CHAPTER- III

AGRA RIAN CONSEQUENCES

The agrarian consequences of Mahalwari system of land revenue settlement were far-reaching and many sided. It changed the whole existing agrarian structure of India and brought an “extensive and melancholy revolution in landed property” in India\(^1\). It made land a property of mortgage, purchase, and sale. The new land revenue and tenure system initiated by the British Colonial government created a new type of Ownership and possession rights in land. The new pattern and method of land revenue administration or management destroyed the old and traditional set-up of agrarian society and established a new material based society in the agrarian villages. The new system of land revenue made land a commodity for market which might easily be sailed and mortgaged with a proper value. It created new social class and order in Indian rural society\(^2\). It affected all the section of agricultural population involved in cultivation either directly or indirectly.

As all the land revenue settlement under the Company Government have been formulated with the two basic objectives, viz., (i) to extract maximum revenue with a provision to revise the rates on periodic basis, and (ii) to meet the rising demand of raw materials for the English industries definitely forced the Indian peasantry to grow commercial crops. The agrarian consequences of all land

\(^1\) \textit{Minute of 1st July 1819}, Holt Mackenzie, Para-453, p. 97; in \textit{Revenue Selection}, North Western Provinces, 1818-1820, Calcutta, 1866  
\(^2\) B. Chandra, A. Tripathi, & Barun De, \textit{Freedom Struggle}, National Book Trust, New Delhi, 1972, p.17
revenue settlement so of \textit{Mahalwari} system proved inhuman. The high demand of land revenue by the state made cultivation uneasy, uneconomical and de-peasantised the agriculture. The consequences of \textit{Mahalwari} operation was very much determined by the procedure of land revenue assessment and realization. The operation of new land revenue systems resulting into the breakdown of customary relationship and conventions within village society, transfer of land through sale, mortgage or leasing; eviction of peasants, and changes in contractual arrangements with labour.\textsuperscript{3} The excessive state land revenue demand and exactions of the \textit{Zamindars} drove the peasant into the clutches of the money lender and the trader. Absentee landlordism, parasitical intermediaries, the avaricious moneylender, and the proprietors’ all combined to forced the peasants into a position of tenants- at- will and push them deeper into the depth of poverty.

The creation of proprietary rights in land brought an effective, extensive, and melancholy revolution in ‘landed property’ in India. In totality, it ‘disjoint the whole frame of the village social order, deprive the multitudes of property and their property claims which their families had held ancestrally for ages, and reduced a high- spirited and committed class of men for their society from the pride of independence to the situation of laborers on their paternal fields/lands\textsuperscript{4}.

The new system of Land revenue settlement started a massive process of Pauperization and proletarianization which created a new social group of

\begin{itemize}
\item \textsuperscript{3} K. N Raj (ed.), \textit{Essays on the Commercialization of Indian Agriculture}, Oxford University Press, New Delhi, 1985, Introduction, p. ix
\item \textsuperscript{4} \textit{Minute of 1st July 1819}, Holt Mackenzie, op. cit., para.550, p.117
\end{itemize}
agricultural proletariat in India. It developed a bourgeoisie sense of ownership in land.

As the first half of the nineteenth century in Indian History was placed as a period of enormous change which transcended the political, social, and economic spheres of India. The English East India Company established its political and economic hegemony all over in India and she was integrated within the ambit of colonialism. The nature of British control and exploitation of India’s natural resources became a forum of interaction between the Imperialist and Nationalist scholars of history due to the occurrence of Industrial Revolution in the Eighteenth century England.

The Industrial Revolution of United kingdom was regarded as one of the greatest events of the Eighteenth century and always a concern of big debate among the historians which transformed the whole economic scenario of England. The need of raw materials for Birmingham and Manchester industries expanded enormously at the turn of Eighteenth century. The manufacturing and trading community of Great Britain wanted a fresh market for the ‘flood of manufactured goods’ and a constant supplier of raw goods for their industries. Therefore they looked towards India, which was famous as Place of Golden Sparrow in European

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7 R. P. Dutt, *India Today*, Manisha Granthalaya, Calcutta, 1949, p.123; also see Chandra, op. cit., p.7
world, because it was regarded as an important potential market for British manufactured goods and definitely proved to be a great supplier of raw materials. However, the governing objective of the East India Company was not the immediate creation of a market for the British manufactured goods but ‘to secure a supply of the products of India and East Indies, which found a ready market in England and Europe’\(^8\). Therefore, they introduced various land revenue settlements with a prime motive to achieve the target of more raw materials for their industries and turn India into the ‘agricultural farm of England’.

**Creation Proprietary Rights in Land**

The first and foremost result of the implementation of *Mahalwari System* of land revenue settlement was reflected in the form of a class called the ‘Landed Proprietors’ which created property rights in land\(^9\). The creation of property rights in land made it a private and personal belonging of *Zamindars*. This class of ‘Landed proprietors’ proved to be a ‘Collaborators or loyal capitalist class’ in the whole period of future administration of British India. They tried to establish the concept of ‘landed property’ in India on the experience of English institution of property in land.\(^10\) The implication of *Mahalwari* system had developed an effective mechanism of land ownership or proprietorship which was vested in the hands of cultivators and *Taluqdars*.

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\(^8\) R. P. Dutt, *India Today*, Ibid., p.122  
\(^10\) S. C. Gupta, *Agrarian Relation*, op.cit., p.74
The company administration already develop a notion with the introduction of Bengal Permanent Zamindari settlement that two things-first, the creation of property rights in land, and second, the fixing of land revenue in perpetuity, should be the basis for the agricultural prosperity of India\textsuperscript{11}. Therefore, they introduced the concept of proprietary rights in land with the concern that the prime and main source of capital accumulation and formation lies in agriculture in the form of land revenue income of the landlords and also because these landlords considered as the best tool to control the civil administration\textsuperscript{12}. At the same time, the creation of property rights in land was a necessary step for the development of agriculture and its improvement. They believed that ‘the magic touch of property’ was the best stimulus to economic growth for any country and so for India. They created proprietary rights with the assumption that the mutual interests of the Zamindars and their under tenants would be regulated by the operation of the law of supply and demand in respect of labour and land can be traced to the laissez-faire philosophy according to which the natural liberty and interest of individuals is the chief guarantee of social development\textsuperscript{13}.

All the government records, the annals of British revenue administration and subsequent writing of scholars, Indian and Foreign, are full of inclusive discussions on the question “who was the proprietor of land in India, the state, the

\begin{itemize}
\item \textsuperscript{11}Ibid., pp.74 -75
\item \textsuperscript{12}Walter K. Firminger, \textit{Historical introduction of the Fifth Report}, dated 28\textsuperscript{th} July 1812, Select Committee, House of Commons, Antiquarian Book Sellers and Publishers, Calcutta, 1917, Vol-I, pp. ccciv- cccvi
\item \textsuperscript{13}Gupta, \textit{Agrarian Relation}, op. cit., p.75
\end{itemize}
intermediary, or the cultivators? However, these discussions were not clearly answered this question properly because the definition of property in land was not precisely defined. Therefore, in India, the question of the existence of property in land was directly linked with the meaning and criterion on which property in land was awarded. Its definition varies with the criteria and concern of defining. In India, if anyone identifying proprietary rights in land with the right to an appropriate arbitrary portion of the agriculture produce merely on the basis of a title with or without the right to regulate occupancy and cultivation, then it would appear that property in land was vested either in the hands of state government directly or shared jointly with the intermediaries\textsuperscript{14}. However, no laws had clearly been separated and defined the rights of the state and of the intermediaries independently.

Simply, a proprietor was a \textit{Zamindar} who posses holding or ownership rights on land. The proprietors were none other than with whom the British Colonial government had made or engaged the settlement of land revenue. A proprietor was both a rent-receiver as well as a rent-payer. A proprietor was a ‘hereditary superintendents of the land’\textsuperscript{15}. He received rent from a cultivator on behalf of government and paid to them. He gave reward for their service as incentive based percentage. A proprietor or proprietary holder had been given an

\textsuperscript{14} Sulekh C. Gupta, \textit{Agrarian Structure in Uttar Pradesh in the Late 18\textsuperscript{th} and Early 19\textsuperscript{th} Century}, p.31, in T. Chaudhari (ed.), \textit{Contributions to Indian Economic History}, Vol. I, Firma Publication, Calcutta, 1960

\textsuperscript{15} Radha R. Mukherjee, \textit{The Rise and Fall of the East India Company}, Popular Prakashan, Bombay, 1955, p.328
authorized power to collect land revenue. According to Board of revenue, a proprietor was one who possesses complete freedom of organizing their internal affairs, and the British government had recognized their position as a revenue payee and protected their *royts* on the wish of Government\textsuperscript{16}. Further, the Board of Revenue clarified that if anywhere *Taluqdari* tenure were not operated then proprietary claim was not put forward and only *royts* existed and enjoyed the rights of proprietorship. When British government going for any new settlement, they must consult a proprietor called as *zamindar* at local level. The Sudder Board of Revenue on deputation in 1832 defined proprietor as a person who possessed both the right of regulating occupancy and of appropriating rent in common parlance are called as ‘proprietors’ in India. Lord William Bentinck, then the governor General of India, fully acknowledged the right of *Taluqdar* to be Proprietor where it could be proved, and to entail merely a collection of revenue if it was not proved\textsuperscript{17}. Bentinck fully accepted the provision contained in the Regulation VII of 1822 to protect and acknowledged the variety of ‘proprietary rights’\textsuperscript{18}. Under the British Regulations, the proprietors were those who presumed to be vested with the heritable and transferable rights on their private land or

\textsuperscript{16} *Minute of Governor -General*, Lord William Bentinck, Dated 26\textsuperscript{th} September 1832, Para. 29,32, in *Revenue Selections, (1832-1833)*, Allahabad, 1872, pp. 359-61

\textsuperscript{17} *Minute of Governor General*, Lord W. Bentinck, Dated 20\textsuperscript{th} January 1832, Para.10, in *Revenue Selections (1832-1833)*, Allahabad, 1872, p.354

\textsuperscript{18} Ibid., Para. 31
soils. The British regulations assigned the following important duties to a proprietor:

1. Nature of the rights of the state.
3. Nature of the rights of under-tenures below the revenue engagers.

The question of proprietary claims has been further strengthened under the Regulation ix of 1833 by which it got final arrangement. If we restrict ourselves merely to the view that property rights in land was vested in one who takes away the surplus of agricultural produce, merely a titular head. It means that state along with its horde of intermediaries was exercising this right. The rights of Intermediaries arose only from the brain of privileges, abuse of state of power, force or fraud. They were not enjoying any legal power but backed up by state authority.

