CHAPTER III

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CHAPTER - III
ADMINISTRATION

A. GENERAL CHARACTERISTICS OF ADMINISTRATION.

(i) ADMINISTRATION IN ORISSA TRIBUTARY MAHALS.

Before the establishment of British Paramountcy over the States the Rajas were supreme in their internal administration to all intents and purposes. There was no limit to their power and authority. During the Mughal and Maratha periods they held their States as personal fiefs, subject only to the nominal control of the overlord. So long as the Peshkus was regularly paid, there was hardly any interference in State affairs by the Sovereign Power. The British authorities apparently tried to maintain the same status quo in the first few years of their relation with the States. They did not accept the repeated suggestions of the earlier Superintendents of the Tributary Mahals for an extension of the Government Regulations into the States as the avowed policy of Government during this period was one of non-interference in the internal administration of the State. Whatever decisions were taken in regard to the States by the British were primarily desired to hinder the occurrence of certain unwanted incidents. The status, powers and position of the Rajas in relation to the Paramount Power were not clearly defined and demarcated for a long time since the conclusion of the treaty engagement in November 1803. As the affairs were not administered under Regulations of Government no definite system had obtained with regard to their internal

1. BSPC of 1st March 1804; Harcourt and Melville to Government, 19th January 1804.
administration; the power of the Rajas over their subjects had never been defined and the people were wholly exposed to an undefined power, often exercised towards them in a barbarous and cruel manner.¹

The local British officers who were in charge of the affairs of the Orissa Tributary Mahals often anticipated dangerous consequences of concentration of so much of undefined and ambiguous authority in the hands of the Rajas. While pleading for the extension of Bengal Regulations into the Mahals and the establishment of greater control over their internal administration, Henry Ricketts, the Superintendent of the Tributary Mahals, wrote to the Government in January 1839, "If the inhabitants are entirely abandoned to the management of their Chiefs whose desire is to prevent all innovation on ancient customs... and to live as their fathers had done for generations in the depths of their forests, centuries hence they will be as savage as they are now".²

The Government was duly informed of the 'cruel and barbarous' nature of the Rajas,³ but no intervention in their internal administration was contemplated by the Supreme Government, since colonial interests gained precedence over humanitarian considerations. All suggestions for greater control and supervision over the conduct of the Rajas by the Superintendents of the Tributary Mahals were set aside, for the Government did not intend to weaken the Rajas' authority over their subjects.⁴ The Superintendents were

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¹ Judicial to, No.16, Para-70 of 27th May 1840.
² BRP(R) OSA, Accn.No.75, Ricketts to Government 21st January, 1839.
³ Ibid.
⁴ Ibid., OSA, Accn.No.83, Government to Mills, 5th December 1839
only advised to exercise their 'moral influence' to keep the Rajas in the paths of virtue,¹ and to establish such a control over their conduct as might prevent the commission of crimes and outrages.² He was, however, "cautioned not to interfere too much between the tenantry and the Rajas".³ Thus, practically, the management of the Mahals was left entirely to the Rajas, controlled by the undefined authority of the Superintendent.⁴

From 1840 to 1894 the only checks on the unlimited powers of the Rajas were the draft rules of A.J.M. Mills, a Superintendent of the Tributary Mahals, whereby the Rajas were prohibited from exercising the powers of life and death in so far as their judicial powers were concerned.⁵ Otherwise the Chiefs had absolutely unlimited powers in regard to all civil matters, and in criminal cases they had also all powers short of life and death.⁶ Although they were required to report cases of homicide and other heinous offences to the Superintendent for trial it was their discretion to distinguish between ordinary cases and those of a heinous nature. In any case, practically the Rajas' powers were considerable within the limits of their States.

2. S.R.G.(Bengal)-XXIVB No.3; Paper on the Settlement of Cuttack and on the state of the Tributary Mahals, P-58.
3. Judicial to; No.16 of 22nd January 1841, Para-47.
4. SRG No.3, P-59.
5. BJ(Cr)P No.40 of 17th November 1840, Government to Mills.
6. AR 1882-83, P-86.
Since the administration was carried on under the personal guidance of the Raja his will was law. Like a lord in a medieval manor he was the master of his realm in all aspects; he was the head of his State, the head of his government, and also the sole distributor of justice to his people, unless he delegated some of his powers to his nominees.

In the Sanads of 1894, 1908, and 1915 attempts were made by the Paramount power to define the powers and status of the Rajas. Their powers and privileges, duties and obligations were then codified. On important matters of administration they were to consult the Superintendent and Commissioner of the Orissa Division, or any other officer appointed by Government, and comply with his instructions. But the Political officers were instructed to be careful that "the dignity and authority of the Chief were to be maintained in respect of his own subjects".

The powers and status of the Rajas did not remain static all the time; they changed with the changing circumstances. In the last years of their rule when the British decided to use the Rajas as instruments of their imperialistic policy in order to counter-act the forces of nationalism, they allowed the princes a free hand in their internal administration and a greater grip over the reins of their out-powered machinery.

While the political structure in British India was being modernised through large-scale reforms, the system prevailing in the States remained unreformed. Neither the Rajas took any initiative in introducing corresponding changes in their States nor the British authorities were in favour of any reforms therein. Their interests, they thought, could best be served by bolstering the stranglehold of the princes over their people. The Political officers were instructed not to exert pressure on Durbars to introduce British methods of administration; the general system of administration to which the Rajas and their people had become accustomed had to be kept unchanged in all essentials.¹

Thus the system under which the Rajas had to work and administer was more at fault than the persons themselves. They were mere creatures of the political exigencies and the requirements of British Imperialism. A Raja, however benevolent and democratic, could not in the circumstances over-ride the system. He was too weak and docile to outgrow the over-powering system of antiquated feudalism. The people were naturally the worst sufferers under such a system of government; their interests were never taken into consideration.

Throughout the period of our study the internal administration of the State was in the hands of the Rajas.

¹ Manual of Instructions to Officers of the Political Department of the Government of India, Para-17, Page-xiv.
Being a product of the medieval period, the general administration exhibited all the prominent features of feudalism. The administrative system was a personal one with the Raja as the pivot. It was autocratic, absolute, arbitrary, patriarchal and hereditary. The Raja considered himself the sole authority of State, and subordinated the general interests of the State to his own personal interests. His welfare was the welfare of the State, his rights were the rights of the State. The marked features of the system in operation were that there were no representative institutions, no association of the people with the government in any shape, and no rule of law. As the administration was above public opinion, the destiny of the people depended on the whims and idiosyncracies of the Rajas.

(ii) THE RAJAS OF NILGIRI.

As the government in the States depended on the personal guidance of one man, the character, personality and capability of the Raja had decisive bearing on the quality of government. Everything depended on the accidental character of the Raja for the time being. But the accident of a good Ruler did not occur in the case of Nilgiri. The State had to suffer from all the evils of hereditary rule.

2. R.L. Handa; Freedom Struggle in Princely States, P=60.

(Hereafter 'Ramadhyani Report')
Efficiency is not a commodity which can be transmitted to posterity. Even if it was so, Nilgiri would not have benefited much, for throughout the one hundred and forty-four years of native rule under British aegis not a single Raja came to the guddee who could be called efficient or benevolent.

Five male rulers ruled the State from 1803 to 1947 excepting periods of minority and direct management by the Government. The first Ruler, Ramchandra Mardraj Harichandan, had concluded the treaty engagement with the East India Company in 1803. He was the thirty-sixth incumbent on the guddee as per the family records of his race, and ruled for about seventeen years from 1802 to 1819. He was cunning and devoid of morality. When the idea of a welfare state or even of benevolent despotism was unknown in the Orissa States, the honour and dignity of the inhabitants were unsafe in Nilgiri.

The subjects remained helpless onlookers before the rapacity of their master who ruled according to his own idea of what was right. Like most of his counterparts in other Orissa Mahals in his general conduct of his subjects he was either oppressive or cruel.

The second Ruler of our period was Gobinda Chandra Mardraj Harichandan, the son and successor of Ramchandra Mardraj. Though he ruled his State for well over a decade from 1819 to 1832 no record whatsoever is available relating to his administration or activities. As the records show,

1. BRP(J), OSA, Accn.No.187, Major D.M.Bolteger to Superintendent, Orissa Tributary Mahals, 20th December 1819.
2. BRP(R), OSA, Accn.No.8; Impey to Government, 20th October 1817.
his dowager Rani, Chitra Dei, held the reins of government for about seven years during the minority of her son upon her husband's death on 16 November 1832. She was notorious for her arbitrariness and oppression. In collusion with her brothers she misgoverned the State in such a manner that the ryots preferred to welcome the intrusion of a pretender from outside the State, and in the long run the Government had to interpose its authority in the form of a temporary attachment of the State.

Raja Krushnachandra Mardraj Harichandan, the son of Chitra Dei and Gobindachandra, assumed the control of his State from Government in April 1843. He exhibited his sense of irresponsibility and light-heartedness from the very beginning. He inherited his mother's intransigence, and re-inforced it with his own debility, avariciousness, imbecility, unscrupulousness and callousness. He became a tool in the hands of his servants who misguided him by their evil counsels, and indulged in sensual pleasures, allowing a common prostitute to interfere in the conduct of State affairs. Contemporary Government records are replete with caustic remarks on the reprehensible conduct and lamentable track-record of this Raja who presided over the fortunes of his subjects for half a century from 1843 to 1893.

T.E. Ravenshaw, the Superintendent of the Tributary Mahals

1. BJ(Cr)P No. 32 of 15th January 1833, R. Hunter, Superintendent, to J. Thomason, Acting Secretary to Government.
3. BJ(Cr)P No. 40 of 3rd March 1840, Mills to Government, No. 699 of 22nd February 1840.
5. BRP(R), OSA, Accn. No. 134, Mills to Government, 23rd January 1847.
for a long period, made the following disparaging remarks about him: "The Raja is avaricious and harsh in dealing with his people, and I am not satisfied that proper justice is always obtained at his hands by his subjects". After he had been transferred from Orissa, Ravenshaw wrote the following about Krushnachandra Mardraj to his successor, A. Smith, in Orissa: "The Raja is a thoroughly unscrupulous man and exceedingly apt to fall into the hands of designing persons; he generally gave a great deal of trouble and was constantly engaged in some sort of misconduct or misrule; he is a selfish, grasping and oppressive Ruler, and his domestic arrangements are not satisfactory". Another Superintendent, John Beames, who was well-acquainted with Nilgiri affairs in particular, expressed the same concern over misgovernment in Nilgiri under the Raja.

Complaining to the Government about Krushnachandra Mardraj Harichandan's misgovernment, Superintendent Smith stressed the need for interference by the Government. One after another, successive Superintendents wrote to the Government about Krushnachandra's misrule and oppression, and the Government of Bengal recorded its feelings in like manner.

1. BJ(C)P No.18 of October 1893; Ravenshaw's Roobkareas of 25th March 1878.
2. Index-Nilgiri Adoption, P-39, Ravenshaw to Smith, dated Chinsurah, the 31st May 1879.
3. BJ(P)P No.42 of July 1877, Beames to Government No.106 of 8th June 1877.
4. AR 1881-82, P-332.
5. BJ(P)P No.1 of December 1883; Resolution(Political) of Lieutenant-Governor of Bengal, 12th September 1883.
Having groaned under the arbitrary misrule of Krushnachandra the people heaved a sigh of relief in May 1893 when the State came under Government's management upon his death and owing to the minority of the succeeding ruler. This relief proved to be short-lived as the new Raja, Shyamchandra Mardraj Harichandan, was installed on the quddee four years later.

Shyamchandra Mardraj Harichandan was a scion of the Mayurbhanj ruling family. He had been adopted by Raja Krushnachandra of Nilgiri, and was installed on the quddee on 6 January 1898.\(^1\) Nilgiri had been witnessing decades of misrule and apathy. It was the most disturbed of the Orissa Tributary Mahals.\(^2\) The installation of Shyamchandra was, therefore, greeted with high hopes that things would change for the better, because the new Raja not only hailed from the leading ruling house of Orissa, but also happened to be the younger brother of the most enlightened and benevolent of Orissa Rajas, Maharaja Sri Ramchandra Bhanj of Mayurbhanj. Besides, the Government had taken every possible care for the education and training of Shyamchandra when he was a minor. The Superintendent as well as the people had reasons for their expectation for better times to come in Nilgiri. But that was not to be. The new Raja, instead of utilising his youth, energy and training for the improvement of the

1. BJ(P)P No.1 of September 1898; H.G. Cooke to Government, No.183 of 5th March 1898.
2. Ibid, No.18 of November 1886, Metcalfe to Government No.1209 of 23rd July 1886.
quality of administration in the State and the amelioration of the economic condition of his people, seemed to be taking things in a cavalier manner. The services of a European Manager, H.M. Ring, were retained at the request of the Raja, but it was no deterrent to the determination of the Raja to be bad. In the very first year of his coming to power, instead of trying to delve deep into the drab details of administration he preferred the more pleasant way of spending his time in luxury and merry-making, and had requested the Government for supply of six converted snider breech-loading smooth-bore carbines and six smooth-bore single-barrelled muzzle-loading muskets, all with belts and bayonets, not because his position was in peril, but because shikar would be more attractive and his illiterate people would be amazed at the apparent fire-power of their Ruler.

The new Raja's fondness for easier virtues of life, his languid interest in administration, combined with the inefficiency of his officers made the situation worse than it was. The imposition of a heavy magan on the ryots on the occasion of the Raja's marriage in 1902 made the people restless, there being no remission from the burden of other feudal exactions. People's complaints fell in deaf years. The Raja used to make luxury trips to Calcutta, leaving his State for long periods in the hands of his unscrupulous amlahs. Absence of top officers which was chronic in the

1. BJ(P)P No.7 of September 1898, C.W. Bolton, Secretary to GOB to GOI, PD, No.1 PRT of 1st April 1898.
State, seriously interfered with the proper disposal of work and led to the commission of various irregularities.  

The Superintendents in their annual tours to the State marked serious dislocation in almost every branch of administration. They pointed out the mistakes, sought to impress upon the Raja the utility of introducing a sound administration, and even issued warnings against failure to improve the state of affairs. The Superintendent, K.G. Gupta, thus cautioned the Raja:

"The administration has drifted into a state of chaos, mainly through the negligence and apathy of the Raja... He has failed to make himself accessible to his people, or give them a patient hearing, with the result that the discontent is rife in the State, and every visit I have paid to Nilgiri since 1901 has been taken up with settling the differences between the Chief and his people.

"The Raja is seriously and solemnly warned to do his duty by his people, to be patient and sympathetic, to deal direct with them, and not to let his underlings oppress or harass them in any way. If he fails to redress grievances, to remove abuses, and to make his administration just and efficient, he will have to face the consequences of his persistent misrule."  

1. Inspection Note of Nilgiri State for 1903-4; S.D.O's. Library, Nilgiri.  
The Raja was further warned:

"Relationship between the Raja and his raiyats should be more personal, and the Raja should be free of access, and listen to complaints of the people. He should hold regular cutchery in the day time, and not during night hours as heretofore. He should not leave his State for long periods on visits to Calcutta. Complaints should be received freely. He is seriously warned and advised to carry out the above recommendations and orders".¹

Shyamchandra, however, did not mend his ways. The Maharaja of Mayurbhanj, Sri Ramchandra Bhanj, who was his elder brother, made a personal visit to Nilgiri in order to exercise his sagacious influence on his younger brother so that he could be brought back to rail, but in vain.² The incorrigible Shyamchandra soon became a prey of his own follies. He was found guilty of complicity in a torture case,³ was deprived of his administrative powers and had to spend the days of suspension at Cuttack from October 1905 to April 1908.⁴

The people got rid of the idiosyncracies and fads of Shyamchandra when he prematurely died of pneumonia on 6 July 1913, leaving a minor son. The State then came under the Court of Wards. Kishorechandra Mardraj Harichandan, the son and successor of Shyamchandra, happened to be the last ruler of the State. He assumed the control of his State on

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¹. Superintendent's Memo No. 714P of 10th March 1904.
². Utkal Dipika, 2nd April 1904.
³. BJ(P)P No. 38 of September 1907, GOB to Superintendent No. 1636 P-D of 8th October 1905.
⁴. Ibid. No. 2 of September 1907, Commissioner of Orissa Division to GOB, No. 627 P of 30th April 1907.
2 February 1925 after twelve years of Government management, he was well educated and trained to govern, but had little inclination to improve the state of things. He could not change the traditional system and the style of functioning. Instead of trying to transcend the barriers of an obnoxious system that he inherited, he decided to make the best use of a myopic British policy of permissiveness by relapsing into a life of fetes and frivolities. The writings were clear on the wall, but he failed to read the signs of the time. When in the traditional fashion he went on to levy the feudal exaction of maqan, his people revolted in 1928; his inability to introduce reforms in line with the rapid political changes in British Orissa put him into a cauldron of troubles in the form of the Prajamanadal agitation of 1938. His inept handling of it cost him his authority; he was divested of his administrative powers for his inability to provide good government, and was interned at Ranchi for four years. The State he had left in 1942 was not the same when he returned from his exile. The times were changing fast, but he failed to realise that the days of autocracy were already numbered. With all his tricks he could not calm down his people who were mad for liberty. He could not swim against the strong current of time, and that last gush of popular dissatisfaction not only sapped the worn out foundation of the system he was representing, but swept it out of the pale of history.

