CHAPTER IV

The Settlement

Proclamation (1867-1883)
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THE SETTLEMENT PROCLAMATION (1867-1883)

The period covered by this chapter commenced with the latter half of Sir. T. Madava Row's administration and closed with the issue of the Settlement Proclamation. The latter constituted a distinct land mark in the Land Revenue History of South Travancore, as it formed the basis of the recent Settlement and was as such, of permanent value until the next settlement. During this period, the land revenue administration was improved and re-modelled in several respects by four Dewans - Sir. T. Madava Row, Messrs. Seshia Sastri, Nanoo Pillay and Ramiengar - though all substantial improvements in the land revenue system were naturally deferred to the Settlement. Each Dewan made some attempt to start the new Settlement, as mentioned in the previous chapter, was already long over due. But the definite action taken in this important direction belonged to the regime of Dewan Ramiengar, with whose name the recent Settlement would always be associated with. Among the other important reforms bearing on the land revenue system and administration of this period, might be mentioned in the Pattom Proclamation of 1040 M.E. (1865 A.D), the constitution of the
Registration department, Rules for the assumption of lands for public purposes, organisation and abolition of the *Pokkuvaravu* department, abolition of *pattom* fees, and reorganization of the Revenue department. These and many other measures of varying degrees of importance introduced during this period are dealt with in the following paras in chronological order.

In the year 1041 M.E (1866 A.D) the *Sirkar* gave up the right of cutting down timber trees from private property and appropriating them according to its requirements on payment of price according to a fixed scale. Thus, the last remaining source of occasional hardship and oppression to possessors of garden lands had been abolished.¹ Some special rules were also laid down regarding the registry of lands for building houses etc., in the towns of Kottar, Trivandrum, Quilon and Alleppy.² The main points in the new rules were as follows:-

(a) Lands within town limits were to be disposed off only by auction, and the usual assessment was to be levied on them.

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¹ *HCVR, Proclamation No.60*, dated 9th *Maharam* 1041 M.E.

² *Ibid, Notification No. 3100*, dated 16th *Makaram* 1041 M.E.
(b) Applicants for such land were to apply to the Taluk or Division Cutcherry, with a rough sketch of the locality and a written statement showing the value they were prepared to pay for the land and agreeing to pay the tax that might be imposed thereon by the Sirkar.

(c) An enquiry was then to be made as to whether there was any objection to the registry of the land, and if there was no objection, the land was to be notified for auction on a particular day, and the land granted as pattom to the highest bidder, with Huzur sanction.

(d) If the land was unoccupied and unplanted, the usual Payattu Pattom and Tharai Pattom, according to local usage, would be levied. If trees were to be subsequently planted, they would also be brought under assessment.

(e) The purchaser at the auction was to deposit more than 15 per cent of the purchased money and the balance within 15 days from the receipt of Huzur sanction.

(f) After the amount was fully paid, the land would be registered and a Pidipadu given.

(g) If the land was by the side of a public road, the purchaser would have to put up a Pucka Padippura (entrance gate) in front of it.

(h) If any default was made in the payment of the deposit amount or the balance of the purchase money, the land would be
re-auctioned by the *Sirkar* and the original bidder was to be held liable for any loss on this account. He was not eligible to get any benefit by the second sale fetching higher prices.

(i) If any portion of the land auction was found necessary for a public road or other public purpose, or if the bid was not in the opinion of the *Sirkar*, adequate, it would be opened to the *Sirkar* to refuse registry of the land in whole or in part. In such cases, the deposit amount was to be returned to the bidder.

In 1042 M.E. (1867 A.D) a set of rules were passed regarding the assumption of lands for public purposes. This was an important measure intended to facilitate the execution of public works which were at the time taken up in earnest and continued to receive particular attention in the subsequent years. These rules were issued on 10th *Vrischigam* 1042 M.E. (1867 A.D)

The main points laid down in the rules were the following:

(a) Whenever any land was required to be taken at the public expense for a public purpose, a declaration was issued under the signature of the *Dewan*, with an accurate description of the land to be taken, as possible.

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3 *T G G*, dated 20th *Vrischigam* 1042 M.E, p.593.
(b) The declaration was published together with a notice calling on all persons interested in the land to appear at a time and place fixed, not less than 15 days from the publication of the notice, and preferred their claims for compensation.

(c) At the time and place fixed, the Tahsildar or other officer specially appointed for the purpose was to ascertain the amount of compensation in conjunction with a number of assessors not exceeding six. The decision of such officer was appealable to the Dewan but not to any Civil Court.

(d) When the Tahsildar or other officer specially appointed had fixed the amount for compensation by an order in writing, he was authorised to take immediate possession of the land, which was thenceforth to be the absolute and exclusive property of the Sirkar.

(e) As soon as possible after taking possession, the compensation was to be paid by the Sirkar. If the payment was not made within two months from the date of taking possession, interest would be allowed at 5 per cent per annum.

(f) After the publication of the original declaration, it was competent to the Engineer, Tahsildar or other officer under his orders, to enter upon the land for the purpose of making a survey thereof and set out the
intended line of a road and canal. But no house or building was to be so entered upon without the written consent of the occupier and without giving him 24 hours written notice.

(g) These rules were not applicable to the temporary occupation of any land for taking earth or materials for making roads, depositing earth etc. In all such cases, compensation was to be paid to and among all persons having any interest in the land.