In contrast, if we identify the proprietary rights with the perpetual occupancy and cultivating rights of fixed or variable rates of payments to the state or its assignees and officers, then the right to property in land was directly vested in the hands of peasants. Overall, the new agrarian policy inducted through the introduction of new land revenue settlement by the Company government in British India had secured the property rights in land. They made property rights in land of stable and permanent character. They provided value to the land to great

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19 Minute of 1819, Mackenzie, op. cit. para.349
20 George Campbell, Memoir on the Land Tenures and Principles of Taxation, 1832, Calcutta, p-128
21 Gupta, op. cit., Agrarian Structure, p.32
extent through the creation of legal framework and ‘record- of –rights’\textsuperscript{22}. Value of land increased through the defining terms of revenue demand and also by the drawing of agriculture within the orbit of market forces. Most of the British statesmen and Officers unanimously agree on the point that the ‘property in land’ as understood in England did not existed in India before the establishment of colonial rule. The Regulation XXV of 1803, declared that the proprietary rights in the land to be vested in the zamindars and other landholders, but the preamble of the regulation says, ‘whereas it is essential to the security of the rights and interests of the zamindars and other landholders in the said provinces, that the right of property possessed by them in their respective estates …should be publicly acknowledged and declared\textsuperscript{23}. Further, the proceedings section no. LIII of the Regulation XXVII, 1803, declares the proprietary rights of all zamindars, taluqdar, and other descriptions of landholders possessing a right of property in the lands composing their zamindaries, talooqs, or other tenures, to be confirmed and established, under the authority of the British Government, in conformity to the laws and usages of the country, and to the Regulations which have been or shall be hereafter, enacted by the Governor-General in Council\textsuperscript{24}. It was a presumption that a person who made responsible for the payment of revenue as zamindars were possessed of a right of private property in the soil.

\textsuperscript{23} \textit{Regulation II of 1793}, Preamble section, Bengal Regulation, in East India Papers, Vol -1, p. 633
\textsuperscript{24} \textit{Regulation XXVII of 1803}, Proceedings Section, Bengal Regulation, in Ibid., Vol -1, p. 647
The Report of James Thomason on *Chalkah* and *Azamgarh*, dated 1846, declared that the proprietary right in the land may rest either in a single individual, or in a community of people, almost everywhere in the North - Western Provinces either according to their ancestral shares or claims, or according to some arbitrary rules, having reference to the quantity of land which each member cultivates\(^{25}\). Proprietary rights in land have been conferred upon the headmen or chief of the village communities. Proprietary rights, simply, defines *malikanah* rights in land by which zamindars given a legal and authorized power to collect land revenue for certain allotted portion\(^{26}\). In most cases, the descendants of the original founders of the villages, who, under the native government, collected and managed the revenue of the village or *mahal*; in return, receiving payment generally in cash or land called *nankar*\(^{27}\).

The company administration of colonial government began the proprietary rights reforms in India fitfully over a period of fifty years time between 1793 and 1840\(^{28}\). It was said that by the year of 1840 all the improvement regarding the land revenue administration have been completed. The introduction of new pattern of property distribution in land and land rights destroyed all the traditional set-up of land revenue collection rights which had been held and carried on privately and

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\(^{27}\) *Settlement Report*, Lalitpur, Auckland Colvin, 1872-73, National Archives of India, New Delhi,

\(^{28}\) Roy, op. cit., p.144
defined properly itself by the *Taluqdars*\(^{29}\). However, proprietary rights in land strengthened the ownership and possession rights on land. The proprietary rights, denotes occupancy rights given to the *zamindars* by the colonial administration of East India Company, was nothing but a claim or right to hold certain portion of land without the fear of ejectment and he had the responsibility to collect land revenue and paid to the government\(^{30}\). The determination of rival claims for proprietary rights was regulated by the instructions issued in the regulation of November 1853 for the settlement of *Sagor* and *Narbada* territories. Old cultivators, who failed to establish their rights to engage for the villages, were treated as peasant proprietors. They were treated as proprietors of their own holdings. In some cases, the cultivators declined to be recorded as proprietors either to pleased the *zamindars*, or under the impression that they could make better terms for themselves as tenants-at-will\(^{31}\). The proprietary rights also called *malikanah* rights which came into existence with the introduction of the permanent settlement in Bengal presidency by 1793 got some peculiar shift in its features, characteristics, and nature by 1830s and 1840s of the 19\(^{th}\) century\(^{32}\). The new form of proprietary rights was easily transferable and exchangeable.

As permanent settlement created zamindari proprietorship in Bengal which was the most superior form of proprietary rights and the *Royatwari* system created

\(^{30}\) Neale, op. cit., p.34  
\(^{31}\) Ibid., p.35  
\(^{32}\) Roy, op. cit., p.48
a form of peasant proprietorship who worked as a serf as well as a *metayer* of the state both. The creation of two distinct forms of private property in land by these settlements British did the ‘great desideratum of Asiatic Society’. However, *Mahalwari* system also created a form of proprietorship which was called as *Biswa* or inferior proprietorship. But in reality, the features and form of proprietorship in *Mahalwari* region was almost similar to the nature of zamindari region because *Mahalwari* system was considered as a modified version of permanent *zamindari* system. The property rights in land given to the village zamindars were a matter of privilege, pride and power with certain common burdens and obligations.

The question of proprietary rights has direct connection with the rights of landholdings. The colonial administration of company government created proprietary rights in land to solve the question that should be responsible for the payment of the government share of land revenue, and consequently the term ‘proprietor’ came into the existence which means benefit by the remainder. In British India, the proprietary rights in the land or soils had virtually been shared between two agricultural communities; one possessed holding rights and the other cultivating. In most cases, only one person called ‘landlord or *zamindars*’ who was the actual proprietor of land, but his rights was limited; the rest of the rights was in

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the hands of tenants or ‘cultivating peasants’ given the title of ‘tenure-holders’ and his rights accentuated with the terms like ‘sub-proprietor’ or ‘proprietor of his holding’\textsuperscript{35}. Therefore, ‘the proprietary right’ seems to be a natural expression for the interest held by the landlord, when that interest was not the entire ‘bundle of rights’ (which in the aggregate makeup an absolute or complete estate) but only some of them, the remainder being enjoyed by other persons\textsuperscript{36}. The question of proprietary and cultivating rights played a dominant role in the making of any new settlement. The famous Fifth Report of British parliament recorded the following words for the proprietary rights:\textsuperscript{37}

“……the leading members of the supreme government appear to have been, at an early period of the transactions now commencing, impressed with a strong persuasion of the proprietary right in land or the soil possessed by the zamindars, or if the right could not be made out, consistently with the institutions of the former government, that reason and humanity irresistibly urged the introduction of it,……In the progress and conclusion of this important transaction, the government appeared willing to recognize the proprietary right of the zamindar in the hand; not so much, from any proof of the existence of such right, discernible in his relative situation under the Mughal government, as far as it might be done consistently with the permanency of the revenue and with the rights of the cultivators on the soil.”

Proprietary engagements were concluded with the landholders mainly on the basis of long possession, deeds of sale, mortgage, gifts, or trust or of other

\textsuperscript{35} Powell, \textit{Land System}, pp.217-18
\textsuperscript{36} Ibid; p.218
forms of assignment. Traditionally, all the proprietary rights in land remained with the actual holders, i.e., landholders. It were Landholders who claimed proprietary rights over the entire land on which they had possession in the sense that they had been engaging themselves in the collection and payment of land revenue under the previous government till the time of cession. Most of the times, these landholders claimed their proprietary rights on the basis of the various deeds and grants. The new form of proprietary rights or titles as conferred by the British land Legislations was made transferable which superseded all the pre-existing customary rights of private property in land or its produce so far vested in the village communities and its members which constituted a great bar to the investment in land.

Concept of private Property in Land

The Colonial administration of East India Company created proprietary rights in land because they wanted to introduce the concept of private property in land which helps them in the maximization process of land revenue and so optimum exploitation of Indian peasantry. When Whig government came to power in England they develop a notion that no country could be on the path of prosperity until and unless there were a creation of private property in land. They introduced the concept of property rights in land with the ideology in mind that a country or locality could attain agriculture prosperity only with the creation of

38 Orders of Government, dated 2nd September 1808, in Revenue Selection, 1818-1820, pp.179-180
39 Gupta; op. cit., Agrarian Relation, p. 117
private ownership in land. It is a necessary step and condition for any country’s economic growth and development. This concept of property in India was introduced by Lord Cornwallis under the influence of physiocratic ideas and Adam Smith’s theory of wealth of Nation.

The creation of property rights in land was the prime concern and motive of all types of British land revenue settlement through the permanent limitation of the state demand and the relinquishment of a private rent to the proprietor.\textsuperscript{40} They directly linked it with the long term economic improvement of the country. In reality, however, British created Proprietary rights or claim in land with a single motive to raise the economic gain through the set-goal to collect the optimum possible land revenue from the agricultural population without any barrier and so established the political supremacy of British Empire in India\textsuperscript{41}. They created property rights in land with the beliefs that ‘the magic touch of property’ and ‘a permanent assessment upon the state of the present ability of the country, must contain its nature a productive principle; that the possession of poverty, and the sure enjoyment of the benefits derivable from it will awaken and stimulate industry, promote agriculture, extend improvement, establish credit, and argument the general wealth and prosperity……. There will be gradual accumulation, whilst the demands of government continue the same, and in every step of this progressive work, property becomes of more value; the owner of more

\textsuperscript{40} Eric Stokes; \textit{The English Utilitarians and India}, Oxford University Press, London, 1959, p. 86
\textsuperscript{41} Neale, op. cit., p.36
importance; and the system acquires additional strength. The decision to confer a right of private property in the soil/land to the Zamindars was a deliberate policy of the British colonial administration. They introduced it despite the fact of fear that the doctrine of private ownership of individual landed property could be dangerous for the British Empire in future on practical front. However, this class of proprietors proved to be the protector and collaborator for the future of British Colonial administration and appeared as the staunch supporters during the time of revolt and résistance. For example, during the course of 1857 revolt more than fifty percent zamindars and taluqdars remained loyal with the British government of East India Company administration. Through proprietary rights in land, the zamindars and taluqdars had given a bundle of rights which enabled them to play greater role in the economic and political sphere of the country and so ease the administration of India for the British Empire. That bundle of rights, powers, and privileges vested with the Proprietors were the following:

1. The right to appropriate (by the virtue of a mere title of ownership or proprietary rights), not only the only state share of produce from all the cultivated land in the ‘estate’ of which the revenue had been engaged for, but also all the natural produce of un-assessed land such as the fisheries, forests, pastures and gardens, etc. including the trees planted by others. The

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42 Firminger’s Fifth Report, op. cit., p. 172
43 Gupta, op. cit., Agrarian Relation, p. 74
44 Gupta, Agrarian Relation, op. cit., p. 87
right to property of inhabited or *abadi* land was also deemed to have been vested in them.