1. H.K. Mahtab, Sadhanar path, Vol-I, P-120.
(iii) **OFFICIALS OF THE STATE.**

The **Rajas** had their personal advisers to assist them in the discharge of their administrative duties. The Chief functionary of the State was an officer, styled in the earlier period as **Bewarta**, but later on as the **Dewan**. The office of the **Bewarta** or **Dewan** was not at all hereditary. He held his job during the pleasure of the **Raja** who reserved to himself the right to appoint anyone to the post or dismiss him at his will. In this he was not guided by any convention or code. No criterion whatsoever was followed while appointing the **Dewan**. The major qualification that made a person eligible for this office was proximity to the seat of power.¹ This right of selecting their own **dewan** was, however, lost to the **Rajas** with the increase in the over-all power of the British. The **Rajas** had to accept the nominees of the Government, their power being limited only to investing the persons with authority, and paying them from the State funds. The Government on its part did not follow any fixed principle nor did it establish any convention regarding the appointment of the **dewan**. It could send a private individual to hold the office, as in the case of Fakir Mohan Senapati in 1871.² Fakir Mohan did not hold any Government office at the time of his nomination as **dewan** of Nilgiri; he was a special favourite of John Beames,³ the Assistant Superintendent of the Tributary

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¹ Judicial to, No.18 of 30th November 1833.
² F.M. Senapati, Atma Jeevan Charita, P-49.
³ BJ(P)P No.47 of May 1894; H.G.Cooke to Government No.719P of 1st April 1894.
Mahals. His choice was approved by the Superintendent, and the Raja accepted him. Likewise, H.M. Ring, a British national holding no office of responsibility in the Government was made Manager of the State in 1894. More often than not the Government preferred retired public servants to do the job for the State. Man Gobind Das, an ex-Seristadar of the Balasore Collectorate, was appointed dewan in 1877. In 1905 a Government pensioner of the judicial department was acting as dewan in Nilgiri. Krushnachandra Ghose, another retired public servant served the State during 1937-42. Native officers with comparatively low pay were preferred to European ones.

Under extraordinary circumstances active Government officers were deputed to the State as Manager or dewan to meet the emergency. The services of Bholanath Das, an Inspector of Schools, were lent to the State in 1882 when the Nilgiri Adoption case was threatening to disrupt the peace in the State. Two years later when the Raja failed to exercise his authority effectively in the wake of the Khadpur agitation, Government put the services of a European officer at the disposal of the Raja. W.R. Ricketts, the Deputy Magistrate and Deputy Collector of Bhadrak, was sent as Manager in 1884. During the period of management by Government or Court of Wards public officers came to manage the affairs of

1. BJ(P)P No.7 of September 1898; GOI, FD, No. 2011 of 17th January 1895.
2. AR - 1877-78, P-45.
3. Utkal Dipika, 22nd April 1905.
4. BJ(P)P Nos. B-71-72 of February 1884; Government to Superintendent, 19th February 1884.
5. AR- 1882-83, P-405.
the State with varying designations. From 1884 to 1898 Ricketts and Ring acted as Managers whereas during the Raja's suspension from 1905 to 1908 Radhamadhab Naik¹ and Satya Chandra Chandra worked as Government Agents.²

Iswar Prasad Singh was designated as Superintendent of the State and discharged the same duties during the period of court of wards from 1913 to 1925.³

√The Dewan in his capacity as the Chief functionary of the State next to the Raja, performed various duties. He exercised all original civil, criminal and revenue powers.⁴ As the senior judicial officer he enjoyed the powers of a Magistrate of the first class.⁵ He heard appeals from courts subordinate to him. Besides, the collection of revenue, certificate department, Zamindari, treasury, granaries, police, and Jail also came under his general supervision.⁶

√To assist the Dewan in his multifarious business an Assistant Dewan was occasionally appointed with powers equivalent to those of a Magistrate of the second class, a deputy Collector and a Munsif to be exercised within the State.⁷

The Officer in charge of the Thakur Mahal had powers of a Magistrate of the third class.⁸

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4. Answer of Nilgiri Raja sent on 2.1.1932 to a Questionaire containing thirty-two questions sent to all Orissa Rajas by the P.A. to the Commissioner of the Orissa Division in 1931. Answer No.18; S.D.O's. Library, Nilgiri. (Hereafter - 'Raja's Answer')
5. Superintendent's Inspection Note of 25 February 1904.
6. Ibid.
8. Raja's Answer No.18.
Another office of a comparatively later origin was that of the Private Secretary who was also called the civil Judge. In addition to his civil work, he had criminal powers, equivalent to those of a Magistrate of the first class, and supervision over the Forest Department, the Settlement Department, Public Works Department, Domestic matters of the Raja's family, Correspondence, Rent Suits, Mutation, and Excise Department.¹

The Police Department was manned by an Inspector with the assistance of a handful of Sub-Inspectors, Constables and the host of Chowkidars at the village level.²

The settlement of land revenue in the State was done by officers of the Bengal Government. The Government deputed experienced officers of their own for the purpose.³ Collection of land revenue was the work of the Sarbarsaks who held their offices at the pleasure of the Raja.⁴

On rare occasions male relations of the Raja without formally being appointed to any office, and without any customary designation, discharged some administrative responsibilities. Umakant Baboo, an illegitimate son of Raja Krishnachandra, had been appointed by the Raja as his 'assistant'; his powers, however, were not clearly defined.⁵

Sometimes persons of dubious conduct who did not hold any office of importance even managed to come nearer

¹. Superintendent's Inspection Note of 25th February 1904.
². Raja's Answer No.19.
⁵. AR-1878-79; P-113.
the centre of power, and exercised their baneful influence on the administration. This brought disastrous consequences to the State. During the regime of Rani Chitra Dei two villainous characters - Shanti Das and Bhagwunt Patnaik - became advisers of the Rani in 1836. Their tyranny led to the forfeiture of Panchgarh* to the State.¹

The character and efficiency of the officers in general were no better than those of the Rajas. While the Rajas were mostly indolent, pleasure-loving, and unmindful of their duty towards their subjects, the top officers were uninterested persons who served in the State to further their own interests. Very few of them had any genuine inclination to serve the people with honesty and sincerity. As the Rajas themselves lacked initiative and drive, they failed to extract the best out of the officers. Most of the Dewans who served in the State were outsiders. As they were not the inhabitants of the State, they hardly had any natural feeling for, or interest in the welfare of the people. Their principal aim was to consolidate their position by trying to remain in the good book of the Raja either through fulsome flattery or by extolling his vagaries as virtues. Neither they had the courage nor the desire to advise the Raja to do what was right or beneficial to the people. Bholanath Das

* Panchgarh was a Zamindari of the Nilgiri State. Though it was situated in the Mughalbandi the State used to enjoy its revenue.
1. Judicial to; No.,16 of 8th September 1836.
who had the reputation of being an intelligent and honest officer of the Government, was appointed as the Dewan to bring an amicable understanding between the Raja and his discontented subjects; but actually he became a thorough partizan of the Raja, thus helping in the deterioration of the situation instead of improving it. ¹

The practice of sending retired Government officers to the State as Dewan was responsible for the poor standard of administration and the sorry state of affairs in the State for most part of the time. These officers might have been efficient and competent administrators in the prime of their career, but having spent the best of their life in the Provinces they had little enthusiasm left in them to work for the people in a totally unknown place. They looked to their new assignment either for a few additional pecuniary benefits in the days of superannuation or to spend the last part of their lives in the quiet of the hills in the company of a proverbial Indian prince. There was no major incentive to efficient work. There was neither the prospect of promotion nor the assessment of works nor the fear of punishment by the authorities. With a halfhearted interest such outsiders did not do proper justice to their jobs. They were not prepared to take the risk of calling a spade a spade for consideration of their personal interests. The system of government was consequently loose, disjointed and essentially wanting in vitality.

¹. AR 1883-84, P-336.
Even if a Dewan had the sincere motive to do his job he often had to face a callous and intractable Ruler who would not budge an inch from his traditional obstinacy, and an ignorant people which was suspicious of any reforming measures. Undue interference by the Ruler in the work of the Dewan sometimes hampered the administration and plunged the State into an abyss of disorder. Fakir Mohan Senapati with all his well-meaning endeavours to work for the good of the State had to resign when he failed to toe the line of an unscrupulous Raja and to educate the people to whom superstitious suffering was dearer than enlightenment and instruction.

As regards the subordinate ministerial staff or the amlihas, the officers employed in the Raja's service were generally men of inferior stamp. The remuneration for these clerical jobs was very poor; this could not be held a sufficient incentive to honest and educated men to accept these posts. Under these circumstances it is not improbable that the most perverted sort of men who had other motives to serve could only be prevailed upon to secure such ill-paid berths for themselves. It is always customary with low-paid servants to lead by constant fawning their weak-minded masters to extreme prodigality and malversation. They knew very well that in an attempt like this their interests could best be served. They

2. BJ(P)P No.42 of July 1877; Beames to Government, No.106 of 8th August 1877.
therefore encouraged their masters to spend profusely on ceremonial occasions. The result was that in a fit of enthusiasm and transport thus excited in their breast they squandered away the greatest portion of their savings which otherwise could be appropriated to more useful ends.¹

' Depravity reigned supreme in the Raja's court. The intriguing servants not only kept the Rajas ignorant of the actual condition of the State, but often encouraged them to indulge in a dissolute and sensual life.² The Rajas often unwittingly became tools in the hands of their designing servants and were very glad to resign the direct management of their States into the hands of persons in whom they wrongly confided.³

Under such circumstances the hallmarks of the administration were simply inefficiency, corruption and negligence. The Superintendents took exceptional view of the gross inefficiency of the Raja's officers, and marked it out to them. In his Inspection Note of 25 February 1904, Superintendent K.G. Gupta observed, "Pending file is very heavy;...work was at a standstill or was being performed in a spasmodic fashion... The Chief amlahs had upperhand in everything, the subordinate staff is worthless, each man being master in his own department over which there was little or no control; misappropriation of State money is glaring".⁴

¹. The Orissa Tributary States: Their Present condition and How to Improve it... P-15.
². SRG (Bengal) XXIVB-No.3, P-68.
³. BRP(R) OSA, Accn.No.170; Cockburn to Government 1st April 1857.
⁴. Superintendent's Inspection Note of 1903-4; S.D.O's. Library, Nilgiri.
Sometimes the offices were over-staffed and managed by unqualified persons, but little work was actually done. It 1905 it was found:

"The establishment is too excessive; taking the clerks in charge of departments, there are too many of them while everyone of them has a low-paid under-study who probably does most of the work, which no doubt go far to account for its being ill-done... The Seristadar does not appear to know the work or to have a complete grasp of the office. The Agent thinks he was largely employed on the Raja's private business... There is no proper treasurer, only a Cashier... There was an Auditor who has been made Inspector of Police, but requires to be trained. The certificate Muharrir, a dismissed Government servant, should be replaced. There are twenty-five peons, probably far more than are wanted in such a State". ¹

The lack of proper supervision also added to the incompetence of officers. The Government tried to bring home to the Raja the necessity of overhauling the set-up. He was "advised to obtain the services of a few Government ministerial officers from Balasore and Cuttack as his own

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¹. BJ(P)P No.40 of September 1907; F.W. Duke to Government 15th June 1907.
staff has been found to be thoroughly corrupt and incompetent." But no improvement was forthcoming, and the system worked undue hardship on the people. Ground between the hammer and the anvil, repressed by the Raja and harassed by the amlahs, the ryots were the worst sufferers.

(iv) COURT OF WARDS.

The State had come under Government management and Court of Wards on five different occasions. The first Government control of State affairs occurred in 1840 and lasted for about three years, owing to the mismanagement and oppressive rule of Rani Chitra Dei. Upon Raja Krushna Chandra's death on 11 May 1893 when his adopted son, Shyam Chandra, was a minor, the Government assumed the management of the State for the second time, and held it for a little over four years. It was handed over to the Raja on his attaining majority on 6 January 1898. In the first case Repton, the Collector of Balasore and an ex-officio Assistant Superintendent of the Tributary Mahals, was in charge of the administration of the State while in the latter case the services of an active Government servant, W.R.Ricketts, and then H.M. Ring, were lent to the State for better management of its affairs. But hardly any innovations

were introduced either by a supervising Repton, or by the Government Managers - Ricketts and Ring. The same shortcomings in the general administration were found recurring when the State was ruled, for a third time, by a Government Agent during the period of the Raja Shyam Chandra's suspension from October 1905 to April 1908.¹

The longest period of Court of Wards in the State started when Raja Shyam Chandra died on 6 July 1913, leaving a minor son, Kishore Chandra, to succeed him.² This time the Government appointed a Superintendent to rule the State on behalf of the minor Raja for about twelve years. The administration was handed over to Kishore Chandra on 2 February 1925.³

The last Government management was necessitated when, on the basis of the report of the Military Intelligence Department, Raja Kishore Chandra was divested of his administrative powers on 1 November 1942 for his failure to provide good government.⁴ The Government of British India held the State for four years after which the Raja was released from his exile and took over his State on the eve of the Independence of India.

The system of government in the State was so chronically faulty and anomalous that in spite of direct supervision of its administration by the Government for a

¹. BJ(P)P No. 40 of September 1907; F.W. Duke to Government, No. 127P-T 273P-W of 5th June 1907.
². AR-1913-14, P-142.
³. GR-1924-25, P-1.
quarter of century little improvement in general administrative standards could be discerned. Very little change was introduced by the British authorities either in the system of administration or in the philosophy of government. Even the Viceroy, Lord Linlithgow, was appalled to learn that the small States of Orissa, despite having remained under Government management for several years did not show any improvement in their administrative standards. The policy of the paramount power at different periods was mainly responsible for such backwardness. The system, therefore, remained as archaic and antediluvian, as arbitrary and feudal as it was probably at the time of its inception in the dark days of the middle age. It was this anachronism which elicited sharp criticism from the Indian National Congress and made the State a very conducive ground for the growth of anti-authoritarian agitations by the people.

(v) BRITISH RESPONSIBILITY FOR MISRULE.

For the marked shortcomings in the system and the inevitable follies in the character of the Rajas the British authorities were to be blamed to a great extent. It was they who used the princes as veritable tools of their imperialistic designs, and propped them up according to the

1. Linlithgow to Zetland, 5th April 1939, quoted in S.R. Ashton, British Policy Towards Indian States, P-179.
varying needs of their political and colonial interests. They little bothered about the aptitude and qualities of a Raja to rule. Had the British Government and their policy-makers exerted themselves as sincerely and zealously as they had done in furthering their own interests, the people would have been saved from the untold miseries they had been subjected to for so long a period. The Rajas were at the beck and call of the officers of the Political Department of the Government of India, and acquiesced in all policies and decisions imposed upon them. If, therefore, the Political Officers had taken the right initiative and induced the Rajas to adopt all the forms of government introduced in British India, particularly regarding administrative efficiency, good government and the stages of self-government the States would not have been so backward. The backward condition of the State was, therefore, primarily due to the laissez-faire policy of the Political Department in regard to the internal administration of the State, so far as administrative efficiency, good government, and self-government were concerned.

The British authorities not only protected the princes against external invasion and internal uprisings, but guaranteed the continued existence of their hereditary rule. The natural corollary was an unbridled Despotism. Shielded by the British Paramount Power in India and made perfectly secure against external aggression and internal disturbances, the Rajas lived only to amuse themselves by pomp, luxury, merry-making, exhibitionism, and various
other abominable court practices. There being no incentive to good government, the pursuit of pleasure became a passion with them. When there was very little check on their powers, the States became infamous for misgovernment. This was a natural consequence of divorcing power from responsibility.  

The evil outcome of such a policy was foreseen by British intellectuals long before. A British scholar, J. Sutherland, wrote as early as 1837:  

"The future ruler of a country is brought up without education or knowledge of the world under the care of women. Whether suited to govern or not, his succession is secured through the introduction of our deadening laws of primogeniture, and when brought, under all these disadvantages, into public life, the British functionaries are disappointed if they do not find him an accomplished prince, having the interests of his people at heart, and disposed to govern his country in conformity with their own advanced and enlightened views".  

As long back as 1853 the London Times expressed:  

"We give these Princes power without responsibility. Our hand of iron maintains them on the throne despite their imbecility, their vices, and their crimes. The result is in most cases of the States a chronic anarchy."

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2. J. Sutherland, Sketches of the Relations Subsistinc Between the British Government in India and the Different Native States, P-184.
under which the revenues of the State are dissipated between the mercenaries of the camp and the minions of the Court. The heavy and the arbitrary taxes levied on the miserable raiyats serve only to feed the meanest and the most degraded of mankind. The theory seems, in fact, admitted that the government is not for the people, but the people for the king, and so long as we secure the king of his sinecure royalty we discharge all the duty that we as sovereign of India owe to his subjects who are virtually ours. ¹

At a time when the Political Department was obsessed with the policy of permissiveness, another British intellectual, Sir Sidney Low, warned in 1929, "Our protection was a doubtful boon to the States, since it delayed reforms which otherwise might have been adopted, and kept them too long backward and disorganised. The rulers were losing their initiative and sense of responsibility." ²

The Paramount Power did not see reason to change its policy. And the States' people had to suffer.

B. **REVENUE ADMINISTRATION.**

The principal sources of revenue of the State were the land revenue, Forest, Excise, Miscellaneous revenue, cesses and numerous feudal exactions. Clause VIII of the *Sanad* gave the Commissioner of Orissa conclusive authority over the administration of these branches. The settlement and collection of land revenue, the imposition of taxes, arrangements connected with excise, salt and opium, the concession of mining, forest and other rights were regarded by the British authorities as specially important matters, and in respect of them the Raja was required to conform to the Commissioner's advice.¹ Though the British Government was expected to exercise a beneficial influence on the State administration through its officers, in actual practice medievalism remained steeped to the core in every sphere of administration.