(h) The term 'Land' was defined as extending to tenements and hereditaments of any tenure, and all houses, buildings, trees or appartment thereupon as well as land.

By a notification No. 8250, dated 25th Karkadagam 1042 M.E. (1867 A.D), the Viruthicars who had muthalelpu loans contracted in the past, for which they were rendering Oozhiam service to the Sirkar, were allowed the option of re-paying such loans and get themselves relieved from the service. This rule was to apply only to mere money loans by way of muthalelpu and not to cases in which such muthalelpu loans were coupled with viruthi holdings.4

By a notification No. 3965, dated 14th Kumbham 1044 M.E. (1869 A.D), some minor taxes, were not borne on land, which used to be recovered from hill-men in the Provinces of Karikod and Karimannur in Thodupuzhai taluk, were abolished, together with the arrears due under those items. The specific items mentioned in this notification were, Kudiyaru, Thalakudiyaru, Thalayara Kalcha, Puthari Kalcha, Parambha Kalcha and Atyantharam. 5

By a proclamation dated 21st Edavam 1044 M.E. (1869 A.D), a proportion of the tax payable in paddy for the wet lands in Thovalai and Agastiswaram taluks was reduced from 5/8 to ½. The commutation rate of 6 chuckrams per parai introduced in 1038 M.E. (1863 A.D), in the 25 taluks from Trivandrum northward was also extended to Nanjilnad by this Proclamation. 6 This measure was referred to and explained in the Administration Report of Travancore that “in the Taluks of Nanjilnad, it had been arranged, that from the current year, a portion of the land tax, which used to be paid in kind, should be paid in money. In consequence of this, the payments in kind would diminish; while the monetary payments will increase. The sacrifice made by the

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5 Ibid, dated 20th Kumbham 1041 M.E, p.137.
Sirkar in this measure, in favour of the ryots, was equal to the market value of the grain given up minus its value at the commutation rate, which was much below the market rate. The surrender of revenue thus involved, amounts to about 16,000 rupees. The ryots of Nanjilnad were very glad of this relief, which, in effect, diminished the pressure of the tax, and also enabled them to keep more grain for themselves.\(^7\)

By a proclamation dated 20\(^{th}\) Mithunam 1044 M.E. (1869 A.D), the adiyara fee known as Pandal Stanam levied on occasions of marriage in the case of Sudras and others and Kottupattu Stanam in the case of Ezhavas was abolished for the benefit of the ryots.\(^8\)

By a proclamation, issued in Karkadagam 1044 M.E. (1869 A.D), the rule fixing ten-fold of the seed as the maximum rate of assessment for wet lands, introduced in Nanjilnad in 1040 M.E. (1865 A.D), was extended to the taluks of Eraniel, Kalkulam, Vilavancode, Neyyattinkarai, Nedumangad, Chirayinkil, Thiruvella, Shenkottai and Neendakarai.\(^9\)

By a proclamation dated 25\(^{th}\) Minam 1045 M.E. (1870 A.D), some new rules were promulgated to regulate hill cultivation. It was

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\(^7\) TAR, 1014 M.E, p.82.
\(^8\) TG G, dated 24th Mithunam 1044 M.E, p.423.
\(^9\) Ibid, dated 27th Karkadagam 1044 M.E, p.489.
laid down that lands containing Royal trees or other trees of above 10 vannams in girth should not be taken up for such cultivation. Persons desirous of resorting to such cultivation were to apply to the Proverticars, undertaking to cultivate the land for not more than 3 years and to pay the assessment fixed. The Proverticar was to enquire into the matter and, if satisfied that the land could be granted for temporary cultivation, to consult the Forest department through the Aminadar. If the conservator considered it unobjectionable, he was to communicate his opinion to the Tahsildar. The Tahsildar was then to give a Natapuchittu specifying the limits and approximate area of the land and authorising cultivation therein for not more than 3 years. The revenue from this cultivation (malavaram) was payable to the Proverti, to be credited to the head of sanchayam.

If hill tracts or cherikals belonging to Jenmis were to be taken up for malavaram cultivation, the ryots were to take care not to cause any damage to the Royal trees standing thereon. They were to satisfy the conservator that such lands belonged to the Jenmis and not to the Sirkar. The new rules were not to apply to registry of Puthuvals in such tracts, for which the ordinary Puthuval rules were to apply.\(^\text{10}\)

\(^{10}\) *TGG*, dated 1st Medam 1015 M.E, p.244.
What few lands now remained under this head were the purchases from the Dutch (Paliport), from the Jenmi (Pooliendurti) and the jungle lands called Kadukaval forming the frontier defences towards Cape Comorin. The bulk of such tenures had been sold in previous years and converted into Ven Pattom. The above were rented out to the highest bidder, who levies full rent and made some profit to himself. This system of farming out for short periods, which led to oppression of the tenants, was now discouraged altogether, and the sanction of His Highness the Maha Raja to a just adjustment of the remaining lands under this head had been received some time since.\textsuperscript{11}

Down in the South or Nanjilnad, where there river irrigation, and it sometimes deficient, remissions allowed for blighted or withered crop though never for waste lands. Where the water supply was dependent on the falling rains and not on rivers, both waste land and withered crop were allowed for. A deduction was also allowed when dry crops were cultivated on paddy lands.\textsuperscript{12}

\textsuperscript{11} \textit{T} A \textit{R}, 1048-1049 M.E, p.98.

