CHAPTER IV.

Introduction and Consequences of the Patni System in Burdwan - 1801-1832 (Rule of Raja Tejchand in Burdwan till his death in 1832).
The Patni tenure first originated on the estates of the Raja of Burdwan soon after the introduction of the Permanent Settlement in 1793. A letter of the Collector of Burdwan, S. Davis, dated January 9, 1794, showed that the Raja complained of his inability to realize his rents from his tenants with the same punctuality with which he was compelled to pay the Government revenue. The difficulty experienced by Raja Tejohand in paying his revenue suggested to him the idea of binding his tenants to the same conditions to which he himself was bound by Government.

"The difficulty I found in realizing the instalment (kist) of revenue for Agrahayan from the Maharaja induces me to listen to his earnest request of representing to you the hardship he sustains from one of his renters, who, destitute of good faith, and availing himself of the delay that necessarily attends the institution of law process for the recovery of arrears of rent, is encouraged to withheld from him his just dues."

The system of granting patni tenures was introduced by the Raja of Burdwan in the year 1802 and it was stipulated that the patni tenures should be inseparable from the hereditary Zemindary. These tenures were granted in perpetuity subject to the regular payment of the revenues and in the event of a talookdar falling in arrears, the zemindar had the power, in the ensuing year, of disposing of the tenure and making a fresh settlement.*

The Raja of Burdwan further stated in his petition that these settlements were concluded 'without any reference to the Courts of Justice', but by this method the Government dues were always punctually discharged.³

But by the Regulation XLIV of 1793, however, all such agreements were subjected to two limitations.

(i) that the rent should not be finalised for a period more than ten years, and

(ii) that in case of a sale of the talook for revenue arrears such leases or arrangements are liable to be cancelled from the day of sale.

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* According to Section VII of Regulation VIII of 1793, it was in the power of the Zemindar to conclude a fresh settlement, with a view to realization of the balances agreeably to the conditions of the engagements and in conformity with the dictates of justice and law.
The character of the patni tenure was that it was a talook created by the zemindar, to be held at a rent fixed in perpetuity by the lessees and his heirs for ever. The tenant was required to 'furnish collateral security' for the rent and for his conduct generally. In case of revenue arrear the tenure was liable to be sold by the Zemindar and if the sale did not yield a sufficient amount to make good the balance of rent at the time due, the property of the defaulter was also answerable for the demand. 4

Raja Tej Chand, in September 1803, purchased at public sale Lot Heptooty, paying a sudder jumma of Rs. 5106-6-8-2 and subsequently sold the whole lot by 'private contract' to Govind Chund Chowdhury, Easuruchand Chakerburty and Ramratan Bose. G.Webb, the Collector of the district of Burdwan, applied to the Board of Revenue that as the parties had declared themselves satisfied with the allotments and transactions, the necessary alteration be made in the records. These types of 'private contracts', concluded by the Raja of Burdwan, with his tenants, was obviously the first stage of the patni system. 5

In December 1806, the pergunnah of Bishnupore, the property of Raja Madho Singh, was auctioned at a public sale and Raja Tejchand of Burdwan, purchased the pergunnah, bearing
a jumma of Rs.128,201-9-19-3, for Rs.215,000-0-0-0. But he was unwilling to take charge of the collections at the end of the year. He prayed to the Board of Revenue that the collections of the present year i.e. 1806 to be continued by the Government officers.*

The Board was unable to comply with the request of the Raja as it was stated during the sale that the purchaser would be held responsible for the payment of the revenues from the next 'Bengali month'. Raja Tejchand, in February 1807, complained to H.Parry, the Collector of Burdwan, of the difficulties he experienced in the collections of the revenues of Bishnupore owing to the interference of Raja Madho Singh and the rest of his family members.