**LAND SYSTEM AND LAND REVENUE ADMINISTRATION.**

Till 1849 no regular and systematic measurement of the cultivable land and assessment of the revenue had been attempted in the Nilgiri State. Though the State had remained under the Mughals and the Marathas for a considerable period, yet no attempt had been made to introduce Todar Mal's system of measurement. From the prevalence of the *Sarbarakari*

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system in the State it appears that the earlier revenue system in operation was simply that of making certain demands upon the village headmen, known as the Sarbarakars, who were left to distribute the burden of the demand upon the cultivators in their respective villages in any manner they considered suitable. The Ruler received his revenue from these contractors or farmers of revenue, and never bothered as to the detailed consideration of how the amount was raised. There was, thus, no system of assessment of revenue by the State.\footnote{Ramadhyani Report, Vol-I, Para-6} In the absence of any scientific method of measurement of land and assessment of revenue the Sarbarakars depended mostly on eye estimation, the seed capacity of the land and its quality as locally known. Under such a system the estimates were often grossly inaccurate and the assessment was haphazard.\footnote{Ibid, Para-8.} This method of revenue administration prevailed in the State until the close of the first half of the nineteenth century. The first settlement based on measurement of land was undertaken in 1849 by Raja Krushnachandra Mardraj Harichandan. The services of three officers of the Bengal Government - Baboo Brahmananda Das, Raghabananda Das and Radhagobinda Das - were lent to the State for the purpose.\footnote{S.Rout, Ed., op.cit., P-29.} The work was finally brought to completion in 1853. The next settlement was commenced in 1887 and was completed...
ten years later by the Government Manager of the State. In both settlements lands were measured by means of a rod 8' 3" in length, known as the bis dusti padika. The third and final settlement was taken up in 1917 when the State was under Government management, and concluded in 1922. While the first two settlements were defective, the last one was done through modern and scientific methods. Boundaries were laid down by the plane table traverse and a cadastral survey was made, the map and the records prepared were fairly reliable.

LAND TENURES.

In keeping with the feudal idea of the middle ages, the entire area of the State was regarded as belonging to the Raja who distributed portions of cultivable land to various interests in his State for different purposes. Besides retaining a fairly good amount of fertile lands in his personal possession, he granted lands free of rent to his relatives and favourites for their maintenance, to the priestly class for service to gods and goddesses, to deities and religious institutions for the performance of worship and festivals, to persons as rewards for good service or as remuneration for rendering services, and finally to ryots who paid rent for the lands they held to keep the machinery of government running.

1. H.M. Ring, Manager of Nilgiri State, to Superintendent, 31st March 1898; S.O's. Library, Nilgiri.
The Raja's personal lands were variously known as Khas, Khamar or Kotchas. Lands of persons dying intestate were also taken over by the Raja as Kotchas if they were of superior quality. The Khamar lands were usually cultivated partly by the Raja's servants and partly by tenants on payment of Sunja paddy. Such tenants did not have any right in the land.

(a) LAKHRAJ TENURE.

Land tenures in the State were generally of two types: Lakhraj and Ryoti. The rent-free or Lakhraj grants can be broadly divided into three categories, viz., maintenance grants, religious grants and service grants.

The grant, like other rent-free grants, was not regulated

2. Ibid, Vol-I.
by any established rule or principle, and depended completely on the pleasure and whim of the Raja who could deprive even his closest family member of this benefit, or bestow it upon anyone he pleased. Raja Krushnachandra frequently stopped his younger brother HariHar's Khorak-posaki, and the Superintendent, T.E. Ravenshaw, had to intervene on several occasions between the brothers;¹ the same Raja took excruciating care to provide for the maintenance of an illegitimate son in the face of stubborn opposition from his senior Rani, brother and nephew.²

Kharposh grant was not transferable, its holder simply enjoying a right to the income.³ As adoption was not recognised the grant could be resumed on failure of direct heirs of the holder.⁴

RELIGIOUS AND CHARITABLE GRANTS:

The Rajas of Nilgiri being Hindus, made profuse grants of rent-free land to temples, deities, and priests for the performance of worship, conduct of festivals and maintenance of the shrines. The principal religious endowments in the State were the Debottar, Brahmountar and Baishnabottar grants. Entire villages or detached holdings were granted for the purpose.⁵

1. Administration Report for 1870-71, P-120.
2. BJ(P)P No.4 of March 1888, Metcalfe to Government, No.1029 of 22 June 1887.
The Thakur Mahal was the largest debottar endowment in the State, consisting of one hundred fifty-two villages, having 16,045.08 acres of cultivated and 10,869.56 acres of uncultivated area, as per the settlement of 1897. These grants were treated as Lekhraj or rent-free lands, which were cultivated direct or through share-croppers. They were managed by the senior Rani or the eldest wife of the Raja. In addition to its income from the cultivable lands under its possession, the Thakur Mahal collected the Parbani cess from all the ryots of the State for religious purposes; it also collected the fuel cess from forests on its lands; it allotted land for reclamation and appropriated the income.\footnote{Ramadhyani Report, Vol-III, Para-16, Page 195.}

While such a large amount used to fill the coffers of the Thakur Mahal, its management was haphazard. There were no proper records or accounts. The accounts of this department being usually a private affair, were not subject to audit or examination. There was in fact no agency to examine the management of these grants. The entire annual income could never be completely exhausted during the year for the purpose for which they had been granted. Usually the surplus from its huge annual revenue was appropriated by the ruling family. The Thakur Mahal funds were occasionally lent out for frivolous purposes.\footnote{Superintendent, F.W.Duke's Order of 7th July 1906, S.D.O's. Library, Nilgiri.}
As the senior Rani was in charge of the management, the debottar funds mostly formed an addition to the income of the ruling family.

The chaotic state of the Thakur Mahal finances became a matter of concern to the Government in 1905, and it decided to take over its management to bring order into the establishment. During the period of suspension of Raja Shyamchandra Mardraj Harichandan the Government Agent of the State assumed charge of the Thakur Mahal by order of the Superintendent, F.W. Duke, on 7 July 1906. While the senior Rani was recognised as the Marfatdar or caretaker of the Thakur Mahal, she was deprived of her right of management of it. Since 1906 the Thakur Mahal was subject to the control of the State.

Besides the Thakur Mahal, there were small grants of holdings, given for the purposes of village deities, and managed by persons known as Sebaits or Marfatdars of the deities.

The Brahmottar grants were made rent-free to Brahmans for religious and intellectual purposes. Such grants consisted of whole villages or isolated holdings. The holders of the grant were required to present coconuts and consecrated thread to the Raja and offer benediction three times daily.

3. Ibid, P-88.
The other Lakhraj grants were mostly charitable grants. The following table exhibits the nature and amount of Lakhraj holdings in the State.

**AREA OF LAKHRAJ GRANTS IN ACRES.**

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Name of Grant</th>
<th>1897 Settlement Cultivated Area</th>
<th>Unculti- vated Area</th>
<th>Total Cultiv- ated Area</th>
<th>1922 Settlement Cultiv- ated Area</th>
<th>Unculti- vated Area</th>
<th>Total Cultiv- ed Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Debottar Grant</td>
<td>16045.08</td>
<td>1089656</td>
<td>2694164</td>
<td>1615751</td>
<td>644147</td>
<td>2259808</td>
</tr>
<tr>
<td>2</td>
<td>Brahmottar</td>
<td>4181.26</td>
<td>14200</td>
<td>432326</td>
<td>425075</td>
<td>14197</td>
<td>439272</td>
</tr>
<tr>
<td>3</td>
<td>Baishnabottar</td>
<td>73.75</td>
<td>2000</td>
<td>9375</td>
<td>7949</td>
<td>2326</td>
<td>10275</td>
</tr>
<tr>
<td>4</td>
<td>Khorakposaki</td>
<td>326.97</td>
<td></td>
<td>32697</td>
<td>36480</td>
<td>050</td>
<td>36530</td>
</tr>
<tr>
<td>5</td>
<td>Mahatran</td>
<td>192.52</td>
<td></td>
<td>19252</td>
<td>22460</td>
<td></td>
<td>22460</td>
</tr>
<tr>
<td>6</td>
<td>Jatibrutti</td>
<td>177.72</td>
<td>1040</td>
<td>18782</td>
<td>18300</td>
<td>1064</td>
<td>19364</td>
</tr>
<tr>
<td>7</td>
<td>Anugrahi</td>
<td>87.46</td>
<td></td>
<td>8746</td>
<td>8003</td>
<td>010</td>
<td>8613</td>
</tr>
<tr>
<td>8</td>
<td>Khairat</td>
<td>51.97</td>
<td></td>
<td>5197</td>
<td>6127</td>
<td></td>
<td>6127</td>
</tr>
<tr>
<td>9</td>
<td>Sirakati</td>
<td>11.66</td>
<td></td>
<td>1166</td>
<td>1256</td>
<td></td>
<td>1256</td>
</tr>
<tr>
<td>10</td>
<td>Dahijya</td>
<td>5.38</td>
<td></td>
<td>538</td>
<td>208</td>
<td></td>
<td>208</td>
</tr>
<tr>
<td>11</td>
<td>Datta</td>
<td>6.23</td>
<td></td>
<td>623</td>
<td>1179</td>
<td></td>
<td>1179</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>21160.00</strong></td>
<td><strong>1104166</strong></td>
<td><strong>3220166</strong></td>
<td><strong>2143388</strong></td>
<td><strong>611794</strong></td>
<td><strong>2805162</strong></td>
<td></td>
</tr>
</tbody>
</table>

Lakhraiders did not have the right to transfer their holdings by way of deed of gift, sale or otherwise without the permission of the Raja. Similarly, they had no rights over the trees standing in their holdings, though they could obtain the yields of such trees. If the benefits

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1. Figures are taken from the Settlement Reports of 1897 and 1922.
of a grant were rendered to an idol other than that mentioned in the grant, the concerned Lakhrajdar's claim to the land was to be considered invalid, and the State was at liberty to appoint another person in whose name the land could be settled.¹ Transfers of Brahmottar land to non-Brahmins, unless done with the sanction of the Ruler, were not recognised as valid.²

In 1939 Raja Kishorechandra passed an order, known as the Lakhraj Control Order, the object of which was "to ensure loyalty of holders of Lakhraj tenures, to take an indirect measure for gradual resumption of rent-free lands, and to ensure proper application of the income of the debottar grants to the purpose for which they were originally made".³ According to this order some minor grants like Dahilva, Datta, Panpika, and Anugrahi were to be held at the pleasure of the Raja who might at any time resume them and order assessment as ryoti land. Furthermore, all Lakhraj tenures, in addition to being subject to the conditions in the sanads, were to be held subject to the condition of good behaviour and loyalty on the part of the holders in all their relations with the State, and a breach of this condition involved an escheat of the grant.⁴ In the case

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⁴. Ibid.
of grants given under Brahmottar, Kharposh, Panpik, etc.,
the holders ought to be of the same caste and religion
as the original donee. Lakhraj lands when sold in
execution of a decree of a Civil or Revenue Court, would
become liable to be assessed as ryoti land. The debottar
tenure would lapse if the holder ceased to be a Hindu,
lost the idol, was convicted, or disobeyed orders, or
wilfully neglected the duties with regard to the idol,
was of unsound mind, or was physically infirm. The Raja
reserved the right of dismissing the Marfatdars if the
conditions of the endowment were not fulfilled. The
successor in interest required approval of the Raja.

Such stringent restrictions, as they were
enforced in the wake of the Prajamandala agitation of
1938, reveal the Raja's mind. Several Lakhrajdars who
were aggrieved over the lack of security over their own
holdings joined the agitation against the Raja;¹ some
of them had assumed significant role in creating a
restive public opinion in the State. The first secretary
of the State Prajamandal, Banamali Das, himself came
of a family of Lakhrajdars. The Raja, through the
Lakhraj Control Order, probably desired to hold an open
caveat before such members of the Prajamandal as might,
owf of fear of losing their property and privileges,

¹. S.Rout, op.cit., Appendix-XX, P-64.
desert their camp and return to the loyalist fold. Moreover, the order would give the Raja a plausible plea to punish those who, while enjoying his favour, dared to defy his authority. Lastly, as alleged by the Prajamandal leaders, the Raja had a motive to profit. Resumption of grants which was made easier by the Order, would necessitate re-settlement of the land, and this could be done only after payment of a salami. The Raja's motives were clearly realised by the Lakhrajdars.¹

SERVICE GRANTS:

The Rajas were in the habit of granting jagirs to persons who rendered various types of services either to the Ruler personally or to the community as a whole. Such grants were either rent-free or carried a nominal rent. Depending on the nature of the service these grants were of four types: grants for meritorious services in the past, grants for rendering service to the State, grants as remuneration for rendering service to the Raja or his family, and grants to village servants.²

On rare occasions a grant was given to an individual for his meritorious services to the State. Persons who risked their lives, especially in times of war, and exhibited memorable courage in defending the State were entitled to such grants, known as Raktapika or Raktapata.

¹ S. Rout, op.cit., Appendix-XX, P-67.
² Jagirs in Orissa, PP-4-5.
Formerly, the Rajas maintained a peasant militia through land *jaqirs* for purposes of defence of the State. These people, widely known in Orissa as *paiks*, were ordinarily cultivators who tilled their lands in times of peace, but came to the field of war when called upon by the *Raja*, to discharge their military service. They received rent-free land in return. These *paikali* grants, however, lost their validity and became redundant after the State came under British Paramountcy, when it did not have to defend itself anymore. Therefore, most of these *jaqirs*, such as *Senapati, Praharaj, Dalai, Sardar, Subudhi*, and *Bahinipati*, were resumed and assessed as *ryoti* land. Consequently, the number of ordinary *paiks* was reduced. In the 1897 settlement only one hundred *paiks* were allowed to retain their *jaqirs*, each receiving two to three *mans* of land.¹

The most numerous service grants were found under the third category. These were granted as remuneration for rendering service to the *Raja* for various purposes, from plucking flower for the palace to carrying the bones of the deceased Chiefs to the Ganges. Some of the vexatious grants were issued to *Chhatridhar* (holder of umbrella), *Chitrakar* (painter), *darji* (tailor), *baidva* (physician), *Gayak* (singer), *Mahut* (elephant-tamer), * Ghodasaisa* (horse-trainer), *Turia, Kahalia* (Trumpet blowers),

Sanaiya (flute player), Sankhua (conch blower), Mashalia (torch bearer), Panjia (astrologer), Behera (Palki bearers), Charcha Behera (rasad supplier), Court Chakar (Court servant), Rosaiya, Soar (palace cook and bearer), Saragharia (store-keeper), Paniapat (water carrier), Phulatola (flower-plucker), Mali (gardener), Samadhipuja (worshipper at the dead Raja's funeral monument), Mukhagribala, Inda-Uthaibawala (performers of funeral functions), Khusbas and Bhalaloki (favourites of the Raja), Mehetar (scavenger), Mahar (supplier of bamboo baskets to the palace), Tamakia (for explaining government orders to the people by beat of drums), Bhitiria (private servant of the Raja), Panpika (spittle grant), and various others. Under this class of jagirs came another set of jagirdars, called locally Bethias, who were mostly aborigines. They were required to carry the luggage of the Raja and officers on tour, and to render service for shikar also. At the headquarters they used to come for other works, such as the fencing of the palace garden, and were paid wages at a nominal rate. Their homestead and dahi (shifting cultivation) lands were generally held free of rent. Most of the service grants were quite unnecessary, and none of them was held for any public service of importance. Since the service was rendered to the Raja and his family, they practically constituted an unseen addition to the privy purse of the Ruler.

2. Final Report, P-86.
Finally, there were the village servants holding *jaqirs*, such as the barber, washerman, blacksmith, etc. Most of them, however, did not do any service to the village community in return for their *jaqirs* except on payment of remuneration. They were mainly utilised by officers of the State on tour for rendering menial services, such as fetching water, providing pots, etc.¹

The only service *jaqirdar* of any utility was the village *Chowkidar*, locally known as *Chhatia*. Previously they were a very miserable lot who had to depend more on the charity of the villagers than upon any aid from the State, though they were officially supposed to be *jaqir* holders.² At the 1922 settlement the one hundred forty-three *Chhatias* received three acres of rent-free land each.³

The whole class of service *jaqirdars* did not have any proprietary or transferable rights. The enjoyment of the land was incumbent on the service. Possession of the *jaqir* was subject to the faithful performance of the specific duties; anyone could be ejected on grounds of misconduct or disloyalty.⁴ All kinds of *jaqir* lands except *Chowkidari jaqir* were heritable, provided the heir of the deceased *jaqirdar* was competent to render the specified service either by himself or by suitable substitute.⁵ But no one was entitled

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to inherit or succeed to any such grant who was not capable of performing the duty attached to it. If any servant died leaving a minor or widow who had no other source of income for his or her maintenance except the jagir lands, some of the jagir lands were given to him or her for maintenance till the life-time of the widow or till the minor was fit for service. The rest of the concerned jagir lands were given to another servant temporarily in order to manage the work. Jaqirdars had no right to create encumbrance on or tenancy in the jagir lands.

RYOTI TENURE.

The land revenue of the State came from the holders of Ryoti tenures. While the Lakhraj tenure holders rendered only service and loyalty, the ryoti tenure holders actually paid the revenue for the land they cultivated. The rent-paying ryots of the State can be grouped under the following heads: Thani, Pahi, Chandnadar, and Bajiaftidar. Cultivators residing in a village where their holdings were also situated were known as thani ryots; they were the resident-cultivators. Pahi ryots were non-resident cultivators, i.e., their lands were not situated in the village where they dwelt. The Chandnaders were resident non-cultivators; they held

1. Jagirs in Orissa, P-29.
2. Ibid, P-12.
a homesite but had no cultivation, particularly in the village of residence. A Chandnadar was either a non-agriculturist or cultivated lands in another village.\(^1\) The distinction among these three classes of ryots was very thin. A Pahi or non-resident cultivator of one village might be a Chandnadar in another village; similarly, a thani cultivator, in addition to cultivation in his own village of residence, might be having some lands in another village where he could be known as a Pahi cultivator.