\textsuperscript{12} \textit{Ibid.}
The lands falling under this head \textit{(Ven Pattom)} were formerly unalienable by the occupant ryots, the proprietary right being theoretically vested in the State. In 1040 (1865 A.D), by a proclamation, rights of full property were conferred on them without payment for the same, but subject to a fine or fee of 2 per cent. On the money consideration indicated in the conveyances, this fee yielded an annual sum of rupees 30,000 representing a value of transactions in this description of land (before unsaleable and unmarketable) of rupees 15,00,000.\footnote{Ibid.}

\textit{Ozhiam}, or \textit{Viruthi} tenures constituted the service \textit{Inams}. They were held either for services actually performed at the present time, or for quantum services; in the latter case, they had become almost \textit{Inams} held for personal benefit. As a general rule, the former were in alienable, the latter, when alienated, become liable to fines \textit{(Ottivilakam)}.\footnote{Ibid.}

But even in regard to the former, a succession \textit{(Adukuvathu)} duty was levied on every change of incumbency, calculated at 50 per cent of a year's rental \textit{(Pattom)} for gardens and 2 \frac{1}{2} \textit{fanams} per \textit{parai} of paddy land. If the holder's family become
extinct, the tenure was either transferred on payment of a high fine or premium (Adiyara), or sold to the highest bidder at a public auction, when sometimes very high prices were realized.\textsuperscript{15}

The bulk of these tenures were the Nair \textit{Vritti}s, the holders of which were bound to supply, at certain fixed prices, vegetables and provisions for \textit{Pagodas}, Oottupuras (or Charity feeding houses) and for the Royal birth-day, to raise sheds, to thatch public buildings, to watch them in some places and to do peon’s duties occasionally. They received advances from the public funds always and settle accounts on by and by producing vouchers for the due delivery of provisions or for work done.\textsuperscript{16}

The Nair \textit{Vritti}s were held free of all assessment or \textit{Pattom}, but they were liable to the payment of the \textit{Rajabogam} quit-rents at 1/8, \& c., as already alluded to, plus a fee called “Load tax” (\textit{Chumadupanam}) which was about 2 \textit{fanams} payable on the \textit{Vritti} in the lump. This was supposed to represent the commuted value of a load of vegetables, \& c., which each \textit{Vritti} holder was bound by the tenure to bring and deliver personally without payment, the rest being all paid for.\textsuperscript{17}

\textsuperscript{15} \textit{Ibid.}

\textsuperscript{16} \textit{Ibid.}

\textsuperscript{17} \textit{Ibid.}
The lands of Sri Padmanabha Swamy extended over all Southern Travancore from Chirayinkil to Thovalai; and were for purposes of account, divided into 3 divisions namely, Madapad, Neendakarai Sanketham and Kolathur – Melanganam. The tenure which was pure Jenmdates from very remote antiquity, and the lands formed the private property of the temple, long before the whole State of Travancore was solemnly given over in gift to the same temple by two former Rajas, the greater part in the year 933 M.E. (1757 A.D), a small part in 973 M.E. (1797 A.D). The annual rental of these lands were about rupees 73,000 derived from 21,517 gardens and 92,960 paras of paddy lands, the former yield about rupees 14,000, the latter rupees 59,000.18 These were the funds which supported the venerated temple. They were separately collected and accounted for, but the state had a general control; a surplus was credited to the State and deficits when they occurred were made good per contra.

The relations between land-lord and tenant had never run smoothly in any country in the world and Travancore had been no exception in this respect. The proud Nambudari Brahmin land-lord who traced his ancestry and his tenure through several thousands of years, his anxiety was to preserve the dignity of the family

18 Ibid.
indicated by the strict law of entail by which the dis-integration of his property was prevented. Yet, a victim of indebtedness, caused chiefly by the ruinously expensive character of the marriage of his daughters and by his unbounded charity and hospitality. His normal condition was therefore, one of indebtedness. The usual mode of raising money was the mortgage of his lands, and in this way much of them had passed into the possession of strangers who then became permanent residents laying out much capital and industry and building and making improvements thereon, generation after generation.¹⁹

'Kanam' was a usufructuary mortgage renewable, according to the custom of the country. Once in twelve years, on payment to the land-lord by the Kanam holder, a fine or premium of 20 per cent of the amount or consideration involved in the transaction. Thus, once in sixty years, the fines alone liquidated the consideration over and over again. A margin, however small, was always left in the shape of a residual rent known as the Jenmi's Michavaram which continued to be paid every year to the land-lord. This state of things appeared to have continued from time immemorial and to have become stereo-typed on the face of the country.

¹⁹ TLRM, vol. IV, p.120.
At very distant intervals, periodical attempts appeared to have been made through the Agency of the established Courts or otherwise, to oust the Kanam holders by redeeming the mortgages. But every time, apparently, without much success but creating an amount of ill-feeling and uneasiness which was detrimental to the peace and prosperity of the commonwealth. A Proclamation was therefore, issued to affirm the status quo, generally and to remove certain admitted grievances of the system. Kanam holders were imposed to pay the residual rents punctually to the Jenmis and to renew the tenures periodically on payment of the usual fines. If they failed to do so for twelve years, the Jenmi had the right to sue and oust him. If, on the other hand, the Jenmi refused to receive payment and renew the tenure, the tenant was at liberty to pay the rent into the Courts and compel renewal of tenure. ^20

By a Royal Proclamation, dated 28th Medam 1050 M.E. 9th May (1875 A.D), the export duty of 5 per cent on coffee was abolished with effect from 1st Edavam 1050 M.E. (1875 A.D). ^21

This was intended as an encouragement to the cultivation of coffee

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^20 Ibid.