2. The right to transfer by inheritance or by voluntary sale gift or mortgage the right to property in the soil. Such transfer was, of course, always subject to the indefeasible right of the government to the public revenue assessed on the land. Rights of inheritance were to be regulated to the Hindu or Muslim laws, according to the religion of the proprietor.45

3. The right to let out land on lease to dependent taluqdar, under- renters, tenants and *ryots*. Such leases were not to exceed the period of the proprietor’s own tenure. Every engagement with them was to be specific as to the amount to be paid and the conditions of payment. These terms were to be incorporated in writing in the *pattas* (or lease deeds) to be compulsorily issued by the revenue engagers. Moreover, the new proprietors were given right to cancel the terms and conditions of all the engagements with dependent taluqdar holding for less than ten years and to grant new leases to them.46

4. The right to collect the state share of produce from all known non-engaging classes even by means of ‘distrait of crops’, the products of the earth of every description, the grain, the cattle and all other personal property, whether found in the house or on the premises of the defaulter or

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46 *Regulation XXX of 1803*, Section- IV
any other person, belonging to the under-renters and *ryots* and the dependent *zamindars* and *pattidars* paying revenue through them, for arrears of rent or revenue and to cause the said property to be sold for the discharge of such arrears, without sending any notice to any court of justice or any public officer. The same powers were conferred on persons collecting the revenue of the state as subordinates of the chief revenue engagers holding land directly from the government.

5. The right to make fresh engagements with all the under tenures for lands sold by public auction for arrears of revenue.

6. The right to engage for collection of government revenue and enjoy exclusively all benefits arising there from. At the time of the settlement these consisted of that portion of state revenue which was to be left to them by the British government by way of perquisites of management. In subsequent years, they consisted of all the increase in rents that could be secured by increasing the rates on already cultivated land, by cultivation of more valuable corps, by extension of cultivation on wasteland and by such other means which tended to increase the produce or its value. In the context of state demand being fixed in perpetuity, these benefits potentially were considerable.

Finally, the main ingredients of proprietary rights were the following:

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47 *Regulation XXVIII of 1803, Section- II, Clause First*
48 *Regulation XLVII of 1803, Second- II*
1. The right to engage either personally or through a representative with the state for the payment of land revenue.

2. A permanent heritable and transferable right in land subject to liability for the payment of the land revenue.

3. The right to hold land and to use it for agricultural or non-agricultural purposes or to keep it empty.

4. The right to let out the land and to realize rent and to give permission to the tenant to make certain improvements.

5. The right to eject the tenant who fails to pay the rent or misuse the land for the purposes other than those for which it was let or transfer or sublets it contrary to the provisions of law.

The British colonial administration created proprietary rights in land with the belief that an assurance to the landholders of undisturbed possession in the produce of their industry is the best foundation that can be laid for the prosperity of the country, and this assurance may best be given by making a settlement in all practicable instances with the zamindars, even in Mahalwari region. This new class of proprietors came into existence by the auction purchasing activities of the new agriculturalists section of Indian society. They acquired the proprietary rights of land on the basis of pattas or leases and thika or sub-leases. Most of the times,

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50 *Secret proceedings*, Board of Revenue, dated 2nd June 1802, Consultation No- 141, National Archives India, New Delhi,

51 Kumar, op.cit., p. 43
zamindars were given proprietary claims on the basis of their deeds and grants. The process of proprietary rights or claims distribution disturbed the fundamental rights of the zamindars. The exercise of proprietary powers always harmed peasantry section. The creation of proprietary rights in land turned the character of land revenue collection up to the level of extortion under the company rule of colonial government. Under the proprietary rights exercise, the zamindars became an agency of exploitation and hardship and peasants were never rewarded for the good yield. Zamindars gained proprietary rights over the lands on the criteria of long possession by which they engaged themselves in then process of land revenue collection and payment that they enjoyed in the former government till the time of final cession. The increment in the productivity of agriculture had been taken by proprietors and peasants were forced to live with the barest minimum only.

The recognition of proprietary rights in land was very much determined by the nature of landholdings or holdings of land and its distribution. Its recognition was no longer to be based on the supposition that this or that person was a proprietor, but every claim which was to be examined and investigated properly. In the early years of British rule, it was zamindar of the villages that were recognized or acknowledged as proprietors when he bought estate or mahal at public or private sales under the legal framework of British Land Legislations.

The great effort had been made by Holt Mackenzie to investigate the nature of

53 Minute of Governor general, William Bentinck, 26th January 1832, Paras.45-49
landholdings and recognize the proprietary rights inland. However, he could not attain success in that target but failed completely.

So far as the nature and characteristics of proprietorship is concerned, early accounts of the 19th century reveal the existence of two broad types of village organization in the region North Western Provinces and Oudh\(^\text{54}\). In Patwaris registers, these villages were described as Bhaichara or Pattidari tenure in which most of the land was partitioned among the member of the proprietary body, each member bound to cultivate his own share and possesses joint ownership. Another was Zamindari tenure, in which a substantial part of the village lands was let to under privileged cultivators, where the interest of the proprietary body consisting to a large extent of rents. A systematic attempt to recognize the proprietary rights and the basic nature of landholding in North-Western Provinces (dominant part of Mahalwari region) previously called as the Western provinces had been done by two known Revenue Officers William Fane and Richard M. Tilghman\(^\text{55}\). According to them, only two types of ‘proprietary’ rights existed in the Mahalwari region; first, zamindari and second, pattidari.

In the zamindari villages, there could be one or more proprietors, the land was not shared but held jointly and the right over the entire village had been extended.\(^\text{56}\) Here, the interest of proprietary was expressed in fractions of rupees.

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\(^{55}\) Hussain, op. cit., p.192

\(^{56}\) Letter of R. M. Bird, Sudder Board of Revenue, to L. W. Bentinck, Governor- General, 25-5-183; in Bengal Revenue Consultation, (1832-33), Para. 6 & 7
In the pattidari villages, each co-sharer held a particular and distinct portion of land, and here, the proprietary interest was measured and judged in fraction of a Bighas. The profit of these proprietors should be estimated by the difference of rent-received and the land revenue paid by them to administration. The rent or land revenue coming from waste land either in zamindari villages or Pattidari villages, both cases belonged to the proprietors. James Thomson, in his settlement report of 1837, on chaklah and Azimgarh, declared that “the propriety rights in land may rest either in a single individual or in a community of people. The Pattidari form of the proprietary rights was similar to the Bhaichara form of proprietorship. Here, Propriety rights rested with community, where the profits of the estate divided amongst themselves either according to their ancestral shares, or according to some arbitrary rule having reference to the quantity of land which each member cultivates. The peasants who did possess proprietary claims were called as ryots or asamee.

R. M Tilghman described the Bhaichara form of proprietorship as “the lands comprised in the villages so denominated are for the most part divided off amongst the propriety body in thokes and puttees, whilst some portion of the lands more or less considerable of course in different villages usually remains the common property of all. The produce of the latter or the shammilat lands being first applied in liquidation of the Government revenue, the balance of Jumma

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57 Letter of R. M. Bird, para-67
58 Minute of Bentinck, 1832, op. cit., Para-2& 3
59 J. Thomason, Settlement Report on Chalkah and Azamgarh, 1837, para.-45
which remains to be paid being limited to the amount requisite for making good the Government demand and for meeting the village charges”. In pattidari villages, each proprietor was himself a cultivator who had acquired share of proprietary right by purchase, public or private, from a cultivating proprietor often a peasants or petty Taluqdars. In Patti Dari and Bhaichara villages, an accurate register of all co-parceners, not merely the heads of divisions, such as the puttees, thokes, Behrees, but also as far as possible of every person who occupies land, disposes off its produce, or receive rent as proprietors, or as agents for one or more proprietors holding land and disposing off its produce or receiving the rent of it in common possession, such registers to be carefully kept by the Tehsildars and Qanoongoes and a detailed statement of the interior arrangements adopted by the brotherhood of villages for the distribution of the profits derived from the sources common to the co-parcenary where any such exist, and for determining the share of the government jumma or collected rent and of the village expenses which each parceners is to contribute, or the other modes in which the engaging parcenary or intermediate patteedars and behreedars collect from the cultivators. As accurate a record as possible of all local usages connected with landed tenures, as full as practicable a specification of all persons enjoying the possession and property of the soil/land, or vested with any heritable or transferable interest in the land or the rents of it; care being taken to distinguish the different modes of possession and

60 Letter of R. M. Tilghman, Senior Secretary, Sudder Board of Revenue on Deputation, to R.H. Boddham, commissioner of Agra, 26 April 1831; in Revenue Selection, 1832-33, Allahabad, 1873, Para. 96
61 Minute of 1819, Mackenzie, op. cit., para-688
property and the real nature and extent of the interests held, more especially where several persons may hold interests in the same subject matter of different kinds or decrees.\textsuperscript{62} The contrasting point of the two forms of proprietorship profits were reckoned in terms of rents, each individual being entitled to his hereditary or customary share; where as in Bhaichara villages, since the proprietors were cultivators, individual assets tended to be reckoned more in terms of the land cultivated by each proprietor. The words zamindari and zamindar were used commonly to denote ‘proprietorship’ and ‘proprietor’ respectively. The perquisites of zamindari rights which was enjoyed by big taluqdars or zamindars were far numerous and lucrative. These zamindars controlled the crucial matters of land holding distribution in the villages as extra burden despite of financial management.\textsuperscript{63} However, in Azamgarh the term zamindar was generally applied in the district to anyone having a propriety right in land, whilst pattidar was restricted to those members of village community who were not under engagements directly with the central administration. The term Bhaichara was not commonly known in Azamgarh.\textsuperscript{64} Bhaichara tenure displayed the interests of the proprietary brotherhood. It controlled the financial management of the villages at internal level.

In Mahalwari areas that is, mainly confined with the region of North Western Provinces till 1857, the nature of proprietary rights or occupancy of land was of

\textsuperscript{62} Minute of 1819, Mackenzie, op. cit., para-688
\textsuperscript{63} Siddiqui., op. cit. p.34
\textsuperscript{64} Thomason, Settlement Report on Chaklah and Azamgarh, 1837, Para-45
independent form. If a recognized proprietor or proprietary group declined the revenue engagement as excessive and the estate or mahal in consequence was put in the hands of revenue farmer, the former was still entitled to a propriety allowance or commission on the collections or malikanah rights and the rights to be offered the revenue engagement at the end of the settlement period. 65

Primarily, the revenue engagements power was vested with the village maliks which automatically transferred to the solvent holder with a legal process on the basis of default for the security reason, and the arrears of revenue demand was realized by the public sale of underlying proprietary rights or claims allotted on lease pattern to auction purchasers.

The company administration claimed that the operation of Mahalwari system given promotion to the holding of the village community because most of the time the terms of the settlement were directly engaged with the co-sharers of the village proprietary bodies 66. Even the definition of Mahalwari system itself indicates the importance of the village communities and the bulk of proprietary rights were vested with the institution of village communities which possess joint characteristics and taluqdars were treated with some bias by the time of new settlement notification in the whole region of North-western provinces. However, there is also a contrast provision under the settlement that the settlement should either be engaged with the local village zamindars or taluqdars where they

65 Kumar, op. cit., p. 42
available or directly with the village community where the land was held in common. In practical terms, in all Mahalwari regions the settlements were largely made with the zamindars and taluqdar because they were the real holders of estates. As in Mahalwari system the settlement was made with the village chiefs called lumbardars who were the native officials appointed by the company government, largely belonged to influential local families of taluqdar or zamindar. In the long run, these lumbardars became too powerful and did the same thing in Mahalwari region what the absentee landlord is doing for the peasants in Bengal under the permanent zamindari settlement. They became the parasite for the peasantry yeomanry in this region. In Mahalwari region too, zamindars and taluqdar were the most important part of land revenue system and administration and most of the time settlement were of zamindari character. Therefore, in this region too, the zamindari forms of tenure were far in vague than the pattidari. For example, in Lalitpur district, out of 749 villages 653 were under the operation of zamindari tenures.