The fourth class of ryots was the Bajiaftidars who held lands which were originally rent-free Lakhraj holdings, but assessed on full ryoti rates in the last settlement. Their rights and privileges were identical with those of thani ryots.\(^2\)

**RIGHTS AND LIABILITIES OF RYOTS.**

The State did not have any definite regulation, defining the rights and liabilities of the ryots. Some attempts were made by the Settlement Officer in 1921 to note down the rights and liabilities which were "ascertained with due regard to the established usage of the State",\(^3\) but they were too meagre to benefit and protect the ryots. No ryots, whether resident or

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1. Final Report, P-79.
2. Ibid.
3. Ibid, P-82.
non-resident had the right of occupancy over the lands assessed in their name. Ownership of land rested with the State. Transfer through sale, mortgage or otherwise was allowed only in exceptional cases with the permission of the Raja, which was accorded only after payment of a salami. In actual practice this rule was more violated than observed. The settlement officers detected numerous cases of illegal transfers. Such cases of transfer were settled through mutation which again required high mutation fees. After the agitation of 1938 transfer was allowed without salami, but then the transfer salami was substituted by a mutation fee of three times the rent for sale, gift or will in addition to the stamp fee.

A ryoti holding was heritable but it could not be partitioned among the heirs without the knowledge of the State authority.

Lands of aborigines could not be transferred to non-aborigines without permission.

A ryot was entitled to enjoy one gunth of land rent-free for each man, or fraction thereof, land in the village in which he resided, subject to a maximum of ten gunths. Such homestead lands were known as minaha.

A ryot's rights on trees and fruits were restricted. He could enjoy fruits of trees standing on

1. Final Report, P-82.
2. Ibid., P-80.
his holding, but could not appropriate the trees; on trees and fruits thereof on waste land he did not have any right.\textsuperscript{1}

For default in payment of rent on due dates the \textit{ryot} was liable to pay \textit{Kistikhilapi} as fixed by the State, and he could be ejected on his failure to pay off the arrears of rent for which the \textit{ryots} in general could have no remission or suspension.\textsuperscript{2}

REMISSION OF RENT.

Before 1938 land revenue was never suspended or remitted for any cause except where the revenue was irrecoverable. Since then some relaxations had been introduced. A \textit{ryot} became entitled to remission of rent if there was a general loss of crop due to drought, flood, or other calamity, but in actual practice no remission of rent had been granted in the State.\textsuperscript{3} Loans were granted to agriculturists in distress, but there were no rules regarding their grant or recovery. The rate of interest was higher than in any other State.\textsuperscript{4}

RATES OF RENT.

The first settlement of the State(1849-53) was conducted by an officer of the Bengal Government. In the absence of previous records he was unable to find out on what principles or at what rates the \textit{ryots} were paying rents previously. He simply introduced certain Bengal rates, but

\begin{itemize}
  \item 1. States' Report, PP-96-97.
  \item 2. Final Report, P-82.
\end{itemize}
left no record regarding the principle followed in applying these rates. He fixed twenty-four different rates ranging from Rs. 0-3-3 to Rs. 2-0-0 per acre of land. The areas assessed on rent were 12,255 acres with a gross rental of Rs. 16,756-3-2. This worked out an average rate of Rs. 1-5-0 per acre. Excluding the collection charges the net assessment was Rs. 15,233-2-7 which was the land revenue of the State.¹

Things became more clumsy after the second settlement (1887-97) which showed an increase of fifty per cent both in the revenue and assessed area. The net revenue came up to Rs. 49,912/- on an assessed area of 26,169 acres.² The general average rate of rent on all kinds of land was Rs. 2-2-3 per acre. The settlement officer drew up 93 different rates of rent ranging from Rs. 0-3-2 to Rs. 8-0-0 per acre, but there was no record of the principles and reasons for the various rates. Besides, those rates did not represent any proportion of the productivity of soil of different classes of land.³

The last settlement (1917-22), taken up during the period of Government management of the State, introduced some principles in assessment. The new rates which ranged from Rs. 0-6-0 to Rs. 8-0-0 per acre gave an increase of about thirty per cent on the total rental.⁴ The main cause of the increase seemed to be two: first, there was

¹ Final Report, P-61.
³ I.P. Singh, Superintendent of Nilgiri State, to Political Agent, Orissa Feudatory States, No. 1303 of 4th September 1921; S.D.O's. Library, Nilgiri.
⁴ Final Report, P-77.
increase in the area of the cultivated lands; and, second, the upward revision of rates of rent. The net revenue of the State, after deduction of collection charges came to be ₹ 73,496/- on an area of 37,047 acres.¹ Lands were classed according to their nature, situation, advantages and disadvantages, etc. The rates proposed were based on the productive capacity of the different classes of land and on the price of the produce. The enhancement was reported to have been done in consideration of the rise in prices.² The interests of the cultivators, however, were not taken into consideration. Consequently, the rates of rent in Nilgiri came to be higher than in the neighbouring British districts as well as the other Orissa States, the average rent on all types of land being ₹ 2-5-0 in Nilgiri.³

The aborigines were given slight concessions in assessment of their rates of rent. Special rates, lower than those for the non-aborigines, were fixed for them on the ground of their imprudent habit, the low class of land possessed by them, and in consideration of beti services rendered by them. For them the highest rate was fixed at ₹ 5-9-0 per acre against ₹ 8-0-0 for the non-aborigines.⁴

METHODS OF COLLECTION.

The collection of land revenue was made through a class of farmers of taxes, known as Sarbarakars, who had

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¹. Final Report, P-1.
the responsibility for the entire village revenue to the State. Being responsible for the revenue of their respective villages, they paid up the whole amount on the due date and recovered the same later from the ryots. The ryots were expected to pay their dues to the Sarbarakars in specific instalments, but the State bothered little whether at the time the revenue fell due all the ryots had paid the Sarbarakars or not. The defaulting ryots, of course, had to face certificate cases for failure to clear up their arrears. The Sarbarakars also had the powers to distrain crops for recovering rent.¹

A percentage of the total rental of the village was fixed as the Sarbarakar's remuneration, and he received it in the shape of a drawback upon the village rental. Formerly, it was fixed at 10 per cent,² which was enhanced to 12 per cent after the 1922 settlement.³ The Sarbarakars were not allowed to hold any land as remuneration.⁴

The Sarbarakar system had serious shortcomings. Very often the Sarbarakars failed to pay the State on the due date the stipulated revenue of the entire villages for which they were responsible. Under such circumstances they faced certificate cases, their movable properties were put to auction, and in extreme cases the defaulting Sarbarakar was ejected, and the post resettled on another man's favour upon payment of salami.⁵ The annual administration reports

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³ Final Report, P-90.
⁵ AR- 1875-76, P-45.
of the State are replete with such instances. Certificate cases, suspension and ejectment of defaulting Sarbarakars were a habitual occurrence in Nilgiri.

As the system had outgrown its utility it was finally abolished in 1940, and the collection of land revenue was made by means of tehsildars.¹

The revenue administration of the State was in a sorry state of affairs. There was no definite rule or law. The orders and practices relative to revenue matters did not have much permanence; the State had earned the notoriety for frequent change of orders.² Rules, if at all there were any, existed on paper; they were not strictly followed, nor were they regarded as having the inviolability of law.³ There was nothing to bind the State's relations with the ryots regarding the methods of recovery of revenue or the procedure of revenue officers. The ryots were at the mercy of the officers and the Raja. Complaints of unjust dispossession of land by the Raja were frequent.⁴ Upon careful examination of the land system and revenue administration of Nilgiri, R.K. Ramadhyani had reported to Government, "The position as regards both ryots and Lakhraijdars... is rather confusing to me, and must be even more confusing to the people to whom they apply".⁵

⁴. BJ(P)P No.1 of December 1883; Smith to Government, No.894 of 20th June 1883.
There was no security of tenure either for the Lakhrajders and other jagir holders or the ryots. They could be ejected from their holdings any moment at the pleasure of the Raja.\(^1\) The land revenue was exorbitant; it was higher than in the neighbouring Balasore district.\(^2\) Naturally, most of the complaints of the people of the State related to revenue matters.

Mismanagement and maladministration reached a shocking extent. The people who actually paid land revenue to keep the machinery of government running enjoyed an inferior quality of land whereas large areas of fertile lands were doled out as rent-free grants. A comparison of the assessed area from which the State earned its principal revenue and the rent-free areas will show how much revenue the State had to forego on account of the wrong policy of its Rajas.

**COMPARATIVE STATEMENT OF ASSESSED AND RENT-FREE AREA.**\(^3\)

<table>
<thead>
<tr>
<th>Year</th>
<th>Assessed Area in Acres</th>
<th>Rent-Free Area in Acres</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) 1875-76</td>
<td>16,268</td>
<td>32,156</td>
</tr>
<tr>
<td>(b) 1897</td>
<td>26,169</td>
<td>34,993</td>
</tr>
<tr>
<td>(c) 1922</td>
<td>37,047</td>
<td>30,421</td>
</tr>
</tbody>
</table>

The above table reveals that during the rule of the Rajas (item Nos. (a) and (b)) the extent of the rent-free areas far exceeded that of the rent-paying areas.

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3. (a) AR- 1875-76, P-45.
   (b) Settlement Report of 1897, PP-16-17.
   (c) Final Report, Paras 1 and 74.
This harmful trend was reversed only when the State came under Government management, as shown in item No.(c). Large-scale alienation not only deprived the State of a fairly big amount of its income but shifted the burden to those who had little ability left in them, because of rampant exploitation, to shoulder it. The whole system was highly detrimental to the interest of the people as also to that of the State.

C. OTHER SOURCES OF REVENUE

(i) FOREST.

Out of a total area of 284 square miles of the Nilgiri State, the area under forest was 172 square miles.¹ The State forests contained valuable timber trees such as Sal (shorea robusta), Piasal (Pterocarpus Marsupium), Sisso (Dalbercia Sisso), Gamar (Gmelina arborea), Asan (Terminalia tomentosa), Kendu (Diospyros Melanoxylon), besides fruit trees like Mango (Magnifera Indica), tamarind (Tamarindus Indica), Jack (Artocarpus integrifolia), Karanj (Galedupa Indica), etc.² The forests were divided into three categories according to their value and utility. The most valuable timber trees and fruit and lac bearing trees were reserved, and came under 'A' class, where reservation was absolute. The number of reserved species was, however, not always static; after

2. Ibid.
the agitation of 1938 it was reduced from twenty-four to eleven.¹ The area of reserved forests also varied from time to time; in 1924-25 it was 34 square miles² which increased to 58 square miles by 1931-32.³

'B' class reserves were meant for the nistar or domestic use of the villagers, like fuel, agricultural implements, etc. They were worked on the coppice coup system. The third category consisted of the village forests, and were known as khesra. A and B class forests were generally demarcated while village forests were left undemarcated, and even included all the waste land in the villages.⁴ The reserved species found anywhere in the State, either in the cultivated fields, waste land or village forests, were governed by the same rules as applicable to reserve forests. They were not to be felled or appropriated anywhere without permission and payment.

Though the forests yielded a considerable revenue to the State, their management remained haphazard for many years. In the absence of any rules for their administration they were subjected to reckless destruction and denudation. There was no proper reservation. The whole forest used to be leased for a trifling sum; no restrictions were put on the lessee, which resulted in reckless waste and destruction.⁵

². GR- 1924-25, P-38.
⁵. BJ(P)P No.18 of November 1886, Metcalfe to Government, No.1209 of 23 July 1886.
W.R. Ricketts as Manager of the State tried to introduce some discipline into the administration of the State forests. He strictly reserved all valuable timber trees and imposed restrictions on the cutting of sapling and other species. A farmer was allowed to remove only common wood and dead and dried trees not more than three feet in girth. Ricketts took several steps to augment the income from the forests. But the State lacked expert forest administration and a fixed forest policy for a long time. This was provided only after 1913 when the State came under Government management. Then under the orders of the Political Agent a systematic survey of protected forests was taken up and the coppice felling system was introduced into the State. Finally, the State forests came under the Forest Adviser of the Eastern States Agency, and the forest policy was formulated and guided by that authority.

Notwithstanding the sincere efforts of the British officers, the forest department in the State remained a den of corruption. It was not only over-staffed, but the petty officers were often tyrants of the worst description. These low-paid corrupt officials oppressed and harassed the people in various ways; their illegal levies on the peasants, with the knowledge of the Raja, became so acute that a Superintendent, F.W. Duke, noted with stricture, "It is not desirable for the Ruler of a State to carry on a petty traffic directly with the people".

2. GR-1908-09, P-9.
5. Superintendent's Memo No.714P of 10 March 1904.
The forests, reserved or not, were a principal source of income, next only to the land revenue. An analysis of the State's income from both these major sources will reveal that its earnings from the forests were increasing at a greater pace than that from its lands.

<table>
<thead>
<tr>
<th>Year</th>
<th>Income from Land Revenue</th>
<th>Income from Forests</th>
</tr>
</thead>
<tbody>
<tr>
<td>1887-88</td>
<td>Rs. 23,632/-</td>
<td>Rs. 5,403/-</td>
</tr>
<tr>
<td>1907-08</td>
<td>Rs. 53,695/-</td>
<td>Rs. 12,255/-</td>
</tr>
<tr>
<td>1927-28</td>
<td>Rs. 73,781/-</td>
<td>Rs. 46,949/-</td>
</tr>
<tr>
<td>1942-43</td>
<td>Rs. 92,042/-</td>
<td>Rs. 50,111/-</td>
</tr>
</tbody>
</table>

In the fifty-five years from 1887 to 1942 the land revenue increased by 289.5 per cent whereas during the corresponding period the forest revenue increased by 827.5 per cent approximately.

The main sources of revenue from the State forests were the sale of timber, nistar or fuel cess, leases of mines and stone quarries, monopolies on minor forest produce, grazing fees, and fines for violation of forest rules.

The trade on timber was a flourishing business in the State as it was favourably situated close to the Balasore town. Timber was exported to Balasore and Chooramun, and was used in building vessels of small burthen and other purposes. The State also earned a lot by supplying war timber during the world wars.

1. Figures are taken from the Annual Administration Report of the corresponding years.
2. BRP(J), OSA, Accn. No. 183; "Extract of a Report from the Late Commissioners at Cuttack, dated the 20th December, 1814".
The State levied a fuel cess or nistar, locally known as Kath kar, on all ryoti and Lakhraj holdings. It was collected along with land revenue. Originally, the forest cess was much heavier, but it was reduced at the Superintendent, K.G. Gupta's instance in 1904 to one anna per acre of ordinary ryoti land, and one anna and six pies per acre of Lakhraj lands. In the year before merger the State collected Rs. 8,141/- as Kath kar.

The minor forest produce given on monopoly were tussar, lac, myrobolum, nux-vomica, sabai grass, kendu leaves, sunari bark, horns, and hides of animals. These commodities were leased out to contractors who got the sole right to purchase or collect or export them. Certain other products like tamarind, karanj, simuli pods, mango, jack fruits, palm and kusum were auctioned by the State.

Waste land in the village was regarded as village forest and was covered by the forest rules. The allotment of such lands for reclamation and cultivation came under the jurisdiction of the forest department, which charged a salami from the applicants concerned. Salami was levied at rates varying from Rs. 10/- to Rs. 25/- per man according to the quality of the land.

5. Ibid.
A grazing fee was realised from the Mughalbandi people who kept their cattle for grazing purposes inside the State. The fee was six annas per head of cattle per year.\(^1\)

The forest department controlled the mines and the stone quarries, but the State was very poor in respect of minerals.\(^2\) The only mines worth the name were a few stone quarries which yielded a small revenue. These quarries contained black chlorite stone, locally known as the Mugni stone, out of which fine utensils were locally made and exported.\(^3\) These quarries were leased out annually by auction for an amount varying from Rs. 3,000/- to Rs. 5,000/-. The hills in the State contained huge quantities of granite stone which was ideal for road-making. Outside agents were given license for quarrying granite in the State.\(^4\)

Besides the stone-quarries, the State had also a few Tilak (white earth) and khari (country chalk) pits which were auctioned every year for a small amount.\(^5\)

In return for the payment of nistar or fuel cess the cultivators were entitled to take unreserved species free of charge for their own use from village forests or from 'B' class forests. Cess-payers could take reserved species from khesra forests on payment of half royalty; timber for agricultural implements was allowed free.\(^6\)

Grazing was not charged for agricultural cattle of the *ryots* in village forests and 'B' class forests.

Till the agitation of 1938 the *ryots* had little rights in trees on their own holdings. They could enjoy fruits thereof, but could not fell or sell them.\(^1\) On trees on waste land they had absolutely no rights. While in almost all the Orissa States *ryots* enjoyed the fruits of all trees on waste lands, in Nilgiri the trees were taxed; they were either leased out or auctioned.\(^2\)

The forest administration of Nilgiri only benefited the Ruler at the cost of the tenants. The practice of reservation of certain species and occasional increase in the area of reserved forests resulted in hardship to the people. The periodic demarcations used to considerably reduce the village forests and curtail the people's facilities,\(^3\) so much so that the Forest Adviser, H.F. Mooney, felt bound to advise the State authorities in August 1940 that certain areas be converted into 'B' class forests and some species be de-reserved.\(^4\)

The people bitterly felt the inadequacy of the forests allowed for *nistar*. There were not many trees available to them though they paid the cess. The number of reserved species was reduced only after the agitation of 1938. In many places the pasture available on village grazing grounds and forests was so exiguous that it provided no nourishment for

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\(^2\) Ibid.  
\(^3\) GR - 1926-27, P-40.  
the cattle. Under such circumstances nistar seemed to be a fee for no privilege in return.¹

The system of monopoly or leasing out certain forest products, such as lac, cocoon, kendu leaves, myrobolum, hides, etc., to contractors did not benefit the ryots at all; rather it became yet another channel of exploitation of their labour. Lac was propagated on palas trees which were often found in large numbers in village waste and cultivated holdings; kendu leaves which were used for making biris were often found growing on cultivated holdings; similarly, myrobolum was occasionally found on fields. These commodities could be propagated or cultivated easily by ryots on their own holdings through their private efforts. But the monopoly vested the rights in the contractor to purchase or collect them whether propagated in the areas classed as forests or on cultivated holdings. Consequently, if a ryot wished to sell such articles which he had propagated on his own holdings he had no advantage over a person who collected them from trees in the forest. Generally the propagator got little more than labour charges. If on the other hand the ryot had full rights in trees on his own holdings and was not obliged to sell the produce to a monopolist he would have got a much better price. The monopolist used to dictate any price he liked. Payment of

extremely low rates to the propagators was not at all a rare occurrence.\(^1\) After careful consideration, R.K. Ramadhyani, the Special Officer appointed by Government to study the system operating in the Orissa States, reported to Government, "In all cases of monopoly even where prices are prescribed in the leases it is very difficult to enforce payment of a proper price, but even worse than this is the bullying to which ryots are often subjected."\(^2\)

The general policy of the State on forest administration seemed to be actuated by the idea that with the exception of the State personified by the Ruler, none else had any right in the forests except as a matter of favour or concession.