^21 Ibid.
and was the outcome of a representation made to the Sirkar that, in consequence of the duty with which the coffee exported from the country was charged, it was unable to compete in the market on equal terms with the produce of other places.\(^{22}\)

Regarding this measure, Dewan Seshia Sastri observed that "The export duty on coffee was abolished from the last quarter of the year 1050 (1875 A.D). According to this rule, the land assessment on the Estates became thenceforward liable to augmentation. But His Highness' Government had not given it immediate operation, though the increasing expenditure in connection with the Coffee Districts must sooner or later make it inevitable.\(^{23}\) "It is however doubtful whether a moderate assessment combined with a reduced export duty, the incidence of which would have fallen on the crop, would not have been preferable to the entire abolition of duty and the raising of the land assessment to rupees 2 or 3 per acre, which must fall on all the lands whatever the condition or crop of the estate".\(^{24}\)

\(^{22}\) *TG G*, dated 30th *Medam* 1050 M.E, p.389.

\(^{23}\) *Ibid.*

\(^{24}\) *TAR*, 1050 M.E, p.85.
By a notification No. 2910, dated 15th Makaram 1051 M.E. (1876 A.D), a special concession was made in favour of the ryots in the six southern taluks from Thovalai to Neyyattinkarai by relaxing the remission rules so as to extend the grant of remission for lands under *manipidi* (bare existence of corn in the paddy plants) if the ryots were prepared to give up the harvest and allow cattle to graze in the lands. This concession was made in view of the exceptional drought in 1051 M.E. (1876 A.D).\(^{25}\)

By a notification No. 3108, dated 1st Kumbham 1051 M.E. (1876 A.D), some special restrictions were imposed in regard to *malavaram* cultivation in the hills of the Thovalai taluk. It was laid down that no land should be taken up for hill cultivation in this tract without obtaining the permission of the *Sirkar*. If there were any blocks already cultivated as *malavaram* in previous years and the ryots who liked to take up such blocks for fresh cultivation, had to apply to the Tahsildar. If the Tahsildar was satisfied on local inspection that cultivation could be permitted therein, he was to grant a *Pidipadu* authorising such cultivation for a period of one year. The ryots cultivating such tracts with the permission of the *Sirkar* were not to interfere

\(^{25}\) *T G G*, dated 12th Karkadakam 1051 M.E. p.102.
with the forest trees standing on the land. The cultivation was to be confined to such products as could be harvested within one year.

If, after the expiry of one year, the same lands were to be applied for, it was open to the *Sirkar* to grant or reject such application. By cultivating any land as *malavaram*, the ryots could not acquire any right over the land and such right would never be recognised by the *Sirkar*. Any violation of the above rules was to be considered with criminal punishment.²⁶

In 1051 M.E. (1876 A.D), the paddy tax on *Ayan* lands in Shenkottai taluk i.e., lands transferred from the British territory to Travancore was made payable at the commutation rate prevailing in Shenkottai, instead of the market price in Thenkasi, which was being levied till then. This was referred to as follows in the Travancore Administration Report 1051 M.E. (1876 A.D). "A long standing grievance of the holders of *Ainzufti* lands, i.e., lands transferred from the British territory in exchange, was redressed in the course of the year. They remained on the old Tinnevelly tenure and were liable to the payment of *Ayacut* grain rent commuted at the Thenkasi market price. The payment of the entire rent in kind, commuted at

²⁶ *TGG*, dated 5th *Kumbham*, 1951, p.130.
the price of a distant market, caused great hardship, which was removed by placing the lands on the same footing as the more favourably assessed surrounding lands of Shenkottai proper.  

By a Huzur Sadhanam No. 2487, dated 16th Dhanu 1052 M.E. (1877 A.D), addressed to the division Peishkars, and the rules passed on the same date, some definite instructions were issued in regard to the disposal of escheat lands held on Pandara Pattom tenure. The main points laid down were:

(a) Lands for which transfer of registry had been effected before the issue of Huzur Circular No. 8040, dated 21st Mithunam 1034 M.E. (1859 A.D), were to be registered without payment of vilayartham.

(b) Lands in the possession of alienees, who had been paying tax from a period prior to the Circular Order of 1034 M.E. (1859 A.E), were also to be registered without payment of Vilayartham.

(c) Lands in the possession of persons who had been paying tax, though without pokkuvaravu, for a period of 50 years up to the date of enquiry, were also to be registered without payment of vilayartham.

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27 TAR, 1051 M.E, p.92.
(d) In cases of the above description, if the period of possession was less than 50 years, vilayartham was to be levied.

(e) Lands held by mortgagees, for which pokkuvaravu had been effected before the issue of Huzur Circular of 1034 M.E. (1859 A.D), and those for which the pokkuvaravu registry was found to have been fraudulent, were to be registered on payment of vilayartham.