In all Mahalwari regions despite the local agency of landed magnates, the company administration appointed settlement officers who were worked as contract tehsildars and remunerated with a percentage commission on what they paid into the government treasury. The immediate target of the early contract tehsildars and other auction purchasers was not to dispossess the primary

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67 Ibid., p.47
68 Auckland Colvin, Settlement Report, Lalitpur, 1872-73, pp. 45-49.
zamindars from their immediate dominion over the soil but simply to secure their own hold over the superior revenue engagement right by acquiring full zamindari or proprietary titles. These new proprietors as contract tehsildars simply leased back their purchase to the village maliks leaving their financial advantages and their political control over the village and subordinate cultivators unimpaired.

The new type of proprietary rights in land to the zamindars not only gave them full rights over the cultivated lands as private and personal property including the right to collect rent from tenants and to evict them, but also secured exclusive power of private ownership in wastelands, pastures, forests, etc. which was formerly the joint property of the village community as a whole. The rights of proprietorship made transferable which superseded all the pre-existing customary rights of property in land or its produce so far vested in the institutions and village communities and village members which constituted a great bar to the investment of capital in land. The new form of proprietary rights increased the substantial advantages which also looked definite and certain upon land and that obviously attracted the money lender and merchant class. In all Mahalwari regions where zamindari form of Mahalwari settlement operated these proprietors experiences very little loss because they had considerable surplus amount left with them even after the payment of government due demand. Now, the moneyed and wealthy

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69 Minute of J. E Colbrooke, dated 12th July 1820, Paras.4-9, in Revenue Selection, 1818-1820, Calcutta, 1866, pp.205-206
70 Gupta, op. cit., p.117
business class started investment in land with calculated risk of gains, which were
to be secured or assured for them with the power of British laws and courts.\textsuperscript{71}

Basically, throughout the Mahalwari region there were three types of
proprietary rights existed which were the following\textsuperscript{72}:

1. The actual proprietors or original settlers or Khudkasht Qadimi Rayiyats,
   who were the inhabited peasants reduced to the status of serfs in the long
   run.

2. The inferior proprietors or Adna-malik or Biswadars, who were the owners
   in the second degree that were the intermediaries who takes proprietary
   claim on the basis of patta and lease system.

3. The superior proprietors or Ala-Maliks, who largely belonged to big
   zamindars and taluqdar

The other classification of proprietary rights categorized them into two
groups; first, Primary, who were the actual proprietors, hold and manage own
land, cultivated it, and paid a certain amount of land revenue to the government
and, second, was Secondary groups of intermediaries, who acquired proprietary
claim through the process of auction- purchase on the basis of lease or patta or
contract.\textsuperscript{73}

\textsuperscript{71} Gupta, op. cit., p. 117
\textsuperscript{72} B. H Baden Powell, \textit{The Indian Village Community}, Cosmo Publication, New Delhi, 1971, pp.
   2-9
\textsuperscript{73} Kumar, op. cit. p.37
Overall, the proprietary rights vary from place to place in all Mahalwari regions, and have gone changes over time. The principle types of proprietors were: 74

1. Proprietors in Azamgarh and the districts of the Banaras division whose land revenue is permanently fixed.

2. Proprietors in the rest of the province whose land revenue is temporarily settled and liable to periodical revision.

3. Proprietors who hold free of revenue from the state etc.

As in general a proprietor has the right to hold and manage the land and to take the rents and profits accruing from it. However, in the case of proprietor where an intermediary as a negotiator between him and the tenant in the form of a Sub proprietor or Under proprietor, a permanent tenure holder or a permanent lessee etc. existed then the rights of use, occupation or management of the land and of the collection of rents and profits vested in the hand of an intermediary 75.

There was another form of proprietors called Superior proprietors who had no right to resume the land or re-enter it. Here, the relation of the proprietors with the land persists and consists of his right to engage with the government, and, at most occasion, these Superior Proprietors enjoyed and given the right to receive the land revenue plus a percentage of land revenue or lump sum as “quit rent”

74 Shrimali, op. cit. p. 72
75 Ibid., pp. 72-73
from the Biswadars or inferior Proprietors. This form of Superior proprietors possesses only a historical importance and not has practical implication and significance.

The transferability of proprietary claims or rights was a common characteristic and happened quite often in Mahalwari region. This transferability was never absolute, but conditional. Its transferability was very much influenced by historical evolution of economic society. The extent of transferability of landed property was both *de jure* and *de facto* according to the British land legislations. It was transferable on the basis of inherent background and the right to transfer property in land was made inviolable which appeared for the first time in India. In all over the *Mahalwari* region, the basis of proprietary claims or rights transferability was *patta* (or lease deeds) pattern. It was of contractual based transferability which was very similar to the *ijarahdari* system of farming. The auction of land to recover the amount of land revenue arrears and the settlements with the sureties for payments of arrears of revenue accelerated the transferability of proprietary claims in land.

The proprietary claims of a certain portion of land had been allotted to those *Lumbardars* who were ready to pay highest bidding amount. A *Lumbardar* was the representative of the joint body of co-sharers. They have the greater

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76 Ibid., p. 73
77 Gupta, *Agrarian Relation*, op. cit., p. 52
78 *Minute of 5th January 1819*, J. E. Colbrooke, Commissioner, Ceded and Conquered Provinces, para-9 in *Revenue Selection*, (1818-1820), p.253
79 Gupta, *Agrarian Relation*, op. cit., p. 85
importance in the mechanism of land revenue collection and realization under the settlement. All the *lumbardars* who given proprietary claims and made chief of the village bodies under the new settlement turned to be big landholders who possess master power in the society of agrarian structure even up to the power of a feudal lord after the short period of his office assumption. They became all in all of their estates or *mahals* in a short duration of time after the assumption of their post and possess eventual power to collect land revenue with his own pattern and will. These lumbardars became the source of all exploitation of peasantry of this fertile region. They gathered huge wealth in the form of land revenue from the peasantry class through the corrupt and malpractices because their salaries income could be more or less fixed according to the percentage of incentives. These lumbardars with the company of corrupt settlement or revenue officers proved to be root of all evils and caused peasants deterioration and impoverishment.

The Regulation VII of 1822 had intentionally been passed to protect and acknowledge the joint proprietary rights in land. The preamble of regulation declared that the company administration must protect the rights of those people who owing, occupying, managing or cultivating the lands, gathering or disposing of its produce, collecting or appropriating the rent or revenue payable on account of land, or paying or receiving any cesses, contribution, or perquisites, or holding a part of any village\textsuperscript{80}. The company administration of British Colonial

\textsuperscript{80} Regulation VII of 1822, Preamble Section, in *Revenue Law Report*, North Western Provinces, November 1867, f. 117a
government through the implementation of Mahalwari system tried to give Proprietary rights directly to the village proprietary bodies of co- sharers because they wanted to prevent the accumulation of capital in the hands of zamindars. But, unfortunately, they did not succeed in that doing and zamindars remained as powerful as in the past and still occupied a dominant figure of then agrarian structure and society of India.

The creation of proprietary rights in land brought far- reaching and many-folded consequences which transformed the whole basis of village economy and economic relations of the existing Indian agrarian structure. It altered the mutual based subsistence economy into a materialistic based market economy. It brought a major shift in the pattern of agriculture and cultivation. Now, the cultivation got drastic shifting from subsistence – oriented to market – oriented. The new materialistic based economic relations generated gap in the Indian agrarian society and bowed down the seed of class differentiation within the peasantry yeomanry. This group of proprietary rights consistently and continuously affected the agrarian structure and agricultural productivity at greater extent. This class of proprietary holders acquired very high esteem in the Indian society and became Indian bourgeoisie and played the same role what the bourgeoisie of Europe. They became the parasite for Indian peasantry as well as for the agriculture. These Lumbardars intercepted estate profits through fraud and

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81 Desai, op. cit., p. 40
82 Utsa Patnaik (ed.), *Agrarian Relation and Accumulation: The ‘Mode of Production’ Debate in India*, p. 193
force. The introduction of proprietary rights in land given birth to many new evils in Indian agrarian society which appeared to be a new and wonder thing for Indian peasantry as well as for the society. The contemporary agricultural class and community did not welcome the change happily with open arms. This introduction of proprietary rights or claims in land caused all misery and impoverishment of Indian peasant yeomanry which brought the following changes in Indian agricultural set-up:

1. Land made a private and personal property of individuals which could be sold and purchased easily by the holders at will. Now all the rights, interest, and privileges vested in the hands of distinct individual holders of land with whom the settlement engaged for land revenue payment.

2. It shifted the mode and basis of production in agriculture. It brought a capitalistic form of production in Indian agriculture which hastened the progress and growth of agriculture and cultivation in the long run.

3. Land now treated as a commodity of market which having proper exchange and transfer value.

4. It established a new social order which was determined by materialistic approach and perspective of economical basis. It

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83 N. Siddiqui, *Agrarian Unrest in Northern India*, p. 6
84 Gupta, op. cit., pp. 82-83
85 Desai; op. cit., p. 41
started Compartmentalism in Indian society. Marx described this Compartmentalism as the ‘dissolution of Indian society’ into stereotyped and disconnected atoms.\textsuperscript{86} It became the source of discontinuity between the social base and the political superstructure. It changed the whole basis of agrarian relations and structure.

5. It destroyed the whole basis of village economy carried out by the institution of village community of joint proprietary bodies\textsuperscript{87}. Therefore, it transformed the cooperative based society into the competitive based society.

6. It commercialized the agriculture of India which forced the Indian peasantry to grow commercial crops having greater market value instead of subsistence and traditional crops to feed themselves.

7. Confiscation and sale of lands due to non payment, default, and big amount of land revenue arrears happened very often throughout the region of Mahalwari system\textsuperscript{88}.

8. Moneylender class of absentee landlordism and urban merchants like Seths, sahukars, and mahajans, got promoted.

\textsuperscript{87} Desai, op. cit., p.38
\textsuperscript{88} T C. Metcalf, Land, Landlords, and the British Raj, pp.118-120
9. It increased the agricultural and rural indebtedness of the cultivator class.

10. Starvation and poverty became widespread and known phenomena due to commercialization of agriculture and famines.

11. Rack-renting and usury of peasants in case of non-payment and default became a common practice in the whole mechanism of revenue collecting agents. It spread a wave of insecurity and fear among all the agricultural class of the region of the North Western Provinces.

12. Patta or lease system based on open auction of landholding distribution was promoted at a greater extent. In most cases, the contract was given to the highest bidder.

13. Peasants were now a community targeted by both the government as well as the intermediary group of land revenue collecting agents.