(ii) EXCISE.

Excise was an important source of revenue for the State. The excise revenue came from license fees on liquor and other stimulating drugs. The intoxicating liquors and drugs used in Nilgiri were country spirit, opium, ganja, Handia, or Pachwai, Tari, etc.\(^3\)

The sale and manufacture of country spirit in the State was taxable. Brewing of Handia, a common drink of the aborigines, for home consumption was free, but its sale was subject to tax.\(^4\) The State had one outstill and

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2. Ibid.
seven liquor shops. The number of liquor shops was calculated on the basis of one shop for every thirty square miles, or one every to 10,000 of the population. This was further subject to the condition that shops and stills would not be licensed for sale of any excisable article within two miles of the border with British territory. This was done to check smuggling as the State was contiguous to the British district of Balasore. The system of outstill was introduced into the State in 1885, and each shop of country spirit and outstill was separately put to auction annually. Previously there was one licensee for the whole State who sublet his rights to others. The new system offered an enhanced revenue to the State.

For domestic consumption distillery liquor was imported from Balasore and sold in licensed retail shops, whereas Sundis used to manufacture country spirit at their homes, and sold it by paying a certain amount to the State as license fee. The Madras contract system for the supply of country spirit was introduced into the State in 1905. The local manufacture of country spirit was then prohibited and the spirit was obtained from the liquor depot at Balasore, and stored in the State liquor depots at the prescribed strength and then issued to the retail vendors on payment of

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2. AR-1885-86, Appendix-XV, P-14.
3. Ibid.
4. Superintendent's Inspection Note of 1903-04, P-27.
Maximum excise revenue came from license fees on the sale of opium. The right to sell opium in the State was licensed to vendors who took their supplies from the Government and sold them in the State. But this system resulted in widespread illicit export of the drug from British territories. To check this covert transaction the Government adopted the system of supplying the required amount of opium to the Chief through the Balasore Treasury at prevailing prices; the Chief, on the other hand, made arrangements for its sale in his territory through the agency of licensed vendors. There were nine retail shops for the sale of opium in Nilgiri, but the heavy consumption of the drug was a matter of concern. In the year 1930-31 the standard consumption of opium according to the League of Nations formula was 6 seers per ten thousand of the population a year; but in Nilgiri it was thirty-five seers. Correspondingly, the income from license fees on the sale of opium was increasing by leaps and bounds, as will be revealed in the following table.

<table>
<thead>
<tr>
<th>Year</th>
<th>Income From Opium License and Duty</th>
</tr>
</thead>
<tbody>
<tr>
<td>1885-86</td>
<td>Rs. 755/-</td>
</tr>
<tr>
<td>1907-08</td>
<td>Rs. 5,334/-</td>
</tr>
<tr>
<td>1926-27</td>
<td>Rs. 6,400/-</td>
</tr>
<tr>
<td>1930-31</td>
<td>Rs. 7,233/-</td>
</tr>
</tbody>
</table>

2. AR-1886-87, P.113.
4. Figures are taken from the Administration Reports of respective years.
The total increase in the income within forty-five years from 1885 to 1930 was more than 856 per cent.

Until 1885 no license fee for ganja was granted in the State as the consumption was very small, and the drug was considered injurious.¹ But ganja was clandestinely grown in the State regularly.² The State, however, did not derive any profit from it. So, in order to add to the revenue and prevent illicit exportation of ganja into the neighbouring British district, it was decided to license out, through annual auction, the right to sell ganja.³

The British Government was very much concerned about the smuggling of ganja into its own territories from the neighbouring States. So the sale of this drug was carefully regulated. The Cooch Behar system of supplying ganja to the State was introduced experimentally in 1895, and it was adopted as a permanent arrangement from 1901.⁴ The cultivation of ganja was strictly prohibited; only Rajsahi ganja, supplied by Government, was to be sold in the State. The parity of price was to be maintained on both sides of the border, that is, inside the State as well as in the British districts. The State could obtain its supply of ganja either direct from Naugaon or from the Government licensed warehouse in Balasore.⁵ Ganja was sold in the State through nine licensed shops.

1. AR-1885-86, Appendix-XV, P-14.
2. Ibid. 1884-85, P-26.
3. Ibid. 1885-86, P-14.
5. Ibid., P-50.
Besides liquor, opium and ganja, the State also received small revenues from license fee on the sale of handia or Pachwai, Tari, Bhang, Muddut and sidhi.¹

In the year 1931-32 the State had thirty-four shops in all for the sale of different excisable articles. Though the number of shops did not increase very much - in 1884-85 it was 34 and in 1931-32 it stood at the same figure - the gradual increase in the excise revenue was stupendous. In the year 1884-85 the total income of the State from the Excise department was a meagre Rs. 565/-;² but in 1941-42 it had spiralled to Rs. 42,432/-,³ the over-all increase during these five decades and a half being a staggering 7410 per cent.

Considering the income that accrued to the State from the Excise department, the establishment was too small. Formerly, it was under the Police department, but lately the department was re-organised with one Inspector and his only peon who constituted the whole establishment.⁴ Like all other branches of administration the Excise department was controlled by the Chief. The Excise Act of British India was followed in the State in spirit.⁵

¹. GR-1930-31, PP-55-57.
². AR-1884-85, P-26.
⁴. Ibid.
(iii) MISCELLANEOUS REVENUE.

Other than the revenue collected from land, forest and excise, there were miscellaneous sources of revenue, such as judicial fees and fines, stamp and registration fees, license fee from hats (weekly markets) and fishery, levies and monopolies, etc.

The Rajas preferred imposition of fines to imprisonment for offenders in the State; thus judicial fines became a permanent source of revenue. There was, however, no prescription as to what action or offense would entail a fine. It depended entirely on the whim of the Raja. Interdining was considered an offense and intercourse with lower caste women could result in the imposition of a fine to the extent of ₹ 500/-. In 1942 a collective fine of ₹ 78,154/- was imposed on the agitating ryots.

The system of land registration was introduced in the State in 1885, and since then the State started earning considerable amount from stamp and registration fees with comparatively little investment. In 1943-44 the State earned as much as ₹ 23,280/- from this head.

Fishery in ponds and streams was leased out for an income as also fruit trees on village waste land.

1. BJ(P)P No.1 of December 1883, A. Smith to Government No.894 of 20 June 1883.
2. States' Report, P-94.
4. AR-1885-86, P-12.
The State also benefited from ferries, forest ghats, fire-work and betel shops.\(^1\)

There were taxes on the sale of cattle to persons not resident of the State, on sale of fruits grown on one's own land such as tamarind, on sale and export of agricultural produce, a tax on the Dom caste for purchasing bamboos from outside the State to carry on their home industry.\(^2\)

The hats were annually sold to the highest bidders, and fetched a decent income to the State.\(^3\) The hatkar or the license fee for markets was abolished in 1943.\(^4\)

Every ryot, having a bullock-cart and using roads had to pay a cart tax at the rate of Rs. 5/- a year. No distinction was, however, made between carts which plied habitually for hire and those which were used merely for the transport of agricultural produce. There were no rules or principles regarding the assessment of this tax.\(^5\)

The collection of gravel or stones even from village waste land for the purpose of building houses was subject to the payment of a fee.\(^6\) This was in addition to the income from the stone-quarries.

Bivatoina or marriage fee was realised from every ryot on the occasion of his children's marriage at rates of Rs. 3/- per marriage. This could be reduced or enhanced at the pleasure of the Raja.\(^7\) The tax was harassing and the amount

6. Ibid.
hardly worth the collection. Often the ryots concealed marriages to avoid payment of this tax, and occasionally it became a cause of complaint against the Raja, as during the Khadpur agitation of 1884. The British officers, therefore, expressed their views against this tax. The Superintendent, T.E. Ravenshaw, noted in 1878, "There have been frequent complaints in Nilgiri on this subject, and I have repeatedly cautioned the Raja on this subject and informed him that he is personally responsible for any oppression or excesses committed by him or by his agents in the collection of marriage fees".

Permission of the Raja was necessary for the remarriage of widows, and it was accorded only on payment of a fee of about Rs. 20/- to Rs. 25/-.

A car tax, locally known as Akha Pancha was collected from the ryots for the purpose of car festival. The skilled workers, like carpenters, had to work on bethi for the construction of the Rath. This tax was remitted in 1903 by the order of the Superintendent, K.G. Gupta, but it was still to be paid by those who held debottar lands for the support of the temple at the State headquarters.

The single item that affected various aspects of a ryot's life was the ubiquitous salami or nazrana which was collected on several pretexts, such as the reclamation of

1. Superintendent's Inspection Note for 1903-4.
2. BJ(P)P No. 14 of December 1886, Ricketts to Superintendent, 12 June 1886.
3. Ibid., No. 18 of October, 1893; Ravenshaw's Roobkeree of 25th March 1878.
5. Superintendent's Memo No. 714P of 10th March 1904.
fallow land, improvement, sale or mortgage of land, adoption of a son, nomination of a Sarbarakar, and many others. No man in the State could adopt a son without the permission of the Raja previously obtained. If he happened to be a man of substance, nothing sort of the payment of a heavy sum would suffice to procure the Raja's consent to the adoption of a son. On the dismissal of defaulting Sarbarakars the Raja nominated new persons to the post and the nominees had to pay a nazrana for the benefit. Besides this, every Sarbarakar had to pay a fee annually, known as the Sarbarakari fee, at the rate of one anna per rupee of rent collected by him, in addition to other cesses such as Akha Pancha and Sunia bheti which were collected through them.

Income from salami did not enter the State Treasury; it formed the private money of the Raja.

(iv) Cesses.

Over and above the land revenue and other fees the State imposed a number of surcharges in the form of cesses on the ryots. Cesses were normally levied for specific purposes and were expected to be spent on such purposes. In actual practice these levies had often little

2. BJ(P)P No. 24 of July 1876, Ravenshaw to Government, No. 64A of 9th June 1876.
to do with any facilities or privileges enjoyed by the ryot, and were levied at the whim of the Raja.

An extraordinary cess, known as the Parbani cess was levied at the rate of one pice in the rupee of rent from all ryots for religious festivities and special worships during the Dushera. It was recoverable as part of the land revenue, but did not enter the State account. The revenue went to the Thakur Mahal.  

Another cess collected for religious purposes was the Sivaratrijatra cess.

The authorities were always on the look out for an opportunity to extract any amount from the ryots on any pretext. When Ravenshaw as Superintendent of the Tributary Mahals constantly impressed on the Raja the duty of maintaining schools, the latter made use of this to demand a cess from his people for the maintenance of schools.

All the ryots had to pay the fuel cess or nistar to be eligible to collect fuel from the village or khesra forests. Whether the ryots availed themselves of the opportunity or not, nistar was levied at 1\frac{1}{4} anna per man of land on persons holding rent-free lands and one anna per man by ordinary ryots.

Exploitation in one form or the other was the characteristic of the administration. There was no end to the woes of the people. A tax, declared to have been abolished,

3. BJ(P)P No.24 of July 1876, Ravenshaw to Government, 9th June 1876.
used to be re-imposed with a new name, and in a very subtle way. In 1942 owing to vigorous public objection the Parbani cess was abolished, but a new cess, called the Panchayat cess, was imposed in its place. The official report of the Durbar adamently expressed, "The cess (Parbani) was changed into a Panchayat cess to be collected on all lands and deposited as a fund for village improvement." More humourously, the amount was to be spent through the agency of an institution which was not yet established, i.e., the Panchayats, "the formation of which was under contemplation." Nearly two thousand rupees had been collected in 1943-44 as Panchayat cess. Thus the people were made to pay for an imaginary benefit.

(v) FEUDAL EXACTIONS.

In addition to the above taxes and levies, the ryots were required to pay many feudal levies which were obsolete and immoral. In the absence of any law governing taxation the Raja could levy any tax he liked without the least compunction and withdraw the same at his pleasure. Though the times were changing fast the Rajas still collected, with renewed enthusiasm, several vexatious feudal dues.

2. Ibid.
MAGAN:

This was an ordinary incident of the revenue system of the State. Formerly, the Rajas could levy it on any occasion they liked; but through Ravenshaw's efforts its imposition was limited to defraying the incidental expenses of the Raja and his household on occasions like the birth or adoption of a son, investiture of the Raja's son with the sacred thread, the marriage of children, or the funeral of a Raja or Rani. In 1875 Raja Krishnachandra Mardraj Harichandan desired to levy it on the occasion of the marriage of his illegitimate sons and nephew; but he was dissuaded by the Superintendent, Ravenshaw. Even though the Government policy was to discourage it when the State was under Government management, the British officers in charge of the State's affairs sincerely desired to levy it at a time when the State was under Government management. The Manager, W.R. Ricketts, argued in 1893, "It would be a pity to disestablish a custom which has always existed in the killa". He sought permission from the Government of Bengal to collect Rs. 25,000/- through Magan in a year when the total land revenue demand of the State was Rs. 81,330/-. The Superintendent, H.G. Cooke, endorsed his plan and recommended, "The present policy is to maintain such systems in their integrity even when not

1. W.K. Firmininger; Historical Introduction to the Bengal Portion of the Fifth Report, p-51.
2. BJ(P)P No.18 of October 1893; Ravenshaw to the Raja of Nilgiri dated 25th March 1878.
3. Ibid.
4. BJ(P)P No.18 of October 1893; Ricketts to Superintendent, No.38 of 8th August 1893.
5. Ibid.
entirely consistent with western ideas, and I personally see no harm in the practice.\(^1\) It was only the good sense of the Lieutenant Governor of Bengal that saved the people from a certain exploitation.\(^2\)

The rate of Maqan was not permanently fixed; it varied according to the needs of the Raja. In 1889 when the young Tikait, Shyamchandra, was invested with the sacred thread, Maqan was levied at annas 6-6 per rupee on a ryot's rental; W.R. Ricketts, the Manager of the State, proposed to levy it at 8 annas per rupee of rent for the funeral expenses of Raja Krushnachandra in 1893,\(^3\) while in 1902 Superintendent, K.G. Gupta, had fixed it at 12 annas in the rupee, that is, 75 per cent of rent of ryots on the occasion of Raja Shyamchandra's marriage.\(^4\)

Maqan had been a constant source of annoyance to the ryots of the State. It was finally abolished after the agitation of 1938.\(^5\)

**BETHI BEGAR (FREE AND FORCED LABOUR):**

People were forced to contribute labour free of charge or on receipt of a mere pittance on occasions

1. BJ(P) P No. 18 of October 1893; H.G. Cooke to S.L. Maddox, Assistant Superintendent at Balasore, No. 1604 of 21st August 1893.
2. Ibid. No. 19 of October 1893, H.J.S. Cotton, CS to GOB, to Superintendent, No. 89-P-D of 22nd September 1893.
3. Ibid, No. 18 of October 1893, Ricketts to Superintendent, 8th August 1893.
5. States' Report, P-100.
of shikar (hunting), kheda for catching elephants, construction of shikar roads, carrying wood, straw for the palace, attending to special work on festivals in the Raja's household, attending to the tours of officials, carrying luggages of the Raja or of the officers, extinguishing forest fires, etc. Failure to do bethi was met with severe punishment. Kols and Santhals were forced to beat drums at shikar parties, and were supposed to receive one man of land free of rent. Other bethias were supposed to receive khoraki for diet, but in actual practice this was hardly followed. Not only khoraki was not paid, but there was no limit on the number of days a bethia had to work at the palace on the marriage festivals of the Raj family.

The system of bethi and beqar was in vogue in all the Native States, but in Nilgiri the burden was unduly heavy and unequally distributed. The system was totally unreasonable as it was iniquitous to add to the already heavy burdens and misery of the ryot, who was a highly taxed person in Nilgiri. While labour was dirt cheap in the State, to insist on free labour or underpaid labour was the height of callousness and perversity.

1. States Report, P-94.
2. Superintendent's Memo No. 714P of 10th March 1904.
3. Ibid.
5. GR-1928-29, P-31.
RASAD:

The ryots as well as the Sarbarakars had to supply provisions demanded by the Raja or his officers on various occasions. The Orissa States' Enquiry Committee found it surprising that "things which were not available in the locality are expected to be supplied. Fruits, sweet-meats, soda, lemonade, No.555 cigarettes, foreign liquor and foreign food articles are also requisitioned. The unfortunate people have to supply them after indenting them from Balasore or even Calcutta. No money is paid for these articles. Besides the above, he-goats, fowls, milch cows are also supplied free of cost".¹

The system was abolished only after 1938 as a result of the Prajamandal agitation.

BHETI:

All sections of the population had to make a cash payment to the Raja on the occasion of Sunia (New Year's day) and Aviseka ceremony (investiture). Income from bheti was treated by the Raja as private money. There were various rates at which bheti was realised. Every State servant had to part with ten per cent of his pay; the Sarbarakars paid one per cent of the Sarbarakari revenue; they in turn realised it from the ryots at the rate of six pies per rupee of rent; the

¹. States' Report, P-95.
Lakhrajdars had to pay one rupee each while the service jagirdars paid one anna per man of land. The term bheti literally meant presentation or compliment, but it was never paid voluntarily except under duress.