(f) Lands in the possession of alienees, whose documents or pidipadus were found to have been fraudulent, were also to be charged with vilayartham.

(g) The sanction of the Huzur was always to be obtained for charging the lands with or exempting them from vilayartham.

By a Huzur Sadhanam No. 7766, dated 7th Karkadagam 1052 M.E.(1872 A.D), addressed to the division Peishkars, a new rule was introduced under Royal sanction, by which the ryots were permitted to relinquish lands which they were unable to cultivate for ten years. The tax as well as arrears on such lands was to be written off and the land was to be treated as Nirthal. 

29 H C V R, Huzur Sadhanam No. 7766, dated 7th Karkadagam 1052 M.E.
An elaborate system of *Pokkuvaravu* or transfer of registry was introduced by the Rules dated 30th *Karkadagam* 1054 M.E. (1879 A.D), issued under the Sign Manual. The object and scope of this measure were explained as follows in the preamble of the Rules.

"Whereas, it is reported to us that, for several years past, the land holders in the country have not, for the greater part, registered in the several *Proerties* and other offices, the changes that have from time to time taken place in their holdings and that, in consequence, the existing land-revenue-registered are not, as they ought to be, true and correct rolls of the actual payers of such revenue, and whereas it is also reported to us, that owing to the want of such correct rolls, great difficulty is experienced by the officers of our Government in tracing out and proceeding against defaulters whenever our revenue is in arrears and that there is some hardship in wrong persons being called upon to answer for the conduct of real defaulters, the following rules are enacted for registering in the Government accounts the transfers of property that have already taken place and those that might take place hereafter".  

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In the meantime, the attention of the Government was directed towards relieving the difficulties of tax-collection due to the want of an accurate rent-roll, and pending the revision of the land revenue founded on a general revenue survey and Settlement, a new, temporary department, called the *Pokkuvaravu* department, was organised at the beginning of 1055 M.E. (1880 A.D) for registering all transfers of property and for issuing *Pokkuvaravu pattayams*.\(^{31}\)

The year 1056 M.E. (1081 A.D), marked the commencement of *Dewan* Ramiengar’s administration, which stood out by itself and deserved separate treatment on account of the many important measures introduced by him in the land revenue system and procedure, culminating in the inauguration of the Revenue Survey and Settlement of all lands in the State.\(^{32}\) One of the first acts of *Dewan* Ramiengar’s administration was to introduce a measure of decentralization by investing the Division *Peishkars* with greater powers than they had in the past and delegating to them some items of revenue work which were attended to in the *Huzur*. This was done by the “Rules, for the guidance of *Peishkars* sanctioned in *Sadhanam* No. 525, dated 8\(^{th}\) *Vrischigam* 1056 (1881 A.D).\(^{33}\)

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\(^{33}\) *T G G*, dated 29th *Dhanu* 1056 M.E, p.347.
By a notification dated 24th Dhanu 1056 M.E. (1881 A.D.), some special taxes levied on fishermen in Colachel and other places were abolished. These were known as *Challi Pattom* and *Kaval Pattom*. This measure was referred to as follows in Travancore Administration Report 1056 M.E. "A tax of the nature of *Mohturpha* levied from poor fishermen for the privilege of collecting shells at a certain sea-port has been given up".\(^{34}\)

Another direction in which relief was granted during the year was in connection with the supply of fire-wood to a large religious institution at *Vaikam*. A considerable number of poor people of the Ezhava caste had long been bound by custom to supply a large quantity of fire-wood annually, at a low price fixed.\(^{35}\) The elaborate system of *Pokkuvaravu* introduced by those rules and the special establishment kept up for the purpose attracted the attention of *Dewan* Ramiengar. He went into the history and practical working of the scheme and in a Memorandum, dated 24th January 1881, condemned it as "a most ill-considered, ill-judged and mischievous price of legislation". He recommended the abolition of the ‘*Pokkuvaravu Department’* and

\(^{34}\) *T A R*, 1056 M.E. p.102.

the introduction of a few simple rules for effecting transfers of registry, as a help to the collection of revenue.\textsuperscript{36}

By a \textit{Huzur Sadhanam} No. 4042, dated 28\textsuperscript{th} Kumbham 1056 M.E. (1881 A.D), addressed to the division \textit{Peishkars}, the latter were instructed to examine the \textit{Thandaper} accounts kept by the \textit{Proverticars} during their circuits and satisfy themselves that the new \textit{Pokkuvaravu} Rules were strictly followed and that \textit{pattas} were duly distributed in the months of \textit{Ani} and \textit{Audi}. They were also to see that the \textit{Kykanakus} referred to in \textit{para} 6 of the notification, dated 22\textsuperscript{nd} \textit{Dhanu} 1056 M.E., were granted to the ryots by the \textit{Proverticars} without causing any hardship to the ryots concerned.\textsuperscript{37}

By a \textit{Proclamation} No. 4167, dated 6\textsuperscript{th} \textit{Minam} 1056 M.E. (1881 A.D), some further instructions were issued in regard to the regulation of hill cultivation (\textit{malavaram}) by way of supplementing the rules contained in the \textit{Proclamation}, dated 25\textsuperscript{th} \textit{Minam} 1045 M.E (1870 A.D) \textit{.} The main points laid down in the supplemental rules were the following.\textsuperscript{38}

\textsuperscript{36} \textit{TAR}, 1056 M.E, p.104.