14. The operation of new land revenue system i.e., Mahalwari settlement brought a new form of landlordism called Capitalist landlordism which developed a bourgeoisie sense of land ownership in India.

89 *Minute of Colbrooke*, 1819, op. cit., Paras.5-9, pp. 252-253
90 Desai; op. cit., pp. 38-41
15. In the long run, the operation of new land revenue system ‘depeasantised’ the Indian agriculture and also raised the magnitude of ‘tribute’.

Among the entire above outcome due to the creation of proprietary rights in land, the changes made in the mode and pattern of production was of primary importance. The company administration of land revenue management created pre-requisite for the capitalist development of agriculture when they introduced individual ownership in land, namely peasant ownership and big landlord ownership. And by this creation British ended the feudal economy and established the platform of capitalist economy. The operation of Mahalwari system brought a ‘capitalistic mode of production’ in agriculture where cultivation basis was to made profit by growing crops which have commercial and market value. Marx in *Das Capital*, volume-1, explicitly described the two distinctive and important characteristic of capitalistic mode of production. He said that ‘Capitalistic Production’ is distinguished from the outset by two characteristic features---- First, it produces its products as commodities; and Second, making of surplus values as the direct aim and determining motive of production here. Both the two criteria of capitalistic mode of production have been found in the cultivation pattern throughout the Mahalwari operated region. Now, land became a commodity which could be sold and purchased easily in the market. Marx

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91 Desai, op. cit., p.41
92 Patnaik; op. cit., p.86
believed that ‘property relation’ is simply the juridical expression of the term ‘production relation’. The new form of property relations altered the pattern of cultivation where concentration of production was based on market concern and benefit. It develops a juridico-economic relation between the government and agriculturists. It gave birth to the accumulation process of wealth in agriculture sector because operation of new land revenue system was based on bourgeoisie concept of alienable property and enforceable contracts. The new pattern of capitalistic production which comes through the concept of property rights in land develops a quasi-bourgeoisie sense of ownership and established a class of rich peasantry called proto-bourgeois or proto-landlord. This development paced the speed of Industrial revolution in England.

Holt Mackenzie in his minute of 1819 has given a perception that the institution of village community is the only economic organization which needs to be maintained for the welfare of the Indian people especially the peasants. Further, R.M. Bird and J. Thomson were the two revenue officers, who advocate the ideas of Holt Mackenzie. Bird declares the taluqdars as the ‘host of unproductiveness’. Basically these officials tried to implement the philosophy of utilitarian school. They tried to introduce a land revenue system in this region of North-Western Provinces where land should be engaged directly with the cultivating communities and the rent could be fixed on the principles of Ricardian theory of rent which was

93 Ibid., p.86  
94 Patnaik, op. cit., p.205  
95 Sekhar Bandyopadhyay, From Plassey to Partition: A History of Modern India, Orient Longman, New Delhi, 2004, p. 94
an important aspect of utilitarian principle. The logical and proper application of the utilitarian philosophy of rent doctrine based on the Ricardian rent theory must minimize the individual ownership in land. It also eliminates the absolutism of the intermediary class people and limited the absolute power of individual rights in property and also favoured the settlement with the Rayiyats. But, British did not apply utilitarian philosophy properly in the implementation of Mahalwari system of land revenue settlement and they also were unsuccessful to prevent absolutism in the land holding rights or claims.

**Destruction of the Village Community**

One of the worst results of the operation of Mahalwari system was the breakup of the Asiatic mode of production that was carried out by the institution of village community. It spread out a wave of fear, uncertainty and sense of insecurity among the agricultural communities because of no other alternative. Karl Marx, greatest communist of the world, believed that by breaking the institution of village community British annihilated the old economical basis of the village economy in India. He compared the Indian village communities to the municipal organizations of England and termed it as village communes. According to Marx, the historic pages of British rule in India hardly did anything for the development of their colonies, but destroyed and annihilated its most important basis of village economy carried out by the institution of village community.

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96 Hussain, op. cit., pp. 153-56
97 Ibid., p. 155
98 Marx, *The Future Results*, op. cit., p.84
99 Ibid., p.86
communities. Sir Charles Metcalfe, who succeeded William Bentinck as Governor- General, has opinion that the institution of village community was the heart and soul of then Indian village economy and so of land revenue administration\textsuperscript{100}. Marx highlights that the pace of destruction due to British rule was far greater in comparison to the regeneration process. In other sense, he points out that the development of India through the regenerative processes was nothing but a process to fulfill their target of exploitation and destruction. Marx asserts that the breaking up of the institution of village community broke the self–sufficiency of village economy and destroyed the whole inertia of village economical basis\textsuperscript{101}. He asserts that the introduction of railways and improved system of communication played a prominent role in the destruction of the village community. The situation of the villages worsened because of their peculiar features; viz., (i) the dissolution of the society into stereotype and (ii), disconnected atoms had survived their vitality. He pointed out that the village isolation produced the absence of roads in India, and the absence of roads perpetuated the village isolation\textsuperscript{102}. It affected the whole village as well as agrarian set-up of India and altered the inward- oriented peasant community into an outward- oriented community.\textsuperscript{103}

\textsuperscript{100} Hussain; op. cit., p.194
\textsuperscript{101} Marx, \textit{The Future Results}, op. cit., p.86
\textsuperscript{102} Marx, op. cit., p. 86
\textsuperscript{103} John S. Migdal, \textit{Peasants, Politics and Revolution}, Princeton University Press, Guildford & Surrey, 1974, p. 84
In the early decades of the nineteenth century A.D., village communities especially in Mahalwari region consisted of several horizontal layers with very different rights and claims. These different social strata consisted persons belonging to different social castes, classes, communities and religions. Most of the times, their social status have been fixed on the basis of their occupation. It was a typical development of the early nineteenth century, having several parallel social strata and sort of hierarchy which was determined by the order in which various units of families got absorbed in the community\textsuperscript{104}. These communities were the final form of family units which descended from the original founders of the village. These village communities were grouped into various divisions and sub-divisions and they were designated as co-parceners, sharers, pattidars, thokedars, and behriwars, etc\textsuperscript{105}. These village communities had striking features of strength and stability, which was sustained over the centuries in spite of their constant dissolution and never ending changes of dynasty. This institution possesses a unique feature of self-sufficiency based on the integration of agriculture and handicraft industry.

The village community is a part of Indian social heritage. Its description is found in \textit{Rig Veda}. The Buddhist \textit{Jataka} stories as well as kautillya in \textit{‘Arthashastra'} had given detailed description of the village organization. Most of the sociologists considered it as the primary cell of social structure on which

\textsuperscript{104} Gupta; \textit{Agrarian Relations}, op. cit., p. 38
\textsuperscript{105} Ibid., p. 39
whole structure of society was based. It was an institution of the members of proprietary bodies who were ordinarily grouped in divisions and sub-divisions, each in possession of separate shares of the cultivable area, corresponding more or less with the shares determined by the rules of inheritance and partition under the joint family system, by the operation of which the shares were owned, not separately by individuals, but jointly by families. The cultivable land of the whole area was divided with inhibited site but the waste and pasture remain undivided and constitute the joint property of the proprietary body as a whole.

The institution of village community was a key-stone of the arch of the British land revenue settlement which was formed by the “village republics” or ‘village democracy’. The fiscal and legal apparatus of this institution prevailed in all Mahalwari region prompted and deprived a decisive structural alteration in the existing agrarian society. The condition and rights of the village communities where holdings of the village or estate or mahal was vested with one or a few village zamindars, and where muqaddams appear as representatives of a distinct and sometimes of rival claims appear especially to call for investigation.

According to L.S.S. O’Malley, the institution of village community presented a conspicuous picture about the social, economic and cultural aspects of village life. He remarks about the village community in the following words:

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106 Gupta, Agrarian Structure, op. cit., p. 26
107 Kumar, op. cit., p. 36
108 Minute of Mackenzie, 1819, op. cit., Para 91& 92
109 Desai; op. cit., p. 13
“The chief social institutions, as they existed in their integrity, were not individualist but collectivist. The unit was not the individual but the family which regulated the relations of its members *inter se*. The inter- relations of different families were governed by the village community and the caste, the former of which was a collection of families organized for the purposes of communal self-government, while the latter was an aggregation of families united by rules as to marriage, diet, occupation and intercourse with the rest of the community, but not localized like the village community. All three, the family, the caste, and the village community maintained ideological control over the individual who was bound to conform to their standards. The individual scarcely existed except as a member of a group. Self-determination was only possible within the limits which the latter imposed….. The village community was only partially a social institution. It was more an economic and administrative organization, over which the state had the right of control though this was sparingly exercised. The affairs of the caste and the family, however, were matters with which the state had no direct concern. The relations of their members were governed not by secular law but by Hindu law and customary regulations.”

The village autonomy was chiefly confined to the internal relations of the villagers. In most parts of the country, menials (such as the messenger, watchmen, barber, and sweeper) and artisans (blacksmiths, carpenters, and potter) were village servants and receive a share in crops for ordinary services\textsuperscript{110}. Before the consolidation of the British Empire, the village organization of northern India was in the form of local government controlled fully by a landed aristocracy. In the villages, the lower castes managed their own social affairs by panchayat system, which was an important feature of the village community\textsuperscript{111}. However, the higher


\textsuperscript{111} Ibid.,
castes had no panchayat but managed by the zamindars or chief tenant of the village.

By the implementation of the Mahalwari system, the British government of the East India Company decided to recognize, admit, and protect the property rights of the members of village communities, who had been excluded from the land revenue administration in the early settlements of permanent or Zamindari of Bengal Presidency. This institution played a prominent part in the process of self-sufficiency of the village economy. The economical basis of the village community was at the lower stage of specialization and division of labor based on insufficient differentiation of agriculture and industry. For centuries, the mind of the over-whelming portion of the Indian people distributed in numerous and autarchic village centers, each village being a closed system with very little social, economic or intellectual exchange with the outside world, remained cramped, or did not grew. Their social and intellectual existence was narrow and stereotyped. It was a caste- stratified social organization of the village population which was not conducive to any development of individual initiative, adventure or striking out of new paths.