Presents had to be made by the ryots on the occasion of the Rajas visiting their villages. This was known as digvijay bheti. Non-compliance to the custom was tantamount to insubordination.

KHURRAPANI:

This was levied to recover the expenses of buying writing materials, meeting clerical fees etc.

BHAIBHAGA:

When the division of a common estate or property was made amongst brothers, the Raja first received a share of the property, after which the remainder was divided equally among all brothers.

NIANGSI:

When a man died leaving a property, the right of inheritance was transferred to the Raja who after receiving an adequate remuneration from the children of the deceased gave possession of it to them.

1. Superintendent of Nilgiri State to the Political Agent, No. 315 of 28th August 1913; S.D.O's. Library, Nilgiri.
2. Orissa Tributary States; Their Present Condition... P-25.
MOOALY:
A person having died sonless, the whole of his property, notwithstanding his surviving widow, daughters, brothers, sisters, etc., was taken possession of by the Raja. 1

In a joint family consisting of three or four brothers, if one among them died without having a male issue, the whole property belonging to the said family would be divided into three or four equal shares, and the Raja would take the share of the deceased in spite of every remonstrance from his widow or daughters. 2

VANDAI KAR:
Persons who started shops in the interior of the State had to pay this tax. It was abolished by an order of the Superintendent in 1803. 3

PATKI KAR:
It was paid by the head of the Patki class, such as the oil-man, sweet-meat makers, etc. The headman was appointed by the Raja, and he therefore paid a fee. 4

PUNCHA:
Under this system the people had to supply fuel and straw for use in the palace at nominal price. 5

1. Orissa Tributary States: Their Present Condition...P-26.
2. Ibid.
4. Ibid.
5. States' Report, P-96.
Such obnoxious traditions followed from the medieval view that land belonged to the lord. Since he offered protection to the life and property of the people he was entitled to certain contributions from them. But with the march of time and the growth of civilisation these feudal exactions not only became incongruous, but the people bitterly felt them mentally and materially.

D. STATE BUDGET.

The Rajas extorted money from their ryots on various pretexts most of which were objectionable and illegal. Likewise, the administration of their finances was not based on sound principles. The financial system was too flexible and irregular. In the absence of an independent audit and modern accounts management the finance department functioned almost on the pattern of a landlord's domestic budget. The State being to all intents and purposes a personal fief of the Chief, very small portion of the budget was earmarked for people's welfare. The major concern of the authorities was to keep the people quiet so that they might be able to eke out their income without hindrance.

No detailed and thorough-going financial procedure was adopted in the State. On instructions from the Government an annual budget was regularly prepared, but this remained
only a nominal practice. It was made because the Paramount power wanted it to be made. It did not introduce any discipline into the allocation of funds for different heads. One Superintendent, C.F. Worsley, informed the Government that the entire income of the State was devoted to ordinary administrative charges and to the Raja's personal expenses.¹ A fairly big proportion of the total income was claimed by the Ruler as his privy purse. Money earmarked for the welfare measures, such as education, public health, irrigation, communications, etc. was negligible.²

In 1893 the Government Manager of Nilgiri, W.R. Rickeets, made a budget estimate for the State for eight months from August 1893 to March 1894. This abstract budget had been prepared in consultation with the Assistant Superintendent at Balasore, S.L. Maddox, and the Superintendent, H.G. Cooke. The Superintendent personally examined all items of the budget and endorsed it with the satisfaction that some unnecessary expenditures had been reduced and economy over the old scale of expenditure had been introduced. But an impartial examination of the proposed disbursements would reveal the traditional lack of concern for public welfare measures.

¹. BJ(P) P No.1 of November 1890, C.F. Worsley to Government, No.1628 of 31st August 1890.
². States' Report, P-12.
ESTIMATED EXPENDITURE OF THE NILGIRI STATE FOR
EIGHT MONTHS COMMENCING FROM AUGUST 1893 TO MARCH 1894.

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<td>Domestic charges:</td>
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<td></td>
<td>(a) Maintenance charges of minor Raja at Darjeeling</td>
<td>Rs. 6,238-0-0</td>
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<td>(b) Maintenance charges of Raj family</td>
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<td>(c) Raja's personal servants at Rajbati</td>
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<td>(d) Elephant Establishment</td>
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<td>(e) Horse Establishment</td>
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<td>(g) Garden Establishment</td>
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<td>(b) Office Establishment</td>
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<td>(c) Office Stationery</td>
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<td>(d) Tehsil Establishment</td>
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<td>(e) Zamindari Establishment</td>
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<td>(d) State Servants' clothing</td>
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<td>(e) Alms and charity</td>
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<td>(f) Payment of Debts</td>
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<td>(h) Criminal compensation</td>
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<td>(i) Re-payment of Deposit</td>
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<td>(j) Annual Allowances, etc.</td>
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<td>Total</td>
<td>Rs. 41,846-2-11</td>
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1. BJ(P)P No. 20 of October 1893, W.R. Ricketts to Superintendent, No. 34 of 4th August 1893.
The budget earmarked Rs. 6,238/- to be spent during eight months on the education of the minor Raja at Darjeeling while the total expenditure on education in the State during the corresponding period was estimated to be Rs. 1,425/- only. Irrigation did not find any mention at all. Out of a budget estimate of Rs. 41,846/- the personal expenditure of the minor Raja and his family amounted to Rs. 13,133/-, a little less than one-third of the total.

This imbalance between the domestic and State expenditures instead of being rectified continued to exist with the knowledge and approval of the British Government. The Orissa States' Enquiry Committee found in 1939 that almost half the total annual income of the State was spent on the personal expenditure of the Raja and his family. The State budget was manipulated in a very subtle way to effect this. The net income of the State in the year 1938-39 was Rs. 1,50,000/-. Out of this Rs. 50,000/- was allotted for the maintenance of the Ruler. Over and above this, palace charges were debited to the following departments; Forest Department for palace garden and cattle; Public Works Department for palace electricity, theatre electricity, billiard table, theatre painting and Zenana garden; Education Department for education of junior Rani's relatives; Medical Department for palace doctor, and other staff and medicine and toilet; Veterinary Department for palace stable; Police Department for palace attendants and palace music; and
State Guests Department for up-keep of Rani's relatives. These invisible charges combined with the visible Rs.50,000/- would bring the amount used by the Ruler on his personal and family account to more than one half of the total income of the State. Apart from this there were several other sources of income which were not accounted for in the budget. This was the model or pattern on which budgetary allocations of the State were regularly done. The sole philosophy behind the administration of the finances was that it was not the people who had a Ruler to see to their wellbeing, but a Ruler who had a people to pay for his extravagance.

E. ADMINISTRATION OF JUSTICE.

In 1805 the Government of the East India Company had passed Regulations XIII and XIV for the administration of civil and criminal justice in the newly conquered territories of Orissa. These Regulations extended the Bengal Regulations concerning the maintenance of order, administration of criminal and civil justice to directly ruled territories such as the districts of Cuttack, Puri and Balasore; but the British authorities did not apply the Bengal Regulations to the Tributary Mahals on the

assumption that the uncivilised manners of the Rajas and the inhabitants and the inaccessible nature of the region would render it very difficult to execute the Government regulations. Moreover, the Government was apprehensive of possible resistance from the Rajas in case the regulations were extended to their territories. The Rajas were, therefore, initially left to themselves in so far as the administration of justice in their respective States was concerned.

Since there was no check on the authority of the Rajas they continued to perpetrate excessive atrocities on their people. In 1814 John Richardson, the Settlement Commissioner in Cuttack, found that the Chiefs were guilty of great excesses when they had been exempted from the operation of British laws. So an attempt was made to see if the police in the States could be improved. The Superintendent of the Tributary Mahals was directed to obtain accurate information regarding the States and the character and disposition of the Chiefs. It was felt by the British officials that the extension of Government Regulations to the States would be inexpedient, expensive and hazardous. As the tribute of the States was permanently fixed there was no means of recovering the expense of establishing a police system in the distant areas. Secondly,

1. BRP(J), OSA, Accn. No. 183, G. Dowdeswel, CS to GOB, to Oswald, Superintendent-designate, 10th February, 1814.
2. Ibid., Government to Impey, Superintendent, 21st February, 1815.
3. BRC, No. 29 of 18th March 1815, Richardson to Governments 20th December 1814.
even if the British Government might be willing to incur
the additional expense from a humanitarian consideration,
the establishment of police Darogahs would only give rise
to a different sort of tyranny and oppression, perhaps more
galling to the inhabitants of the territories in question
than that of their ancient despotic Government. Richardson
further observed that every Darogah at such a distance
amongst a people so ill-informed and so little acquainted
with the nature of British laws and system, would become a
petty tyrant and domineer, not only over the Chief himself,
and the principal inhabitants, but harass and oppress the
people at large. ¹ On the other hand, enquiries convinced
the Government that if the Rajas were left entirely
uncontrolled, they would become more oppressive and the
volume of crimes would increase enormously. ²

The Government therefore adopted a middle course.
The Regulations were not applied to the States, but the States
were brought under the ordinary jurisdiction of the criminal
courts in so far as serious crimes were concerned. The Rajas
were left in control of the Police in their States, but
their exercise of this power was made subject to the
supervision of the Superintendent of the Tributary Mahals.
They were to send all persons charged with murder, robbery
or heinous crimes within twenty-four hours of arrest to the

¹. BRC, No. 29 of 18th March 1815, Richardson to Government, 20th December 1814.
². Ibid.
nearest Police Darogah in British areas or Military Detachment. They had to transmit monthly reports to the Superintendent of all occurrences relative to the police of their States, especially all heinous offences.¹

The enforcement of the police regulations, however, was not very successful. The orders of Government for the submission of monthly reports of crimes to the Superintendent were not properly carried out. Robert Ker, the Superintendent, thought that "the reports were made up in the Cuttack bazar without reference to the actual state of things".² Therefore, he discontinued the practice of submitting such reports, but he specifically asked the Rajas to report to him the occurrence of any crimes of magnitude and to send the accused with the necessary information and evidence so that proper steps might be taken against them.³ Thus, the Rajas were deprived of jurisdiction over serious crimes in their States.

Henry Ricketts, another Superintendent, had submitted in 1839 a set of rules for the better management of police, criminal and civil justice in the States.⁴ But the British Government of India rejected them on the ground that they were too extensive in their general scope and involved more interference than was desirable, and that

1. BJ(Cr)P No.2 of 10th May 1816, M.H. Turnbull, Registrar, Nizamat Adalat, to Government, 20th October 1815.
2. BRC No.25 of 10th May 1820, A. Stirling, Secretary to Commissioner of Cuttack, to W. Blunt, Commissioner of Cuttack, 29th February 1820.
3. Ibid.
4. BJ(Cr)P No.33 of 5th December 1839, Ricketts to Government, 21st January, 1839.
they would tend to weaken injuriously the influence of
the Rajas over their peasantry. The Superintendent was
required to interfere as little as possible in matters
either of civil or criminal justice with the people of
these Mahals consistent with the resolution of
Government passed in 1821.¹

Instructions were, however, given to A. J. M. Mills,
the next Superintendent, to draw up some sort, clear and
well defined rules, making the Rajas responsible to the
Superintendent in cases of murder, homicide and other
heinous offences without, however, "interfering so much
as to make them amenable to the civil courts of the
Superintendent in cases between the Rajas and the creditors."²

In accordance with the above instructions Mills
prepared eighteen draft rules and submitted them for
approval of the Government in 1840.³ The draft rules
proposed that the Rajas should be prohibited from exercising
the powers of life and death; from subjecting any offender
to torture, mutilation or other punishment opposed to the
principles of British rule; and from allowing the practice
of widow burning and human sacrifices within their
territories; that they should be made liable to punishment
for murder or other heinous offences committed by them,

¹. BJ(Cr) P No. 48 of 5th December 1839, Secretary to GOI
to Secretary to GOB, 25th November 1839.
². SRG (Bengal) No. 3, P-60, Government of India, Legislative
Department to GOB, No. 470 of 25th November 1839.
³. BRP(R) OSA, Accn. No. 97; Mills to Government
17th September 1840.
and should be held responsible for the amount of property robbed from travellers if the commission of the crime and the non-recovery of the property were due to their imperfect policy or want of care; that the Superintendent's power of interference should be increased so as to take cognizance of offences committed by foreigners in the Tributary States and to hold preliminary enquiries in heinous offences committed by the Rajas, and to sentence all offenders, except the Rajas, to imprisonment for a term not exceeding seven years; that all punishment exceeding seven years and the punishment of the Rajas allowing the practice of widow-burning and human sacrifices within their territories be awarded by the Government of Bengal.¹

The Government of Bengal did not frame any permanent or well-defined rules upon the subject, but directed that the spirit of the proposed rules should be acted up to in all future cases with certain limitations, and that the Rajas should be informed that "they are ordinarily amenable to the Superintendent's court subject to such instructions as might from time to time be furnished by the Government."²

Mills' draft rules of 1840, though not enacted into law, remained the basic framework for the administration

1. BJ(Cr)P No.36 of 17th November, 1840; Mills to Government, 17th September, 1840.
2. Ibid, No.38 of 17th November 1840; Secretary to GOB, to Secretary to GOI, 6th October 1840.
of the Police and criminal justice of the States. The Rajas were allowed to try petty criminal cases viva voce in 1858. The Government of India declared the Indian Penal Code to be applicable to the States in 1860. Though the States enjoyed exemption from the operation of Government Regulations the criminal authorities were directed by the Government in 1863 to be guided in their proceedings as closely as possible by the spirit of the criminal procedure Code.¹

Consequent upon the decision of the Calcutta High Court declaring the Tributary States as outside British India, fresh sanads were granted to the Rajas in 1894, wherein their criminal powers were defined; but these provisions reflected the spirit of Mills' draft rules of 1840. The Rajas were required to "administer justice fairly and impartially to all alike." Clause VI of the sanad enjoined: "You shall recognise and maintain the rights of all your people, and you shall on no account oppress them or suffer them to be in any way oppressed". The provisions concerning the administration of criminal justice in the States were laid down in Clause III of the sanad, under which the Rajas were allowed to try in their courts all criminal cases occurring in their States except those in which Europeans were concerned, and heinous offences such as murder, homicide, dacoities, robbery and torture. Such

cases were to be referred to the Superintendent of the Tributary Mahals or to any of his assistants for disposal. In cases of other culprits the sanad prescribed that sentences passed by the Rajas were to be regulated by the instructions issued from time to time for their guidance by the Lieutenant-Governor of Bengal.¹

The power of the Raja of Nilgiri was further restricted, in case of imprisonment to a term of two years, in case of fines a sum of one thousand rupees, and in the case of whipping thirty stripes. All orders passed by him in criminal cases were subject to revision by the Superintendent, to whom he had to send the records of any case for which the Superintendent might call.²

These limitations on the criminal powers of the Raja laid down in the sanad of 1894 were replaced in the revised sanad of 1908. Clause III of the new sanad merely stated that the Raja should conform in all matters concerning the preservation of law and order and the administration of justice generally within the limits of his State to the instructions issued from time to time for his guidance by the Lieutenant-Governor of Bengal. The designation of the officer whom the Raja had to consult was changed from 'Superintendent of the Tributary Mahals' to 'Commissioner of the Orissa Division'.³

¹ Aitchison, op.cit., Vol-I, P-332, No.CXIV.
² Ibid.
While the powers of the Raja were restricted under the provisions of the sanad, the residuary jurisdiction remained with the Government. Besides the Superintendent of the Tributary Mahals to whom was delegated the residue of jurisdictionary attributes of the State, the Collector of Balasore in his capacity as ex-officio Assistant to the Superintendent, was also vested with powers of a Sessions Judge for the trial of cases committed from the State. While the Assistant Superintendent exercised the powers of a District Magistrate and of a Court of Sessions as defined in the Criminal Procedure Code of 1892, the Superintendent exercised the powers of a Court of Sessions and of a High Court in respect of all offences over which the jurisdiction of a Court of Sessions was exercised by the Assistant Superintendent. Such jurisdiction was, however, political, and not judicial in character. This arrangement was necessary because the State was too petty and poor to provide for proper courts of law. Therefore, the neighbouring British official holding Court in the British district was entrusted with jurisdiction over

1. BJ(P)P No.40 of July 1886; H.A.D. Philips, Under-Secretary to GOB, to Superintendent No.622 of 5th July 1886.
the State. But such a jurisdiction was given not to his court as such, but to the officer who presided for the time being over the Court, and not by the general law, but by the special authority of the Executive Government.

When during the last phase of their rule in India the British authorities, in pursuit of their general imperial policy and interest, decided to raise the status of the Orissa Princes, the criminal powers of the Raja of Nilgiri were enhanced in the sanad of 1937. The existing restrictions on his judicial powers were modified and he was allowed full civil and criminal jurisdiction except that sentences of death, transportation and imprisonment for life had to be referred for confirmation to the Political Agent to the Governor-General, Eastern States.

Thus, on the eve of the lapse of British Paramountcy things were almost back to square one. Before the British occupation of Orissa the Rajas used to exercise undefined judicial powers within their States; and the British, after so much of hesitation and experimentation, left them with almost the same powers.

CRIMINAL JUSTICE IN THE STATE.

The Raja held the State as his personal property; so the distribution of justice to his ryots was solely his

1. Lee-Warner, op.cit., P-144.
3. A Statement Showing the Dynastic Powers of Rulers of Indian States, P-41.
business. He did this in courts constituted and empowered by him. He himself was the highest court of appeal and revision in the State.\(^1\) No regular appeal from his decision lay to any authority outside the State. He could not be made a party to any suit in any court of the State.\(^2\) The Dewan as the senior judicial officer exercised original criminal jurisdiction equivalent to that of a Magistrate of the first class. An appeal from his court lay to the Raja.