\textsuperscript{37} \textit{HCVR}, \textit{Huzur Sadhanam No. 4042}, dated 28th \textit{Kumbham} 1056 M.E.

\textsuperscript{38} \textit{TGG}, dated 18th \textit{Minam} 1056 M.E, p.351.
(a) Grass lands, *kottai* forests, marshy grounds and jungle tracts within a radius of 4 miles from inhabited places were allowed to be taken up for hill cultivation.

(b) Royal trees and *anjili* and other marketable trees were not to be felled in such tracts but were to be preserved.

(c) Elevated hills which would catch the clouds, densely wooded forests and tracts watered by streams, were not to be taken up for such cultivation.

(d) Any violation of these rules was to be visited with punishment, besides entailing forfeiture of the produce grown on the land.

On 25th *Minam* 1056 M.E. (1881 A.D) some relief was granted to the *Viruthikars* of Trivandrum, Nedumangad and Neyyattinkarai taluks in respect of provisions supplied by them for *Easwaraseva*. In consideration of the heavy burden imposed on the *Viruthikars* of these taluks, who had to supply provisions not only for the important festivals in the capital like the *Viruthikars* of other taluks but also for various other items falling under *Tingal*, it was ordered that a higher value as per new scale fixed should be given them for the provisions supplied on account of *Easwaraseva*.39

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By a Royal Proclamation was issued on 2\textsuperscript{nd} Mithunam 1056 M.E. 14\textsuperscript{th} June (1881 A.D). In it was notified that "all rights in metals and minerals throughout the State, by whomsoever and under whatever tenure, the lands might be held", were "Royalties belonging to the Crown" and "could not be enjoyed, sold, leased, or otherwise appropriated" except with the permission of the Government and subject to such regulations or rules as had been or might thereafter be enacted by the Government. The object of this Proclamation was, as stated in the preamble, to correct any misapprehension that may exist in respect of mining rights in lands belonging to \textit{Devaswams}, Brahmins and other \textit{Jenmis}, or proprietors or lessees holding directly from Government.\textsuperscript{40}

On 23\textsuperscript{rd} Mithunam 1056 M.E. (1881 A.D), a concession was granted to the ryots who were paying the cess known as \textit{Ubhayampalisa} to the \textit{Sirkar} on account of loans contracted by them in former times with the Government or with the \textit{Devaswams}, by allowing them to pay upto the amount of the loan in money or paddy, calculated at the commutation rate of 6 chuckrams per \textit{parai} or ten years interest in cases in which there were no accounts to show the amount of the principal debt. This was a modification of

\textsuperscript{40} \textit{T L R M}, vol.1, p.29.
the notification of 1036 M.E. (1861 A.D) which required the ryots to pay up 20 years' accumulated interest in order to get exemption from the payment of the cess. That rule was found to work unequally in practice, and in many cases the capitalization of the interest for 20 years often exceeded the principal amount. In view to relieve the large number of ryots who had these debts kept hanging over them, and from whom interest had been exacted for a long series of years, this new rule was introduced.\textsuperscript{41}

It is seen from a \textit{Huzur Sadhanam} that benefit of the 2/10 and 3/10 reduction of assessment introduced by Colonel Munro in lieu of seasonal remissions was extended to lands which had lapsed to Government by escheat, \textit{pokuthi} or \textit{nirthal} and subsequently registered on full assessment. Lands of the latter description were, in practice, denied the benefit of the 2/10 and 3/10 reduction, which was a source of hardship to the ryots, besides being inconsistent with the policy underlying the original concession granted by Colonel Munro. This anomaly was removed for the benefit of the ryots.\textsuperscript{42}

In the months of July and August last, the \textit{Dewan} made an official tour through the southern taluks. He then took the opportunity

\textsuperscript{41} \textit{T G G}, dated 19th \textit{Karkadagam} 1056, p.783.

\textsuperscript{42} \textit{H C V R}, \textit{Huzur Sadhanam No. 7358}, dated 31st \textit{Mithunam} 1056 M.E.
of inspecting the irrigation works in the Nanchilnad. He found that
the Pandian Dam which is the key to the Irrigation system was leaking
badly. The channel taken from it i.e., the Pandian canal was
also small and narrow. The Puthen Dam likewise was passing a good
deal of water into the river by leakage. The channels were winding and
tortuous in their course with no head works, and no regular banks. The
thick vegetation, the foliage of trees on either side the silt and fallen
trees obstructed the flow of water. He was particularly struck with the
unsatisfactory State of the Padmanabhapuram Puthenaur which is 20
miles in length and had nearly 30,000 rupees of revenue dependent upon
it. Every year, agricultural operations commenced under this channel
as usual, and cultivation progressed rapidly and appeared promising, but
owing to the failure of water in it, the crops completely failed and the
fields along the course of the channel on both sides presented a burnt
up appearance very unusual with lands under the influence of river
irrigation. The attention of the Chief Engineer was at once called to
this State of things and he was requested to take most active steps to
bring about an improvement.