Karl Marx has given a vivid and picturesque description of the process of simple reproduction that goes on in the Indian village community. How the

112 John W. Kaye, Selections from the Papers of Lord Metcalfe, London, 1855, p. 253
113 H. S. Maine, Village community in the East and West., B. R Publishing Corporation, New Delhi, First Published 1913, Reprinted 1985, pp. 108-121
institution of village community gone to disintegration could be clearly and easily understood by the following remarks of Marx. He writes,\textsuperscript{114}

“Those small and extremely ancient Indian communities, some of which have continued down to this day, are based on possession in common of the land, on the blending of agriculture and handicrafts, and on an unalterable division of labour, which serves, whenever a new community is started, as a plan and scheme ready cut and dried. Occupying areas of from 100 up to several thousand acres, each forms a compact whole production all it requires. The chief parts of the products are destined for direct use by the community itself, and do not take the form of a commodity. Hence, production here is independent of that division of labour brought about, in Indian society as a whole, by means of exchange of commodities. It is the surplus alone that becomes a commodity, and a portion of even that, not until it has reached the hands of the state, into whose hands from time immemorial a certain quantity of these products has found its way in the shape of rent in kind. The constitution of the communities varies in different parts of India. In those of the simplest form, the land is tilled in common, and the produce divided among the members. At the same time, spinning and weaving are carried on by each family as subsidiary industries. Side by side with the masses thus occupied with one and the same work, we find the ‘chief inhabitant’, who is the judge, police, and tax- gatherer in one; the book-keeper, who keeps the accounts of the tillage and registers everything relating thereto; another official, who guards the boundaries against neighbouring communities; the water-overseer, who distributes the water from the common tanks for irrigation; the Brahmin, who conducts the religious services; the schoolmaster, who on the sand teaches the children reading and writing; the calendar- Brahmin, or astrologer, who makes known the lucky or unlucky days for work; a smith and a carpenter, who make all the pottery of the village; the barber, the washer man, who washes clothes, the silversmith, here and there the poet, who in some communities replaces the silversmith, in others the schoolmaster. This dozen of individuals is maintained at the expenses of the whole community. If the population increases, a new community is founded, on the pattern of

the old one, on occupied land. The whole mechanism discloses a systematic division of labor, but a division like that in manufacture is impossible, since the smith and carpenter find an unchanging market, and at the most there occur, according to the sizes of the villages, two of three of each, instead of one. The law that regulates the division of labor in the community acts with the irresistible authority of a law of nature, at the same time that each individual artificer, the smith, the carpenter, and so on, conducts in his workshop all the operations of his handicraft in the traditional way, but independently, and without recognizing any authority over him. The simplicity of the organization for production in these self-sufficing communities that constantly reproduce themselves in the same from, and when destroyed, spring up again on the spot and with the same name—this simplicity supplies the key to the secret of the unchangeableness of Asiatic societies, an unchangeableness in such striking contrast with the constant dissolution and re-founding of Asiatic states, and the never ceasing changes of dynasty. The structure of the economical elements of society remains untouched by the storm clouds of the political sky.”

His remarks rightly explored out the disintegrating factors of the village community in India. His first argument that some of the ancient institutions of the village community in India have continued down to this day which means that the rest of all have been disintegrated. Secondly, he claimed that land becomes a commodity for market which generates surplus for the state. Third notion of Marx’s assumption refers to ‘those of the simplest form’ and the complex ones are not included; wherein a different state of production naturally prevailed. In fourth perception, Marx uses the phrase “unchangeableness of Asiatic Society” only in a relative sense. Fifthly, Marx deals with the question of property, which was considered as the most controversial question among the English writers on India,

115 Singh, op. cit., p.92
and asserts that “the broken hill-country south of Krishna region, property of land does seem to have existed”\textsuperscript{116}.

When Marx explained about the destruction of the old existing Indian village communities as an impact of British rule in India, he is essentially referring to an exogenous or external factor and at no occasion has discussed the endogenous or internal factors responsible for the disintegration of these primitive organizations\textsuperscript{117}. So, we must have to discuss the other available sources to trace out the endogenous factors which lead to the dissolution of the village community, ultimately ended the village-based economy resulted in the starvation and death due to immediate crisis of food grains.

When land became a commodity for market and transfer of land made easy by mortgage, purchase and buying, the British government introduced a full capitalistic conception of property in land\textsuperscript{118}. The transfer of land took place mainly on two basic results of forced sales of land because of land revenue arrears, and the frauds of the subordinate revenue servants. The landholding structure dominated by the institution of the village communities was nonetheless subjected to severe change through sale laws, private transfers of land and commercialization of crops\textsuperscript{119}. These all factors played a prominent role in the destruction of the institution of the village community.

\textsuperscript{116} Marx and Engels; in Selected Correspondence, Moscow, 1956, p.104
\textsuperscript{117} Ibid., p.92
\textsuperscript{118} Hussain, op. cit., p. 255
\textsuperscript{119} Ibid.,
It distorted the mechanism of the mutual economical basis of the village people. According to John Edward Colebrooke, a settlement officer, there was about 80 percent of land holding which was in the hands of joint-proprietorship. But, towards the last two decades of the nineteenth century it had diminished and declined to about 30 percent which we can say is a sharp decline in the joint ownership. The alarming change in the structure of landholding distribution during the crucial period of land revenue policy formation have been pointed out by some prominent revenue officer such as Holt Mackenzie, James Thomason and Charles Metcalfe and that could be a striking cause of village community dissolution. These prominent revenue officers blamed British legislation as the prime cause for the breakup of the institution of the village community.

The conflicts among the agricultural communities were one of the reasons for the break-up of the institution of village community. The conflicts in the village community persist mainly on economic basis. The economic interdependence of agricultural population based on the principle of Karl Marx’s “dialectical materialism” was the prime of source of conflicts in the village community which lead to the struggle between the superior and the inferior class of agricultural population. This too was an exogenous factor and force of change in Indian society. Inter and intra conflicts within the village community on the basis of community, and castes provided sufficient cause for endogenous changes.

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120 Ibid.,
121 Singh, op. cit., p. 92
According to this notion, a traditional view has been developed that the village communities disintegrated because of the impact of British rule which was analogous to the dissolution of Greek slavery on account of roman invasion\(^{122}\). By the notion we could analyze that how and to what extent British rule in India was responsible as the exogenous factor in the breaking up of the village community.

The importance of the British rule as exogenous factor in the destruction of the institution of village community was undeniable, but the role played by certain internal factors in this destruction process was also of greater significance. Some of the important internal factors that contributed to the process of disintegration of village community are listed as follows\(^{123}\):

1. First, the internal conflicts, i.e., factional squabbles amongst the superior agricultural classes e.g. the *jagirdars* and *taluqdars*, who were behaving like feudal lords\(^{124}\). The faction is primarily a kinship unit, consisting of one or more extended families or *kumbas* (descendants of a single common ancestor). Membership in a faction is never on an individual basis, but only by family groups. These kumbas acted as cohesive units. However, this assertion of Oscar Lewis has been challenged because it lays exclusive stress on kinship. A village faction is a power group formed to serve the socio-economic interests of its members. This naturally proved to be a cause of change in the existing institution of village community throughout

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\(^{122}\) Ibid., p. 93  
\(^{123}\) Ibid.  
the Indian history, and the dissolution process taken alarming path during the period of final decay of *Mughal Empire* and the consolidation of British power.\(^{125}\)

2. This continuous state of warfare and the feudal lord’s luxurious mode of living required an increasing amount of revenue, which in turn brought in enhanced exactions from the peasantry\(^{126}\) and other skilled workers. According to this view, local legends and magnets had abandoned the cultivation and left the hamlet villages in search of a secure place like forest or a river belt. This definitely affected the settled living pattern of society and so disrupted the institution of village community.

3. Thirdly, the agrarian economy failed to provide food for an increasing population. This brought famines, which destroyed the fabrics of village economy. Nazir Akbar Abadi (1736-1830) in his *shahar-i-Ashob* with a verse describes the impact of famine in the city of Agra. He writes that “poverty and starvation has entered every house, as water enters after the bund is broken, and consequently all the thirty-six occupations are unemployed.\(^{127}\) The tradition of the thirty-six occupations or guilds is strong throughout the region of northern India” carried out by the institution of village community.

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\(^{125}\) Singh, op. cit., p. 93-94  
\(^{126}\) Nevil, *District Gazetteers of Uttar Pradesh*, Barabanki, p. 167  
\(^{127}\) Nazir Akbar Abadi ‘s view in his work, *Shahar- i- Ashob*; Cf., Singh; op. cit., p. 94
4. Fourthly, in such conditions, rack-renting and usury grew, which naturally contributed in the dissolution process of the village institution and economy. Land transfers to non-agriculturalists like the urban traders, usurers, merchants and moneylenders proved an important factor which helped in the dissolution of village community. It compelled the rural people to abandon their cultivation and migrate to prosperous regions or cities to live on relief work. The occurrence of famine was a powerful instrument in breaking the internal rigidity of the rural communities and facilitated migration.

The liberal elements and private property in the land revenue policy could be discerned the creation of broad conditions for the emergence of valuable and individual property rights in land. The creation of a new class of landed proprietors also contributed to the dissolution of the institution of village community. The new proprietors enjoyed full rights of private property in land including right to extract maximum rent from tenants and evict them and secured exclusive rights of private property in wastelands, pastures, forests and fisheries, etc. which were formerly the joint property of the village communities as a whole. In all Mahalwari regions, millions of people were deprived the rights that they and their ancestors had enjoyed for centuries under the operation of summary settlement. The rights of the village zamindars and resident ryots were dissolved over extensive areas and the new rights were conferred on the newly created

\[128\] Singh, op. cit., p.95
landed proprietors by means of which all the substantial rights of the former were transferred to the latter. In small mahals, extensive taluqs were created by tehsildars and Qanungos by usurping the rights of a large number of Pattidari and Bhaichara village communities. The institution of village community also broke down because petty holders and cultivators were lost their rights to the single village zamindars who were admitted to the revenue settlements as individual representatives. When British launched new land revenue system with the Lumbardar or village chief who assumed the character of a single proprietor in a short span of time naturally destroyed the original Pattidari and Bhaichara villages based on mutual co-operation of village organization.

Now, all the benefits that were so far enjoyed by the village zamindars in the form of malikanah, zamindari rasoom or nankar were transferred to the new proprietors by law. There were various types of concession previously given to the different classes of the village communities in the form of different rates of revenue assessment on their lands could now be withdrawn from them by the emergence of new proprietors. The emergences of new class of proprietors’ belonged to urban merchants lessen the importance of the institution of village community

The security of occupancy rights that khudkasht ryots enjoyed in the past before the coming of the British had disappeared now and fixity of rent which was

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129 Minute of 12th July 1820, J. E. Colebrooke, in Revenue Selection, 1818-20, op. cit., p.208
130 Ibid., p. 208
131 Gupta, Agrarian Relation, op. cit., p. 119
a corollary of the security of occupancy could no longer be maintained in view of
the nature of the rights property conferred by the British regulations.\textsuperscript{132} Purchasers
of land at public auction or through private sale also acquired rights over the entire
village community. The new land legislations contributed greatly in the way of the
dissolution of village community because it broke the integrity and unity of village
economy. In big mahals, the former intermediaries and the revenue farmers
grabbed the rights of the village communities which had been paying their state
revenue to the former governments through them. In this way, the organization of
village community sharply lost their hold on the village economic affairs and
activities.

The creation of private property in wasteland also contributed greatly in the
destruction of the institution of village community. The wasteland property under
the possessionship of the village communities now made available for the new
proprietor. The new group of proprietors usurped the benefits of the village
communities which enjoyed previously over the wastelands by them. The
availability of wasteland would be check on the economic pressure that could be
exercised by the new proprietors based on the implicit assumption that, under the
former governments, the cultivators derived only a bare minimum subsistence
from the land and that the former revenue collecting classes appropriated all the
economic surplus beyond the minimum necessary for the subsistence of the

\textsuperscript{132} Ibid., p. 118
The property of individuals including wastelands no longer remained the joint property of village community and extension of cultivation on the wastelands could be possible only after the payment of the rent demanded by the new proprietors.