The Raja enjoyed enormous powers in the administration of criminal justice, short of powers over life and death. Though he was required to refer heinous cases to the Superintendent, there was no definite rule for distinguishing ordinary cases from those of a heinous nature. The Raja was free to decide which cases should be referred to the Superintendent. Until 1894 there was no limitation to the nature or extent of punishment which the Raja could inflict in cases within his cognizance. Much depended on the will of the Raja. In the absence of a code of law there was no conformity in the administration of justice. Sometimes the offenders were let off without any punishment while in other cases an unusually heavy penalty was imposed for a minor offence.\(^3\) Theoretically there was nothing

\(^1\) Feudatory States' Manual, P-7.
\(^2\) Ibid., P-9.
\(^3\) BJ(P)P No. 186 of 1st October 1851, Gouldsbury to Government, 16th July 1851.
to prevent the Raja from imprisoning on offender for ten, fifteen or twenty years, but practically the sentences did not exceed three or four years, and were ordinarily very much lower, and often a fine was preferred to imprisonment.¹

The State was usually free from criminal cases of very serious nature. Cases which were of common occurrence were theft, burglary, cattle-lifting, criminal trespass, assault and mischief.² Serious rioting or dacoities were almost unknown. On rare instances prosecution was occasioned for bad livelihood.³ A striking feature of judicial administration in the State was the institution of large number of frivolous cases; the large number of compromises and dismissals for failure of complainants to appear showed the cases to be very petty, and virtually put in merely as a vindication of personal honour.⁴ Occasionally, cases of culpable homicide took place in the State, and were referred to the Superintendent of the Tributary Mahals for trial. But such cases were limited only to the aboriginal communities, particularly the Santhals, and sprang from their superstitious faith in the supernatural power of witches and wizards.⁵

¹ BJ(P)P No.1 of December 1883, A. Smith to Government, No. 894 of 20th June 1883.
² Ibid, No. 6 of November 1885; C. T. Metcalfe to Government, No. 1449 of 22nd July 1885.
³ GR-1908-09, P-67.
⁴ Ibid, PP- 4-5.
⁵ BJ(P)P No. 18 of December 1886; Metcalfe to Government, No. 1209 of 23rd July 1886. GR- 1923-24, P-5.
CIVIL JUSTICE.

In the administration of civil justice the Raja was absolutely free from British control and interference. Some attempts by earlier Superintendents to get the civil regulations extended to the Mahals were negated by the British authorities. Edward Impey's suggestion in 1816 for the enactment of a regulation to provide for the trial by the Superintendent of all civil cases of the inhabitants of the Mahals was objected to by the Governor-General in Council on the ground that it would not be expedient. The Government was not prepared to interfere in the details or usages of the country. In like manner Henry Ricketts' proposed civil rules were rejected by the Government in 1839. Mills' draft rules which were observed in spirit dealt exclusively with criminal justice, but were almost silent on matters of civil cases. The Government's avowed principle was never to weaken the hold of the Raja over his ryots in revenue and civil matters. This was why they desisted from making any provision whatsoever in regard to the administration of civil justice. The Superintendents were advised not to entertain any popular complaint on such matters against the Rajas, and

1. BJP No.185 of 31st May 1816, Government to Superintendent.
2. BJ(P)P No.48 of 5th December 1839, Secretary to GOI to Secretary to GOB.
"the orders which left the control of their subjects with the Rajas must be observed". The Government of Bengal finally resolved in 1854 that "the guiding principle of non-interference, a principle heretofore steadily maintained by the Government, must be carefully adhered to by the Superintendent and not departed from in any instance without special sanction".

The Raja was thus left without any control by the British authorities as regards the administration of civil justice. In the administration of civil justice the Raja was assisted by three important officers holding court for the purpose: the Dewan, the Assistant Dewan, and the Private Secretary who was also styled the civil Judge. All these officers enjoyed original civil and revenue powers, but the Dewan, in addition to his original powers, had appellate jurisdiction. He heard appeals from courts subordinate to him. Appeals from the decision of the Dewan lay to the court of the Raja. The Raja was the highest court of appeal. All civil suits were finally decided by him. The Superintendent of the Tributary Mahals did not entertain any original suit nor did he hear any appeal against the decision of the Raja.

2. BJP No.170 of 20th April 1854, Resolution of Government of Bengal.
The State of Nilgiri adjoined the British district of Balasore with which there was a good deal of intercourse. The people, therefore, knew, and were able to defend their rights better than the inhabitants of other States who lived at a greater distance. The number of cases instituted here was consequently larger than in other States of similar extent.¹

The civil suits chiefly related to the recovery of debts, movable property, for damages, and compensation; the revenue cases were mostly for recovery of arrears of rent from defaulting ryots and Sarbarakars, ejectment, possession of land, for obtaining Pattas and kabuliyats.² Cases were disposed of according to the spirit of laws in force in British districts. Formerly, the Rajas themselves disposed of the more important cases,³ but in course of time they delegated most of their original powers to the Dewan, and only used to hear appeals from the Dewan's Court.

The administration of civil justice in Nilgiri was never satisfactory. Free from British supervision and control, it was often high-handed and always harassing to the ryots. The interference of the Raja with the rights of the people on the lands they occupied was a frequent source of complaint.⁴ Though there was no provision for

¹. BJ(P)P No. 20 of October, 1884; W.R.Larminie to Government, No. 1024 of 8th July, 1884.
². Ibid. No. 6 of November, 1885; Metcalfe to Government, No. 1449 of 22nd July, 1885.
³. Ibid, No. 1 of August, 1880; A. Smith to Government, No. 600 of 25th June, 1880.
the Superintendent to try any original case or hear appeals from the State, the people often complained to his office even in individual civil cases with a view to getting justice. The complaints, in general, were unjust dispossession of the **ryots** by the **Raja**, oppressive actions by him, and non-entertainment of their complaints by the same authority.¹ The procedure adopted by the Superintendent in disposing of such complaints was never favourable to the **ryots**. The **Raja** was ordinarily asked to furnish the facts of the particular cases, and on receipt of the reports, if the decision of the **Raja** seemed to the Superintendent to be "obviously wrong", some advice was given to the **Raja**.² The **Raja**, however, was not bound to accept such advice of the Superintendent.³

The obvious sufferer was the peasant. The wrath of a vindictive **Raja** who considered his pride to have been injured by the action of his **ryot** often fell on the helpless **ryots**. Copious references are there in the Government records of the petitions of Nilgiri **ryots** and **sarbarakars** for justice.

The situation was more precarious in cases pertaining exclusively to revenue matters. The **Raja** passed

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¹ AR- 1882-83, PP-99-100.
² BJ(P)P No.1 of December 1883; Smith to Government, 20th June 1883.
³ AR- 1884-85, P-27.
orders on all or most of the important revenue cases as the final authority. In the absence of an adequate law or the remote control of the British authority, there was hardly any possibility of remedy for the aggrieved persons in view of the Raja acting as Revenue Court. The only hope for the affected ryot was a petition to the Superintendent or the Political Agent. But this could not ensure justice to the ryot. The manner of disposal of such petitions was often to call for a report from the very authority against whose decision the complaint was lodged, i.e., the Raja; this multiplied the problems of the ryots. The functioning of the Raja as Revenue Authority had the effect of influencing subordinate officials and of denying normal remedies to aggrieved persons.¹

The effect of a concentration of the concurrent jurisdiction - revenue and civil - in one individual was injurious to the ryots' interests. The Dewan, the Assistant Dewan, and above all, the Raja himself, were judges in addition to their revenue functions. Revenue matters were often connected with civil rights, and in matters such as title or custom the Revenue Courts could give only summary decisions. Usually such matters

required expert knowledge, and could not be dealt with by revenue officers. In revenue matters the State was a highly interested party. It was, therefore, natural that when a revenue officer was dealing with a civil case he was more likely to be prompted to protect the interest of the State which was tantamount to that of the Raja at whose pleasure the presiding officer of the court was holding his job. So the position in the State was hardly conducive to the satisfactory administration of civil justice. In the event of the Raja and the revenue officers acting as civil courts hardly a person aggrieved by a decision of the courts could find an unbiased examination of his case in the civil court. The decisions in revenue matters were often influenced by financial interests of the State. As there was no separation of revenue and civil functions, the existence of civil courts was of little use in such matters as disagreement between the revenue officers and an individual in the matter of compensation for acquisition of land, questioning the entries in the records of right made by revenue officers and so on. Moreover, the Rajas were not qualified either by temperament or training to act successfully as revenue courts. Their personal interest in the matter and the influence they exerted on subordinate officers were harmful to the interests of the ryots.\(^1\)

\(^1\) Ramadhyani Report, Vol-I, P-136.
The manner in which petty revenue and civil cases were disposed of was quite faulty. They were generally disposed of in a desultory and summary way. As summary trial was generally adopted by the State authorities the administration was high-handed and was far from being based on principles. There was no fixed legal procedure for the guidance of the courts or State officials. Though the British regulations were to be followed in spirit, they were but little attended to, and were wholly disregarded by the Raja himself at pleasure. Slight offences which in a properly regulated country were but little attended to and did not constitute any crime, evoked the displeasure and wrath of the Raja, and led sometimes to the confiscation of the offender's property or met with heavy punishment while the committers of higher offences were let off with but little or no punishment. Justice was seldom tempered with mercy; it was often ruthlessly sacrificed to suit the caprice of the Raja.¹

Proceedings in civil and criminal cases were not recorded or taken down in writing,² so that they might be subsequently reviewed or taken notice of by the British authorities. Except cases of homicide and of other heinous nature the Rajas furnished no returns relating to the administration of justice by them to the Government.³

2. BRP(R), OSA, Accn. No. 154; Gouldsbury to Government, 16th July 1851.
Whenever the Superintendent or the Assistant Superintendent, touring the State, desired to inspect the Raja's records, they were shown documents which were prepared for the purpose without any connection with the actual state of things, and thus the real shoddy happenings in the State were kept concealed. One Superintendent, A. Smith, reported to Government:

"There was room for considering the existence of a possibility that the registers and reports connected with the administration of justice in the State (Nilgiri), which are submitted for the information and scrutiny of the officers of the British Government, are previously subjected to a refining manipulation affecting their natural value, and considering that most of those who come to complain before this office complain that the reports of the Raja regarding their cases do not give the whole truth, there seems to be reason to fear that the proceedings in the Raja's court are not always above board". ¹

The Courts of the Raja were, as a rule, of a very inferior kind. There being no proper system of judicial training, the judges were recruited from the different departments of the public service without discrimination as

¹ BJ(P)P No.1 of December 1883; Smith to Government, 20th June 1883.
to their previous training or employment. The service was open to men of all shades of life, from dismissed Government servants and clerks to revenue officers, school teachers, and sometimes private individuals having no other claims to the office of a judge than that they were favourites of the Ruler. The notorious Sheeb Charan Patnaik, a brother of Rani Chitra Dei, who held the reins of power in the 1830's; Umakant Baboo, Raja Krushnachandra's illegitimate son whose incompetence was looked down upon by Norman, the Assistant Superintendent at Balasore;\(^1\) Man Gobind Das, ex-Seristadar of the Balasore Collectorate and the State's Dewan in 1877;\(^2\) Lakhan Charan Patnaik, previously a Kanungo who was dismissed from Government service for financial embezzlement but appointed as Dewan of Nilgiri in 1879;\(^3\) Bholanath Das, a former Sub-Inspector of schools deputed to the State as Dewan who got himself embroiled in a serious social scandal\(^4\) — were just a few of those ill-equipped and inefficient officers who distributed justice to the people of the State. Commenting on the ability of such type of officers who dealt with law and justice in the State the Superintendent, Smith, wrote to Government in 1881, "Their knowledge alike of civil and criminal law is of the most meagre description. I doubt if any of them could administer the civil and criminal

\(^{1}\) AR - 1878-79, P-113.
\(^{2}\) Ibid, 1877-78, P-92.
\(^{3}\) Index- Nilgiri Adoption, P-41.
\(^{4}\) BJ(P)P No.20 of October 1884; Larminie to Government, No.1426 of 6th September, 1883.
Procedure Code, so far as they apply to original cases. Certainly it would be far beyond the competence of almost all of them.¹

Justice was often delayed beyond reasonable limits of expediency and propriety. The average duration of the disposal of police cases as well as civil suits - from institution till disposal - was very high in Nilgiri compared to other States.² The Superintendent observed in 1883, "one of the constant complaints put before this office about the administration of justice in this killa (Nilgiri) is the delay in disposing of cases, and it is a fact that the Raja takes many months to reply to the simplest call for information from this office."³

Another symbol of feudal perversion was the existence of the invidious night courts. The Rajas of Nilgiri were in the habit of holding courts during the night. This practice became so infamous for its notoriety that one Superintendent had to advise the Raja to hold regular cutchery in day time and not during night hours.⁴

The judiciary in the State was never independent. The Raja who was the head of government was also the head of the judiciary. There was no guarantee against executive interference in judicial affairs.⁵ Judges were dependent on the whims of the Raja and held

¹. BJ(P)P No.171 of June 1883; Smith to Government.
². No.1204 of 24th September, 1881.
³. GR- 1908-9. PP-4-6.
⁴. AR- 1882-83, P-409.
⁵. Superintendent's Memo No.714 of 10th March 1904.
⁶. States' Report, P-89.
office at his pleasure. On the whole the administration of justice was arbitrary, slow and cumbersome. This was why the residents were disinclined to be satisfied with the administration of the Rajas.¹

There was no rule of law in the State. The administration was based on the will of the Raja who was bound by no law except that of his own caprice, and who regarded his subjects and their property as wholly at his disposal. The British Indian laws were, theoretically, to be observed in spirit, but practically they were hardly honoured. Laws were never codified; the general public was ignorant of the principles on which they were governed.² Rules and regulations were issued in the form of orders, proclamations and notifications which did not have any broader foundation than the mere caprice of the Raja. Even these also existed only on paper, and did not have the inviolability of law. They could be changed or modified at the will of the Raja. The frequent change of orders was a matter of concern to the British authorities as well as to the people. The British Government's Special officer, R.K. Ramadhyani, who was appointed to enquire into the state of things in the States, thus reported to Government in 1941 about Nilgiri: "Orders are occasionally changed even before they become properly known, and the position is so uncertain and fears of punishment so great that even if a restriction has been removed, the people often hesitate to avail themselves of a concession for fear of making a mistake".³

¹. BJ(P)P No.171 of June 1883; Smith to Government, 24th September 1881.
². States' Report, P-12.
In the absence of any code of law the rule of law was unthinkable, and the plight of the people a foregone conclusion. There was no security of life, property and individual liberty. The Orissa States' Enquiry Committee found in 1939 that 'civil liberty was crushed and the people were daily oppressed with a feeling of potential danger to the security of life and property'. The Raja could confiscate anybody's property, or pass orders to that effect as he liked. A ryot could not sue the Raja for infringement of his rights. Honour and dignity of women was always in danger. Even servants of the State government did not enjoy any security of tenure. They could be degraded or dismissed any time the Raja pleased. There being no principle governing recruitment, nepotism was rampant in the appointment of public servants. Freedom of press and association depended completely on the favour of the Raja, who could ban any literature and popular association if he considered them refractory. The Socialist Weekly, 'Krushak', was banned in the State in 1938. Similarly, a social organisation, the Yubaka Sakha Samiti, met with an identical fate at the hands of the Raja in the 1930's. After a large-scale

1. States' Report, P-12.
2. Ibid, P-92.
4. Ibid, P-90.
agitation in 1938 the people were allowed a 'partial exercise' of the right of free speech and association, and the Prajamandal which was previously outlawed, was then recognised. ¹

Throughout the period of our study the people lived in a state of feudal bondage. The rule of law which gave protection and security of life and property to every individual subject in British India was in practice altogether absent in the State. The destinies of the people depended on the whim and idiosyncracies, the fads and passions of the Raja.

F. POLICE.

Since the British regulations dealing with the maintenance of law and order were not extended to the State, the Police administration was entirely under the control of the Raja. In the days of the Marathas, the twin duties of the defense of the State and maintenance of law and order were performed by the Paiks who were maintained by the Rajas through the system of jagir. The Paiks were the local militia who performed military service in times of war, and during peace time they discharged certain police duties in maintaining order, ¹

1. States' Report, P-54.
in their respective villages. They usually enjoyed rent-free lands or jagirs for their maintenance. The system continued throughout the nineteenth century though the number of Paiks was reduced as there was no necessity of their military duties since the State came under British hegemony. The Rajas still did not maintain regular police stations, the police duties being performed by the Paiks or cultivators holding land on a tenure of military service.

Throughout the British rule the State of Nilgiri with a total area of 284 square miles had only one police station at the headquarters. In 1885 W.R. Ricketts, a Manager of the State, established a police outpost at Iswarpur to deal with the recurring agitation of the stone-quarry workers there.

The State maintained a small police force. In 1877 the total number of police men was twenty eight; a decade later the number was twenty-seven; it reached thirty-four in the year 1903-04. The growing complexities of the present century necessitated a further increase in the number, which reached 74 in the troublous years 1942-43. Besides the regular police force, a number of

3. BJ(P)P No.15 of December 1886; Ricketts to Superintendent, No. 33 of 12th June 1886.
5. AR- 1887-88, P-71.
temporary constables were recruited during this period to deal with the political agitation in the State. In 1943-44 the ratio of police personnel to the population of the State was one in 1091, and to the area, one for every four square miles, approximately.