Two other special and important projects for improving the
irrigation of South Travancore had long been under consideration. One
of them assumed a definite shape and was strongly recommended by
the Chief Engineer for execution two years ago, and during the late administration a sum of two lakhs of rupees was set apart for prosecuting the work. Since then, however, it was thought advisable, having regard to the nature of the projects, to have it thoroughly investigated and reported upon by a competent Hydraulic Engineer. Application was accordingly made to the Madras Government, and they had obligingly placed the services of Major Mead of their Public Works Department at the disposal of this Government.

A personal visit by the Dewan accompanied by the Assistant Engineer found serious defects in the principal head works and canals of the Irrigation system and hence measures had been undertaken for the improvement and conservancy of these important works on a systematic plan. With this view, the Senior Assistant Engineer had been relieved of all other work and left free to give his time and attention exclusively to irrigation. Before entering on these exclusive duties, it was arranged that he should visit the important irrigation works in the Tanjore and Godavari districts.

It is recorded in a Huzur Sadhanam addressed to the Division Peishkars, it was ordered that pattom fees need not be

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43 TAR, 1056 M.E, p.118.

46 TGG, dated 27th Kanni 1057 M.E, supplement.
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43 TAR, 1056 M.E, p.118.
recovered in respect of lands granted on *Pidipadus* or *Sunnads* as the result of revenue auction sales, as such cases were outside the scope of the rules dated 27th *Karkadagam* 1040 M.E. (1865 A.D)\(^4^4\)

It was ordered on 1st *Kanni* 1057 M.E (1882 A.D.) that *Thandaper* accounts should be carefully prepared and *pattas* issued in accordance with *Pokkuvaravu* decisions. In cases in which the tax was paid by other persons than the *pattadars*, in the name of the latter, it was laid down that separate *Kykanakus* should be issued in addition to the *pattas*. It was further laid down that, in cases of default, only the *pattadar* and the property on which the tax was due were liable for the tax and not the property of the person who was paying the tax in the name of the *pattadar*\(^4^5\).

By the proceedings of Government, dated 25th September 1882 11th *Kanni* (1057 M.E), a separate department of Tanks and Irrigation was created for South Travancore and placed under a special officer styled 'Assistant Engineer' who was directly responsible to Government. This was an important measure of reform, intended for the benefit of South Travancore, in which the repair of tanks and the

\(^4^4\) *T G G*, dated 16th *Kanni* 1057 M.E, p.1020.

\(^4^5\) *H C V R, Huzur Sadhanam*, No. 622, dated 1st *Kanni* 1057 M.E.
distribution of water for irrigation required special attention, in the interests alike of the ryots and the Sirkar. 46

It was ordered on 30th Kanni 1057 M.E. (1882 A.D), that, in the acquisition of lands for public purposes, the value of the entire area acquired should be paid, irrespective of the question whether or not there was any excess over the registered area. If the remaining area, after deducting the area acquired, was equal to the registered area, there was to be no reduction of assessment. This was a modification of the Rules dated 10th Vrischigan 1042 M.E. (1867 A.D). This measure was referred to and explained as follows.

"Under the Rules for taking up lands required for public purposes, it had hitherto been the practice not to allow any compensation for land found in excess of the registered extent. Supposing a field in the occupation of a ryot is one acre according to the public accounts, but contains 1 ½ acres as per actual measurement, and supposing half an acre to be taken up for a road, he used to get no compensation whatever for the half acre, for he still has one acre left in his possession and a half acre assumed is an excess over the registered holding for which he pays no assessment. As, however, the fact of there being an excess is due to our defective surveys and is no fault of the ryot, and

46 TGG, dated 27th Kanni 1057 M.E, supplement.
as it is land which has been in his occupation for years and on which he has expended labour and capital, the rule had been modified in the interests of the land-holders, so as to admit of their obtaining compensation for the extent taken up, irrespective of whether the actual extent was above or below the registered area".47

When a land was abandoned by the owner from inability to pay the assessment, it became *ipso facto*, the property of Government. Such land, if applied for subsequently by another, was generally sold by auction, and to register in the name of the highest bidder. But it often happened that the land after its relinquishment was taken up and cultivated by another without permission. In such cases, the assessment was levied from him from year to year. If he wished to have it registered in his name, he would be required to pay for it a price (varying from 20 to 40 years' purchase of the assessment) to be fixed by arbitration. If he consented to this, the land was registered in the public accounts in his name, and he thence-forward became the proprietor, but if he declined the terms offered, the land would be put up to auction and sold to the highest bidder. Thus the actual cultivator was very often deprived of the land after he had cultivated it for several not unfrequently many years. These rules operated to prevent lands once given up being again

47 *TAR*, 1057 M.E, p.108.
freely occupied and brought under cultivation. To remedy the evil, the sale of such lands by auction had been prohibited, and it was now left open to any ryot to take them up and had them registered in his name on payment of a nominal fixed price.48

On all transfers of pattom lands by sale or mortgage with possession, a fee of two per cent on the value was levied. The modus operandi, heretofore, had been for the transferee to produce the document after registration to the village Adhikari who was then to fix and collect the amount of pattom fee due. To enable the Adhikari to call for the document and realize the fee, if it was not voluntarily produced, each registering officer was required to send to the Tahsildar concerned, from time to time, lists of all instruments registered in his office on which pattom fee was due. Each transferee was also liable to pay a fine of double or treble the fee if the document was not produced within two or three months. These evils had now been removed by requiring the pattom fee to be paid into the registry office at the time the document was registered. This was a great relief to those who were formerly required to go before the village Adhikari and saddled with heavy penalties for default.49