There was another important factor which played significant role in the dissolution and disintegration process of village community was the chain of working within the organization itself. The village community had originated with a distant ancestor, and had the same religion and caste. According to the custom of the community each member had the right to transfer his share wholly or partially by sale or in any other way, to persons belonging to any religion or caste. The exercise of these rights to a considerable extent led to the sub-division or fragmentation of the actual joint holding into smaller ones called thokes or behris. The religion and caste of the joint owners of the thokes and behris differed far from the original community where transfer laid positive effects. This type of development naturally weakens the hold of joint ownership of village community.

Though the British statesmen in favour of maintaining the institution of village community and cautious to retain the institution but on practical scale British agrarian and land revenue policies still favour the big zamindars and taluqdars who yet have firm hold on the existing local condition and situation. However,

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133 Gupta, Agrarian Relation, op. cit., p.120
134 Minute of 27th July 1831, Alexandar Ross; in Revenue Selection, 1832-33, op. cit., p. 36
135 Hussain, op. cit., p.256
136 Hussain, op. cit., p.256
with the introduction of Mahalwari system the company government tried to prevent the power of big zamindars that were control all the affairs of villages remotely. They were not exterminated at greater level. They still concentrated all the benefits of peasants that come from cultivation. The new group of proprietors (zamindars, taluqdar, urban merchants and moneylenders) could exercise all economic pressure on the cultivating class and forced them to live with the bare subsistence. The new class of exploiter enjoyed all the surplus of agricultural productivity which was the property of peasants in real sense.

In 1830s, the combination of commercial depression and continued harsh assessments drove the cultivating communities into debt and arrears on their land revenue payment. The new pattern of land settlement brought a more precise definition of landed rights. The result was a dramatic and altogether unforeseen increase in the enforced transfer of property through the agency of the civil courts. Ultimately, the beneficiaries from the operation of new settlement proved to be its victims too. The load of revenue debt, which had accumulated over the years, was the product of consistent heavy assessment. For example, E.J Thornton, settlement officer of Aligarh district found that the village communities already mired in debt. He reported that ‘Jama’ was considerably high and malguzars lost all hope of improving their condition because of too much burden imposed on them. The peasants were now in deep debt and utterly not capable of making any

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arrangements for defraying their arrears.\textsuperscript{138} These mounting debt and arrears obviously contributed in the process of disintegration of village communities.

The centralized form of land revenue administration, the establishment of police and law courts and the extension of modern means of communication broke the isolation of villages. The isolation of villages broke the mutual based barter economy which was the basis of Indian economy from the very beginning of ancient civilization. The new means of communication connected the villages to the other parts of the country in easy way and ended the hegemony of village organization.\textsuperscript{139} It brought commercialization in agriculture and now local based market shifted to country wide market because export and import became easy.

High rents and increasing amount of agricultural rural indebtedness pushed the village top- guns to seek employment in urban areas. The above two causes together given rise to rural migration. Rural migration got pace by the destruction of village handicrafts which left no option of work in villages. The British government created a situation from where peasants were no longer in a position to raise their crops and lived on them. The villages were never be completely independent but entered into a condition where changes in the set-up seems compulsory and brought to an end of village organization\textsuperscript{140}. The new situation created by the British administration ended the self- sufficiency of village community which was nothing more than a traditional form of ancient agency of

\textsuperscript{138} Metcalf, op. cit., p.107  
\textsuperscript{139} Marx; op. cit, p.86  
\textsuperscript{140} Singh; op. cit., p.95
social control, social security and a bulwark against social change. The self-sufficiency of the villages had broken down when the village economy got connected with the world market due to the innovation of advanced means of communication.

The introduction of landlordism in agrarian set-up by the British with a semi-feudal and semi-colonial land tenure nature created a new pattern of relationship between the hierarchy of tenants and the landlords\footnote{Singh, op. cit., p.96} (most often absentee). The British administration of the Company government selected the zamindars and taluqdar as the social base of their rule instead of the institution of the village community. The old set-up of village economy based on moral and ethical values have been replaced by the new social order shaped on materialistic approaches and relation. Marx said that the loss of old set-up had not been replaced with the establishment of a good alternate in accordance with the demand of Indian history.\footnote{Ibid., p.96}

However, the institution of village community sustained, with some basic changes in its rigidity, and could be witnessed even in the thirties of the twentieth century. According to the Report on the Moral and Material Progress of India, 1930-31, ‘throughout the greater part of the country the typical self-contained Indian village community, which has been maintained without any modification for centuries, still exists as an interesting and surprisingly intricate social...
organism’.\textsuperscript{143} The rigidity of village community swept away by the occurrence of a world-wide Great Depression in 1929-33. Further, the outbreak of the Second World War changed the whole set-up with the introduction of intensified commodity production which intensifies the existing money economy. After independence, Indian government tried to re-establish the institution of village co-operative societies with the establishment of three-tier Panchayati Raj system.\textsuperscript{144} The British government of East India Company replaced the community feeling by materialism and individualism which harmed the village societies at greater scale in the long run. They destroyed the self-sufficient village economy and turned India into a single economic unit with the introduction of capitalist forms of private property.\textsuperscript{145} This transformation was not progressive for their subjects but subjected to the economic requirements of British trading and industrial concerns. These land settlement impeded the economic development of Indian society. Thus the impact of British land settlement proved more destructive than the regenerative. And the process of regeneration took place only on the cost of destruction in the form of maximum exploitation and exhaustion of India’s agriculture resource and wealth.

\textbf{Commercialization of Indian Agriculture}

The other important economic ramification of the operation of Mahalwari system was the introduction of commercialization in Indian agriculture (forced not

\textsuperscript{143} \textit{Report on the Moral and Material Progress of India during the Year 1931-32}, Published in 1932, p. 135
\textsuperscript{144} Singh, op. cit., p.97
\textsuperscript{145} Desai, op. cit., pp. 1-2
progressive). As British historian claimed that they raised the productivity of peasants in Mahalwari region through the improvement of irrigation channels. David Ludden gave very account of irrigation development in the North Western Provinces. Their claim might be right but they provide irrigation facilities to those peasants who were ready to produce commercial crops. Therefore the only positive result of irrigation appeared in the name of commercialization of agriculture. Commercialization of agriculture could be defined as the technique of cultivation where peasants start producing primarily for sale in markets, rather than to meet their own needs and necessities of food. In broader sense, Commercialization was the transition process of pre-capitalist agriculture and cultivation into capitalist modes of production. In general, it essentially a tools by which specialization was promoted in agriculture and raised its productivity, could be unavoidable in an industrializing nation but in British India it commenced as surprising element to support the British industries and protect the Britain’s commercial and trading concerns at the cost of India’s resource exploitation at optimum possibilities. It took place with two concerns viz., first, to grow more and more goods of commercial value, and second, to realize land revenue demand in cash. It facilitated by both the demand and supply factors. The demand for raw materials as well as food was immensely stimulated by the commencement of Industrial Revolution in England. The purpose of cultivation and agricultural

146 Roy, op. cit., p. 124  
147 B. B Chaudhari, *The Process of Agricultural Commercialization in Eastern India during British*
produce became market oriented. Now, the production and produce of the agricultural field were now determined by new objective of, that of sale which changed the character drastically. The rental demand of government strictly in cash forced peasantry to grow commercial crops. The other important reason for the enforcement of the agricultural commercialization was the occurrence of the industrial revolution in England. The British Colonial Empire forced peasants to grow commercial crops like cotton, indigo, and jute etc. to meet the necessities of English industries running in Birmingham and Manchester city.¹⁴⁸

The Commercialization of Indian agriculture refers to the process of crops production for market concern not for subsistence purpose. It describes the extension of trade and money relations in India’s countryside.¹⁴⁹ This process commenced by the ending year of 18th century but got pace only after the second half of the 19th century. It happened according to the will of imperial country not for the welfare of the colonies ultimately brought poverty, Starvation and the situation of Famines in India more especially in Mahalwari region. The rising value of land and the expanding opportunities of trade for agricultural produce with the implementation of free-trade concept definitely proved a big cause for the happening of agricultural commercialization which attracted the investors outside agrarian society. There were various reasons for the transition of Indian agriculture towards commercialization like need for cash, activities of the new emerging class

¹⁴⁸ Rule, in Peter Robb (ed.); Meaning of Agriculture: Essays in South Asian History, Oxford University Press, New Delhi, 1996, p. 73
¹⁴⁹ Dutt, op. cit., p. 122
¹⁴⁹ Irfan Habib, Indian Economy, 1858-1914, Peoples Series, No. 28, Tulika Books, 2006, p. 59
of commercial middlemen, Connectivity of village market with the world market, agrarian policies of the government, development of roads and railways, two international events viz., American Civil War and the Opening of Suez canal etc.\footnote{S. S. M. Desai, \textit{Economic History of India}, Himalaya Publishing House, Bombay, 1982, p. 48}

The commercialization of Indian agriculture was not by the choice for peasant motivation but enforced for the maintenance of English industries running in Birmingham and Manchester city. The agricultural commercialization of India was not a normal process but a ‘forced and artificial’ one and that artificiality had much to do with the ‘dependence’ and ‘subordination’.\footnote{Chaudhari, op. cit., p. 71} The notion of ‘forced commercialization’ have been traced out first by the R.C Dutt in his masterpiece work ‘The Economic History of India’, Volume-II; when he sorts out that how commercialization of agriculture adversely affected the ‘Balance of India’s trade. There were two important reasons which prompted the farmer to produce crops for market….., first, to realize maximum cash for the payment of the land revenue, second, to meet the debt claim of moneylender in whose hands they subsequently fell.\footnote{Desai, op. cit., p. 43}

The process of agricultural Commercialization lessens the production of foodgrains and that brought an obvious shortage of foodgrain items. This situation naturally increases the prices of foodgrain items. The less availability of foodgrain items made it dearer for the peasantry and other low status agricultural population
that directly affected the consumption capacity of them. The high prices of foodgrain items forced the peasantry to live with the starvation and poverty. It increased the mortgage and sale value of land which promoted land transfer in the region at greater extent. It resulted in the creation of middlemen and moneylender class who were ruthlessly exploited the Indian peasants’ yeomanry. The negative effects of agricultural commercialization were greater on Indian peasantry than the positive one. Therefore, the commercialization of Indian agriculture in colonial rule was typically an involuntary process not welcomed happily by the peasants. In the long term, it broken the unity of village agriculture with handicrafts industries carried out by the village artisans. The process of agricultural commercialization fastens the cases of land transfers from cultivating class of peasants to non-cultivating class of moneylenders and urban merchants.\textsuperscript{153} This process bowed the seed of inequality among the agricultural class and community.