The village Chowkidars, locally known as Chhatias, performed a number of police duties in the village level. But originally, unlike in other Orissa States, the Chhatias were not under the Police department. According to the old custom of the State they were under their Sarbarakars whom they assisted in the collection of revenue. In 1903 by an order of Raja Shyamchandra the Chhatias were placed under the Police department, and were required to submit weekly reports on the law and order situation, the commission of crimes, information about birth and death in their respective areas to the Sadar Police station. The number of Chhatias did not remain constant all the while. At the turn of the century their number was 151, but on the eve of the merger of the State it stood at 141. As the State comprised 313 villages, it seems that there were more than one village under each Chhatia.

2. Ibid, 1943-44, P-7.
The Cinhatlas were selected from among the lowest castes, mainly the Pans and the Kundras, and their office was mostly hereditary.¹

The work of the Police in the State was comparatively light, because the State was free from major crimes. The prevalent offences were small-scale burglary and theft, cattle-lifting, stealing of rice and paddy, and other minor mischiefs. Large-scale rioting was rare in the State as also heinous offences and dacoity.² Though the nature of cases was petty, the average duration of the disposal of police cases was very high.³

The only Police Station at the headquarters of the State was first manned by a Sub-Inspector. The designation of the officer was subsequently changed to Inspector, and finally Superintendent of Police. The change in the nomenclature of the highest police officer of the State, however, did not carry any significance as there was little reform either in the organisation or the efficiency of the establishment; rather ineptness, incompetence, and corruption were the hallmark of the Police department. Punishment in one form or the other for intemperate behaviour, dereliction of duty, corruption and other offences was not an unusual phenomenon in the

2. AR- 1885-86; Appendix-XV, P-5.
3. GR- 1908-9, P-4.
State. In 1910 out of a total strength of 34 policemen in the State as large as 18 were punished: one head constable, 3 writer constables and 6 constables were fined for misconduct and minor offences; one constable was punished with suspension; one Sub-Inspector and one head constable, one writer constable and three constables were removed from service as undesirable and incompetent. The Inspector having been convicted and sentenced to imprisonment in a case under section 342 and 352 I.P.C., was under suspension. From top to bottom, from the Inspector to the illiterate constable, the entire department was affected by this ailment. Consequently, such an occurrence was not an accident or an isolated incident. The following year's official report brought to light that three head constables were fined for bad investigation and neglect of duty; one writer constable was removed from service for gross neglect of duty and five constables were fined for neglect of duty and other offences of petty nature. Very few policemen could resist the temptation of receiving illegal gratification even though occasionally some of their brethren were being departmentally proceeded against for such offences.

1. AR-1910-11, P-76.
2. Ibid, 1911-12, P-123.
Corruption and inefficiency had been a part of the system. This was because the rank and file of the force were drawn from the very scum of the population, and hardly one in a hundred of these knew how to read and write. In addition to being illiterate they were entirely without the knowledge and training necessary for their work. Their poor pay provided hardly any incentive to honest work. The result was bribery and corruption. The record of detection of crime or recovery of stolen property was very poor; investigation was not always done with competence.  

G. JAIL.

The State did not have a proper jail for a long time. In earlier times justice was rough and ready and instantaneous. As there was no prescribed code of punishment for specific offences the Rajas were guided more by their impulses and reflexes than by any Penal code. Ordinarily imprisonment was not preferred; invocation of religion was enough to extort confession. Once the guilt was admitted the offender was awarded either corporal punishment or fines for the offence committed by him.  

1. GR- 1930-31, P-9.
long time the Rajas did not feel the necessity of a jail. They did not want to open another head of expenditure by keeping the criminals in jail; rather they used to earn through fines. A. Smith, the Superintendent, observed in 1883: "The Chief seems to prefer, even in cases where imprisonment should be awarded, to levy heavy fines by which he profits rather than put the criminal in jail where he had to keep them." 1

Since the application of the Indian Penal Code to the State in 1860, even if in spirit only, the necessity of a jail was keenly felt in the State. To meet the emergency a small room attached to the Raja's office in the palace was used as a temporary jail where convicts sentenced to imprisonment were kept when needed. 2

A few years later when W.R. Ricketts came to the State as Manager in 1884 he used a small room of the cutchery building to accommodate prisoners. It was, however, a mere lock-up where no attention was paid either to the sanitary condition or the health and discipline of the dwellers. The jail establishment then consisted of one head warder and four warders who worked under the supervision of the Police Inspector. 3 The number of inmates in the jail and the staff were so small

1. BJ(P)P No. 1 of December 1883; Smith to Government, No. 894 of 20th June 1883.
2. AR- 1879-80, P-259.
that out of a total estimated State expenditure of Rs. 41,846/- the expenditure on jail was estimated to be Rs. 346/- only, including payment and uniform of the staff.¹

As the State lacked adequate infrastructure to keep long-term convicts in its jail, criminals sentenced by the Raja or any of his subordinate courts to a term of imprisonment exceeding six months were sent to the British jail in Balasore.² Besides, offenders from the State sentenced to imprisonment for any term by the ex-officio Assistant Superintendent at Balasore in the exercise of his powers of residuary jurisdiction, and acting under the authority of the British Government, were imprisoned in the Balasore jail.³

Formerly, the State did not pay for the maintenance of prisoners who, having committed offences in the State, were confined in the British jail at Balasore. Since 1901 that exemption had been denied to the State which was thereafter required to pay for the charges for the maintenance of its prisoners in British jail at the rate of Rs. 5/- a month per prisoner. This was calculated monthly and realised from the State on the 1st January in each year.⁴

¹ BJ(P)P No. 20 of October 1893; Ricketts to Superintendent, No. 34 of 4th August, 1893.
² Ibid, No. 41 of July 1894; Government Notification No. 1737 P of 10th July, 1894.
³ Feudatory States' Manual, PP-33 and 38.
⁴ Ibid, P-39.
Construction of a permanent jail in the State headquarters was completed in 1912 only. It was equipped to accommodate 36 prisoners in all, and was managed by a jailor with the assistance of one head warder and a warder staff of 8 men. The Chief Medical Officer of the State acted as the Deputy Superintendent while the Dewan remained the Superintendent of the Jail.  

Though the State jail had a capacity to contain 36 prisoners, it was over-crowded at times, particularly during years of agitation by the ryots. During the agitation of 1928 fifty-three persons were packed in it while a decade later, during the mass movement organised by the Prajamandal when countless people offered themselves for voluntary incarceration, hundreds of people filled its nook and corner. To meet the extraordinary situation the only M.E. School at the state headquarters was converted into a temporary camp to accommodate political prisoners. The average daily population of the jail throughout the year 1943-44 was 35.12. To relieve the jail of the unusual congestion some prisoners had to be shifted to jails in other States.

The State jail yielded a very small income through the labour of its inmates. This income was mainly derived from the sale of vegetables, prepared cloth,

1. Raja's Answer No. 20; S.D.O's. Library, Nilgiri.
2. GR-1928-29, P-43, Appendix-VII.
mustard oil, oil cake, cane work and extra labour done by prisoners. But it was too meagre in comparison to the mounting expenditure needed for the maintenance of the prisoners. In 1943-44 the income from the jail was Rs. 841-9-9 whereas the expenditure was Rs. 9,426-9-8.  

The administration of the jail was in the hands of the Chief. He was required to be guided by the model rules framed by Government for the management of jails in feudatory States; but these were not intended to be regarded as hard and fast rules to be adopted in every case. It was left to the discretion of the Raja to accept the underlying spirit of the rules for guidance.  

The Dewan being the highest functionary in the State next to the Raja, acted as the Superintendent and the Chief Medical Officer of the State remained the Deputy Superintendent of the Jail. The jail administration was re-organised in 1943. The post of the Deputy Superintendent was abolished; the Chief Medical Officer who held that post till then was designated as Superintendent of Jail in place of the Dewan. A Jail Advisory Board consisting of the Dewan, Superintendent of Police, Headquarters Magistrate, Superintendent of Jail,

and a non-official member, was constituted. All these measures, however, remained only on paper as nothing remarkable could be achieved during the coming years of turmoil and transition.

H. EDUCATION.

In an autocracy which aims at perpetuating people's backwardness in its own interest education is bound to be the most neglected subject. Education, unlike many other departments of government, does not yield an instant income. It needs patient investment the benefits of which come late. The autocrat, unless he is so enlightened as to think of the welfare of his subjects, does not have the inclination to invest his money in something from which there is no prospect of immediate personal gain. Naturally, the education of the people is neglected. Public instruction in the State of Nilgiri was actually in such a state of affairs. The Rajas of Nilgiri were verily repugnant to the idea that they had a moral responsibility to educate their people and to sponsor their merit for the benefit of the society. In the earlier days education remained an absolutely private affair; the Rajas rarely extended their patronage to it.

As regards the spread of modern education British Orissa lagged far behind its neighbouring Bengal. The state of education in the princely State of Nilgiri was still much more lamentable. The Rajas being, for the most part, uneducated themselves, did care little for the spread of education among their ryots. The state of public instruction was, therefore, very low, and the possibility of making education available to the common man was unthinkable.\(^1\) Throughout the nineteenth century education in the State represented a very sad picture. Since the Rajas showed little interest in it, some people tried to give education to their children through private efforts. Indigenous education was imparted mainly to boys and hardly to girls in the village Pathsalas which were very thinly scattered here and there over the State. The method of teaching in the Pathsalas was very poor and primitive. Boys squatted with the master on the ground, forming the alphabet in the dust, and repeating the multiplication table in a parrot-like sing-song. Such classes were conducted either in a rich man's verandah or a sort of hedge-school. The curriculum there comprised religious and mythological stories or rhymed arithmetical rules which were learnt by rote. The teachers who imparted these rudiments of learning generally belonged to the kayastha or writer class and

\(^1\) SRG (Bengal), No. 3, P-68.
were remunerated by presents, fees, or perquisites by pupils and their parents.¹

The Pathsalas had a very precarious existence, as they were wholly managed and maintained by the villagers, their progress depended entirely on the fluctuating economy of the village. In time of economic hardship when the people were unable to contribute, the Pathsalas also were bound to wind up. This is why the number of village Pathsalas in the State were always fluctuating, as revealed in the annual administration reports. In the year 1908-9 the total number of schools in the State was 90², the majority of them being privately managed Pathsalas; within two decades it dropped to 29.³ The decrease in the number of schools was due to the closure of several village Pathsalas, and this in turn was occasioned by the dearness of living and scarcity and the over-all economic hardship during the First World War and after it.⁴

The principle of supplementing private efforts by State aid was adopted very late in the 19th century. In addition to rewards, provision was then made for the monthly stipends to teachers.⁵

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2. GR-1908-9, P-12.
3. GR-1928-29, P-54, Appendix-XVI.
5. Ibid, 1887-88, P-147.
Besides the Pathsalas, there were a handful of primary schools maintained by the State. But most of them were set up only in the present century. In the last quarter of the 19th century the Raja had opened a Middle Vernacular school at his headquarters, but it had a chequered career owing mainly to the languid interest of the Raja in nurturing it. The Raja's lukewarm attitude in the education of his people often led to its poor management and occasionally to closure. It hardly received the Raja's patronage. Even the teacher employed there had to leave his duties in the school and attend to the Raja's domestic work by his orders. The condition of the school became so deplorable that at one time the Superintendent of the Tributary Mahals considered it to be the worst of its kind in the Garjat.

Some qualitative improvement in education was marked only in the 20th century. The State took interest in establishing and maintaining a few primary schools, and the only Middle English School. Education in the State came under the supervision of the Agency Inspector of Schools. But a peculiar trend in the progress of education in the State was that when the authorities began to take greater interest in it, there was a  

1. BJ(P)P No.1 of November 1879, Smith to Government, No.299 of 14th July 1879.  
2. AR-1875-76, P-47.  
3. BJ(P)P No.20 of October 1884, Larminie to Government, No.1204 of 8th July, 1884.  
4. GR- 1926-27, P-17.
shrinkage in private efforts in the matter. By the year 1942-43 there were 31 schools wholly maintained by the State whereas all the numerous private Pathsalas had liquidated by that time.\(^1\) When the State used to sanction increasingly more funds for education, the percentage of school-going children gradually dropped. The following table shows the periodic decline in the percentage of boys and girls attending schools.\(^2\)

<table>
<thead>
<tr>
<th>Year</th>
<th>Percentage of school-going children</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Boys</td>
</tr>
<tr>
<td>1925-26</td>
<td>35.8</td>
</tr>
<tr>
<td>1928-29</td>
<td>30.4</td>
</tr>
<tr>
<td>1942-43</td>
<td>23</td>
</tr>
</tbody>
</table>

The whole phenomenon can be explained in the light of the political situation in the State during the last two decades of native rule. This was a period which witnessed great stirring among the people of the State. The people had agitated against the State authorities in 1928, 1938 and 1942. During the years of agitation and unrest they boycotted the Raja, his offices and his institutions.\(^3\) This explains the thin attendance in schools run by the State. The final outcome was that education could not make any headway in the State; it still remained backward. The highest educational institution in a State

\(^1\) Administration Report of Nilgiri State-1942-43, P-21.  
\(^2\) Figures are taken from the administration reports of respective years.  
\(^3\) GR- 1928-29, P-20.
with 73,109 inhabitants was only a Middle English School.

In matters of female education the State was even more backward. Of course, education of women was still looked down upon even in the comparatively more advanced British districts of Orissa. The Hindu society as a whole did not encourage it as it was guided by the superstitious feeling that "a girl taught to write and read will soon after marriage become a widow, an event which is regarded as nearly the worst misfortune that can befall the sex and... that intrigue is facilitated by a knowledge of letters on the part of females." ¹

The State did not have any school for girls throughout the nineteenth century; there were only three lower primary girls' schools in the State by the year 1942-43.²

The general backwardness of education can be attributed to two primary factors. First, the Rajas hardly took any interest in education. Sometimes they gave a half-hearted support to it under pressure and stimulation.³

The Superintendents of the Tributary Mahals in their annual tour to the State impressed upon the Rajas the importance of education and the necessity of opening schools in the State. But this idea which for a moment was awakened in the Raja's mind completely vanished as soon as the Superintendent left his territory. Despite the Government's

1. William Adams; Report on Vernacular Education in Bengal, Bihar, P-132.
3. BJ(P)P No.9 of October 1878; Smith to Government, No.160 of 20th July 1878.
persistent encouragement the Rajas failed to understand the utility of expending a pice on education. On the other hand, one Raja, Krushnachandra Mardraj Harichandan, made use of the Superintendent's persuasion to promote education in his State to demand a cess from his people in 1875. When the cess could not be collected the schools were abandoned. The Nilgiri Raja's interest in the education of his people was so negligible that while his two neighbouring counterparts in Mayurbhanj and Keonjhar deserved commendation from the Government for their efforts, Raja Krushnachandra of Nilgiri received reprobation for his callousness.

Secondly, the poverty of the people constituted a great hindrance to the spread of education among the people. Every man, irrespective of his caste and community, was basically a cultivator who could not spare his children for the whole day from the fields and from the cattle. Their unsound economic condition forced the children to attend only to their pastoral or agricultural pursuits, having either no time to devote to their intellectual culture, or no inclination to engage their children in such an apparently unproductive work as learning. Because of the defective system of primary education prevailing in the State the boys had to spend a number of years even

2. BJ(P)P No.24 of July 1876; Ravenshaw to Government, No.64A of 9th June 1876.
3. Ibid,No.4 of August 1880; H.A, Cockerell, CS to GOB, to Superintendent, No.1728 of 9th August 1880.
in the primary level. Consequently, many dropped out from the schools even before completing the Lower Primary course in order to assist their parents in agricultural matters.

The inhabitants were mostly indigent. Money was current to an almost negligible degree. Thousands of families handled barely five rupees in the year. This being their financial position, they had not the wherewithal to buy slates, books and drawing materials. Naturally the field became more attractive than the school.

The lack of motivation also retarded the growth of education in the State. In the British Provinces education was eagerly sought after. The struggle for existence there impelled the people to get some sort of education so that they might be able to earn their livelihood in a more comfortable way, or get an entry into the public service, or protect themselves from the rapacity of the Zamindars. The situation was different in the State where there was very little channel for the utilisation of one's merit; life was comparatively easier. A British educationist thus informed the Government about the prospect of education in the Orissa States: " The people in the very nature of things cannot be animated by the motives for which education is sought after in Bengal. They are content to live amid the hills, remote from the

1. BJ(P)P No. 4 of September 1905; E.R. Growse to Government, No. 1829 of 10th July 1905.
struggle for existence which has invaded the Provinces.
The benefits of education are not very apparent to them,
for they have no prospect of entering the service of
Government; they have no Zamindars or Mahajans to
checkmate; and they have no commercial interests to
foster."¹ This is why unlike in the British districts,
education was neither sincerely desired nor valued in
the State.

The over-all administration of the State was
marked by backwardness and stagnation. The entire
machinery was out-moded and anti-people. The system did
not benefit the people. The large number of petitions sent
by the State's people to the British authorities is a
clear indication of the dissatisfaction of the subjects
with the system. The people's complaints were hardly
heeded by the Rajas; their grievances continued to
accumulate. High rates of rent, absence of security of
tenure, exploitation and harassment by officers, recurring
feudal exactions, lack of education and absence of rule
of law virtually reduced the people to the status of
serfs. The system never gave them a chance to improve their
conditions.

The establishment of a sound system of
administration was unthinkable in Nilgiri because of
its poor finances. The State was too small and poor to

¹. BJ(P)P No. 4 of September 1905; Memorandum of
H. A. Stark, Inspector of Schools, Orissa Division,
on the subject of Education in the Tributary Mahals
of Orissa.
afford an independent judiciary, higher educational institutions and other projects of public utility. Under the prevailing circumstances the whole system was bound to be personal. But with all the practical handicaps things would have certainly looked better had the Rulers ever thought that the government was for the people and not the other way round. The lack of this philosophy on the part of the Rulers had much to do with the prevailing misrule, oppression and exploitation, and finally the alienation of the Rajas from their ryots.