By a Royal Proclamation, dated 3rd *Medam* 1057 M.E. (1882 A.D), some modifications were made in the provisions relating to the levy of *pattom* fees on alienations of *Sirkar Pattom* lands contained in the proclamation dated 21st *Edavam* 1040 M.E. (1865 A.D). The *pattom* fees had been made payable to the Sub-Registrars instead of to the *Proverticars*. As a consequence of this arrangements, the time limit fixed for the payment of the *pattom* fees and the penalties for default were cancelled. Some supplementary provisions were also introduced to ensure the proper recovery of the fees due under this head and for the prevention of frauds to evade payment of the fee.⁵⁰

Prior to the *Malabar* year 1042 M.E (1867 A.D), rice lands in different parts of Travancore, but chiefly in the south, were known to be suffering from the effects of over-assessment. In many cases, they were assessed at 18, 20 and 21 times the estimated quantity of seed required to sow them. Thus, one *kottai* of land was assessed at 18, 20 and 21 *kottas* of paddy and similarly, one *parai* of land at 18, 20 and 21 *paras*. In 1042, matters appear to have reached a crisis. Some immediate relief was considered urgently called for, and as a rough and ready method, all rates of assessment exceeding 10 *kottas* were reduced to that rate and orders were accordingly issued and

given effect to. But apparently from a misapprehension of the instructions given, the benevolent intentions of the administration of the day, when Raja Sir. T. Madava Rao was Dewan, had been marred in a certain class of cases. When lands assessed at less than 10 kottas – say at 5, 6 or 7 kottas or less – came to be abandoned and subsequently applied for or taken up by another, he was saddled not with the 5, 6 or 7 kottas of assessment which they bore at the time they were relinquished, but at 10 kottas – the rate at which all assessment above 10 kottas had been brought down.51

On the 1st Chingam 1058 M.E. (1883 A.D), the holders of garden lands throughout the State were called upon to furnish information in a tabular form regarding the nature of their holdings, and the number and description of taxable trees in their gardens including young plants, bearing trees and trees past bearing. Such statements were to be collected by the Munnilakars and sent up direct to the Huzur. All the statements were to be sent up before the 30th Thulam 1058 M.E (1883 A.D). This information was called for in connection with a scheme of revenue settlement then under the consideration of the Government.52

51 Ibid, p.397.
52 Ibid, dated 8th Chingam 1058 M.E, p.746.
In South Travancore, it was found that there was a good deal of land included in the ryots holdings left waste, in consequence of its having been rendered unfit for cultivation by the breaching of tank and the excavation of earth for public works and other causes. The ryot was not at liberty to give up such land. It stood entering against him in the accounts and the practice had always been to demand from him, if he ever reclaimed any such land and brought it again under cultivation, all accumulated arrears of assessment thereon. Such a demand would prove practically repressive of all attempts to reclaim the land and a discouragement to industry. During the past year, this rule was abrogated and the ryots were informed by a notification that they were free to expand capital and labour on such lands and that they would not be held liable to pay anything beyond the fixed assessment from the time the land was again brought under cultivation.53

By a Royal proclamation, dated 9th Edavam 1058 M.E. (1883 A.D), the prohibition to the felling of Palmyra, jack and other assessed trees from registered lands, imposed by the Proclamation dated 8th Kumbham 1033 M.E. (1858 A.D) was removed.54 This measure was referred to as follows in Travancore Administration Report

53 Ibid, dated 12 Kanni 1058 M.E, pp. 891-892.
1058 M.E. "Under an old Royal Proclamation, the owners of jack, Palmyra, and other trees assessed to the revenue were prohibited from felling them even for their own use without the sanction of Government previously obtained. This led to much oppression on the part of the subordinate revenue servants and was felt as an unwarranted interference with private rights. The prohibition was withdrawn during the year by a fresh Royal Proclamation which was welcomed as a great boon".  

On 14th Edavam 1058 M.E, 26th May (1883 A.D.), it was announced by a Royal Proclamation that the Government had resolved to undertake a Revenue Survey and Settlement and the ryots were called upon to co-operate with and render every assistance to the officers of Government in carrying out the important measures. The people were further prepared for what was to follow by a Royal Proclamation issued on the 26th of May following, "in which the intention to introduce a revenue survey and assessment was formally announced, and all proprietors and occupants of land were called upon (1) to produce before the Settlement officers all documents, accounts and muniments of title to show their right to the properties owned

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55 TAR, 1058 M.E, p.110.
or occupied by them in order to admit of their titles and the tenures on which they held their property being properly investigated and recorded; (2) to clear and mark at their own expense and accurately point out when called upon to do so, the boundaries of their holdings and (3) to be present in the field with the Settlement Officers to afford them every help and information necessary to facilitate their work.\(^{56}\)

The Proclamation enjoined at the same time the most cordial co-operation and harmony of action between the survey and Settlement Officers and revenue servants of all grades, and the willing assistance and loyal obedience of all proprietors and occupants of land whose interests it was sought to promote by the proposed measure.\(^{57}\)

\(^{56}\) *Ibid.*

\(^{57}\) *TLRM, vol.I, Royal Proclamation*, dated 14th *Edavam* 1058 M.E, pp. 4-43.