**Increment in the Magnitude of Tribute**

The operation of \textit{Mahalwari} system raised the magnitude of ‘\textit{Tribute}’ too. The concentration of \textit{Tribute} was the prime concern of British India conquest. The British rule in India raised the drain through two important sources of income and wealth….first, the collection of maximum possible land revenue in the name of surplus; and second, comes as profits made from duty free inland trade.\textsuperscript{154} The realization of maximum possible land revenue from agricultural class contributes a

\textsuperscript{154}\textsuperscript{154} Habib, people’s series, op. cit., p. 23
definite share in the magnitude of *Tribute*. The collection of the land revenue attained the level of extortion under the British Empire. It raised the magnitude of Tribute in the name of *Laissez-fair* policy of free-trade. The concept of *mercantilism* together with the imperialism of Free-trade fastens the transfer of tribute from India to England.\(^\text{155}\) It increased India’s Export without any *quid pro quo*. India did not enjoy any benefit from these exports but brought too many negative results on their economy. The concentration of *Tribute* made India a playground of plunder and turned India into an ‘agricultural farm of England’.\(^\text{156}\) It prevents India from making any capital. By draining India continuously England made their capital and secures the monopoly of trade and industries that became the basis of India’s further exploitation.\(^\text{157}\) The magnitude of *Tribute* increased because the area of assessed land had been far extended by 1830s in comparison to the end of 18\(^{th}\) century. R. P Dutt estimated that the land revenue rose from 4.2 million pounds in 1800-1 to 15.3 million pounds in 1857-58 mainly by the extension of the empire but also by increased assessment.\(^\text{158}\) The implementation of Mahalwari system by 1822 raised the amount of land revenue and increased the assessed land as well.

According to Dada Bhai Nauroji, the tribute or drain consists mainly of two elements….first, arising from the remittances by the European officials of their savings, and for their expenditure in England for their many wants both there

\(^{155}\) Habib, People’s Series, op. cit., pp. 23-30
\(^{156}\) Dutt, op. cit., p. 122
\(^{157}\) Habib, op. cit., pp. 23-24
\(^{158}\) Dutt, op. cit., p. 226
and India; from pensions and salaries paid in England; and from government expenditure in England and India. And the second, that too, arising from similar remittances by non-official Europeans. The Tribute was a process of ‘continuous plunder’ of India’s raw materials, natural resources and wealth by the Colonial Empire to enrich itself at the cost of India’s growing poverty. The flow of Tribute from India to England was an extreme form of injustice brought harsh and many-sided economic exploitation of India in every field. Immediate effect of this flow displayed in the form of poverty and famines.

The commercialization of agriculture with the flow of tribute brought scarcity in the availability of foodgrains. The shortage of foodgrain items comes due to extension of commercial cultivation which naturally reduces the production of foodgrain items. The less availability of foodgrains made it costly. Therefore a wave of starvation and poverty spread out in the region of North western provinces.

Female Infanticide

It was noticed that the operation of Mahalwari System in the North Western Provinces, the only region where the settlement was implemented at full scale before the revolt of 1857, increased the cases of ‘Female Infanticide’ on the same pattern as the introduction of Permanent zamindari Settlement increased the

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159 D. B. Nauroji, Poverty and Un-British Rule in India, First Published 1901 (London), Commonwealth Publishers, New Delhi, 1988, p. 34
cases of ‘Sati-dah’ in the Bengal Presidency. It was a worst social outcome of the operation of the Mahalwari settlement.

Female Infanticide was the practice of killing infant girls prevailed especially among the Rajputs tribes and clans.\textsuperscript{160} Simply it describes a sex-selective abortion. The phenomenon of female infanticide is as old as many cultures and has likely accounted for millions of gender-selective deaths throughout history. Although the killing of female child declared illegal by Bengal Regulation XXI of 1795 and Regulation III of 1804 but the inhuman practice continued in the 20s and 30s of 18\textsuperscript{th} century. W. Bentinck took vigorous steps to suppress this immoral and inhuman practice.\textsuperscript{161} There were various dubious methods used to destroy female child; some neglected to suckle the girl baby, others administered poisonous drugs (most often opium) through the nipple of the mother’s breast and some threw the baby into the Kramnasa river. The killing practice of new born girl baby appeared as the victims to the pride and honour concern of their parents in Rajputs families.\textsuperscript{162} Rajputs claimed themselves as the warrior and protector class of Hindu society. They believed that the born of girl baby degraded their status, power and prestige in the society. In Rajputs families of the North Western Provinces, the practice of female infant killing appeared easy because there ‘a Rajputs lives in private, with high walls enclosing a considerable

\footnote{\textsuperscript{160} Charles Raikes, \textit{Notes on the North Western Provinces of India}, London, First Published 1858, Reprinted 1957, pp. 8-9; Raikes was the collector of Mainpuri during the course of the Revolt of 1857.}

\footnote{\textsuperscript{161} Raikes, op. cit., p. 4}

\footnote{\textsuperscript{162} Ibid., p. 8}
area; and in his domestic privacy the crime of infanticide can be practiced with little risk of detection.\textsuperscript{163} It was sacred wickedness prevent all over the \textit{Doab} region of the North Western Provinces. Most of the times, new born girl baby had been thrown into Kramnasa river.

According to Charles Raikes, Female infanticide was a very peculiar and unnatural crime amongst certain classes (particularly in twice- born castes of Rajputs and Brahman) consigns the female infants to immediate death.\textsuperscript{164} The killing of infant girls was a world- wide phenomenon of then society at variation. But in Mahalwari region it was in cursive situation. About the prevalence of Female infanticide, Raikes observes, ‘no man is more impatient of female disgrace than your Rajputs or Brahmans, but no man is more incredulous of female fidelity.’\textsuperscript{165} Further, he mentioned about the sufferings and miseries of the women in North Western Provinces and then he quotes, ‘to the fair other hands the fate of the Rajpotnee must appear one of appalling hardship. In each stage of life death is ready to claim her…by the poppy at its dawn, by the flames in riper years; while the safety of the internal depending on the uncertainty of war, at no period is her existence worth a twelve months purchase. The loss of a battle or the capture of a city was a signal to avoid captivity and its horrors, which to the Rajpotnee are worse than death.’\textsuperscript{166}

\textsuperscript{163}Raikes, op. cit., p. 13

\textsuperscript{164}Ibid., pp. 4-5

\textsuperscript{165}Raikes, op. cit., p. 2

\textsuperscript{166}Ibid., p. 3
In all Rajputs family whether Chauhan, Rathore and Seasidea, the born of a daughter considered as the sign of disgrace, weakness, anxiety, mourns, or at least a cause of heavy expenses upon his house in the future but contrastly the born of a son was a sign of strength, wealth, prosperity, status and dignity which brought rejoices in the society. However, the crime of female infanticide was not welcomed by any family. He pointed out three basic reasons of the prevalence of female infanticide in India more particularly in the North Western Provinces which were the following:-

1. In the Hindu society daughters did not given proper rights and shares in the ancestral property. There were no proper patterns of wealth distribution for the daughters even today.

2. Second important reason of female infanticide comes to the fore through the marriages of Hindu society. Marriages in Indian Hindu society especially in twice- born caste always be an expensive deal and tied with the taboos of Gotras. The peasantry of first half of the 19th century was not capable to bore the heavy expenses of marriage ceremony at own. Inter-marry in one’s own subdivision is impossible and marriages with the men of inferior rank brought disgrace to her family. The position of a father-in-law in Hindu society was always supposed to inferior against son-in law
according to customs and tradition.\textsuperscript{167} Therefore, they committed that inhuman practice for their own pride and honour concerns.

3. The third reason of the crime was related to the honour, pride and prestige of the family in the society. There is a perception in the Rajputs society that the births of female child weaken their status and brought mourns to the family\textsuperscript{168}.

But there were some other reasons too for the happening of those ill practices. Some of them were the following:-

1. Most important reason for the appearances of female infanticide cases seems to be the realization of maximum land revenue from the peasants. The administration of East India Company always increased the effective amount of land revenue at every new revision in all temporarily settled areas. It increased the amount of land revenue arrears and agricultural indebtedness naturally burdened the peasantry.

2. The other reason appeared to be famines which were the worst result of the operation of new land revenue system. The situation of famines in Mahalwari region was appeared due to agrarian depression caused the scarcity of food grains and starvation in the region.\textsuperscript{169} The crisis of foodgrains happened mainly because of commercialization in agriculture.

\textsuperscript{167} Raikes, op. cit., p. 8
\textsuperscript{168} Ibid., p. 11
\textsuperscript{169} Siddiqui; op. cit., pp. 168 -77
3. Strictness in the distribution of *Taqqavi* and *Ujuhat* (or *wajuhat*) loans also contributed greatly in the cause of female infanticide cases. *Taqqavi* and *Ujuhat* given to peasants as help in the cultivation for the repairing of wells, tanks and canal’s embankments. In Mughal India, peasants used these loans often in marriage and birth ceremonies without any fear. But the flexibility of these loans distribution had been tightening even ended by the Company administration of British Empire. Now, peasants face a number of problems to get sanction of those loans. Obviously, peasants worried about their family’s livelihood ultimately preferred to have small family and ultimately starting sacrifices of girl baby against boy because of the fear of expensive marriages.

Raikes observe that every magistrate of the British administration had tried hard to stop the incidents of female infanticide at regular intervals. Much attention about the incidents had been given only after the availability of statistical inquiry which provides the disproportion rate of male and female infants. The session courts started trial against the committal parents. It was Jonathan Duncan, a British resident at Benares, noticed about this incidents but he did not take any preventive measures against the crime. But the real effort had been made by the R. Montgomery, then the magistrate of Allahabad, when he, in an article published in Calcutta Review, 1841, no. 2, earnestly suggested to officers to work hard to put down the cases of female infant killing. He appointed chaukidars, midwives and

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170 K. Chakraborty, Decolonizing the Revolt of 1857, Readers Service, Kolkata, 2007, p. 69
171 Raikes, op. cit., p. 16
172 Ibid., pp. 14-15
_Chuprasis_ in the villages and _Parganas_ to give information about the birth of every new female baby. He also assigned duty to every _thanas_ (police posts) to report about each and every new birth of girl baby. _Tehsildars_ were instructed to provide all assistance to the _thanadars_ in getting that information. He also declared reward for the officers who stopped these horrible practices. He got great success but the situation demands more work to stop these crimes completely. Mr. Unwin, collector of Mainpuri, also made great attempt to stop these incidents. The cases of female infanticide came to an end after 1930s. However, this crime resumed the character of female foeticide in independent India.

As the _Mahalwari_ system possessed the combined features of _Zamindari_ and _Ryotwari_ both then the agrarian consequences of it should be the mix outcome of both. The British started this system as the middle path between the _Zamindari_ and _Ryotwari_ and tagged that system as an ideal one for the peasants. They tried to make happy to the larger section of agricultural community by the introduction of that new system. The British implemented the _Mahalwari_ system at those places which came to the British paramount only after the expeditions in 1830s and 1840s. The agrarian consequences of new land settlement were almost the same on India’s socio-economic structure what the _Zamindari_ and _Ryotwari_ possesses in combined.