in the disposal of waste land, you will be guided by the principles laid down in para 55 of our despatch of the 28th July (No.8) 1841, and paras 31 and 32 of the despatch, dated 3rd July (No.17) 1854, and which are more fully enunciated in your

Minutes of Consultation of the 1st March and 24th July 1849.

29 We see no reason to change the opinions respecting the rights of meerasidarē which we entertained when those paragraphs were written. Wherever, as in Tanjore, any remains of meerasy-rights have survived to the present time, and have an actual existence, we do not desire that it should be interfered with; but where, as in the greater portion of your Presidency, it has fallen into desuetude, and has only been known in name ever since we have obtained possession of the country, we think that it would be unwise and inexpedient to make any attempt for its revival.

(Circular Orders of the Board of Revenue, para 321)

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45 In conclusion, we have to express our entire satisfaction at the liberal and enlightened spirit in which this important subject has been discussed, and at the lucid and able manner in which your conclusions and recommendations have been placed before us in your Minutes of Consultation of the 14th August 1855. As you will now be in possession of our general sanction to the expenditure involved in the execution of this great measure, and of our view of the principles on which it should be conducted, we have only to state, in full concurrence with the sentiments recorded by your Government, that we should 'deeply regret if any further delay were permitted to intervene in entering on a work which has been accomplished, or is in course of execution in all the other divisions of the British Indian Empire, which is universally admitted to be urgently required' in the Madras Presidency, and which is, indeed absolutely necessary wherever a land-tax constitutes the chief part of the public revenue, because it affords the only sound data for judging of the value of the land'.

sd. W.H.Sykes,  
R.D.Mangles  
&c. &c.

(Letter from Court of Directors to Government of  
Fort St. George, 17 Dec 1856)