Postscript of Raja Tejchand of Burdwan -

'...The Collections of the current year being nearly at an end, and as the collections from the Poonea to this period have been carried on by the Officers of Government and before I can take possession of and investigate the accounts the time of collection will almost expire; I, therefore, pray that the collection of the present year may be continued under the officers of Government as hereto till the end of the current year which will ensure the realisation of the sudder malguzzary....'

(Vide: Burdwan Manuscript Records- Letter Issued-Yr.1806).
The Raja of Burdwan further stated that houses of many of the ryots had been burnt and the choors had collected in jungles in order to intercept the treasure. Subsequently, the Collector of Burdwan ordered the Magistrate of the Jungel Mehals* that some immediate steps should be taken to prevent any interference on the part of the late Zemindar of Bishnupore to the Collection of revenues by the Officers of the Raja of Burdwan.

Shortly after, Raja Tej Chand divided this Bishnupore estate into lots and sold each of the lots at a public sale in his own cutcherry to the highest bidders. The lots were known as patni talooks and were given to the highest bidders who were known as patni talookdars. It was reported to the Board that '... the tenure of a patni talookdar conveys to him the whole proprietary right in the lands in consideration of the purchase money, it at the same time binds him down to pay a certain yearly revenue, and to an engagement that he will never make any application to be separated from the estate.'

* The Jungle Mehal during that period comprised of the present district of Bankura and some parts of the present Asansol Sub-Division.
In March 1813, it was detected that the Raja had made a private transfer of the estate of Bishnupore to Ram Sebuck Mullick, his servant, for only Rs.150,000-0-0. This transfer was fraudulent and fictitious, because one putteeedar of Bishnupore, who paid a yearly rent of Rs.30,000-0-0 reported that the seal of Ram Sebuck Mullick was at the custody of the Raja of Burdwan.

The object of this fictitious transfer was that, Ram Sebuck Mullick, the nominal proprietor, falling into arrears, the estate may again be disposed of at a public sale for arrears of revenue and purchased by Raja Tejchand (now rather Raja Pertaup Chund, the only son of Raja Tejchand) and a new settlement of the whole pargannah be made.

It appeared to the Board, from a discussion with the putneedars of Bishnupore, that they were more willing to pay the revenue directly to the Government or any attaching officer who might be deputed in the mofussil and finally on December 14, 1813, the Board ordered for the attachment of the

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Jeetra Ram Mitter, one of the putneedars of the estate of Bishnupore of the Raja of Burdwan, paid the revenues directly to the treasury. The Raja of Burdwan sent 'Sezawul' against his putneeedar for an arrear of Rs.3201-0-0 for 1812. But Jeetra Ram Mitter resisted his dispossession and he and the 'Sezawul' went on collecting the rents in the mofussil.

Bishnupore estate. These types of fraudulent transfers of properties were numerous in the estates of the Raja of Burdwan and all were committed with any eye to the enhancement of revenues.

Eventually, in February 1806, it was found out that a revenue balance amounting to ₹300,000-0-0 nearly, was due from Raja Tejchand and the Raja was showing no signs of clearing it up. H. Parry, the Collector of Burdwan, prepared a list for the sale of his lands and then the Raja submitted a petition to the Board stating his difficulties in realizing the revenues from his tenants. He informed the Board that -

(i) owing to the very riotous conduct of the inhabitants of Bishnupore, a revenue balance of ₹75,000-0-0 was due from that pergunnah;

(ii) the tenants of the Zemindary of Burdwan had withheld the payment of amounting to ₹200,000-0-0 ' seeing how ineffectual his application to the Court for the redress have proved with respect to Bishnupore' ;

(iii) owing to the death of his farmer, Brindaban Baboo, to whom was due ₹80,000-0-0-0.

The Collector reported to the Board that the difficulties stated by the Raja were real and he refrained from
taking any action towards the realisation of the rent till any order was received. But the Board of Revenue did not show any leniency and informed the Collector that 'they can not admit the ground stated by the Raja of Burdwan for withholding payment.' 'That being so, the Raja's lands were ordered to be sold to make good the loss in the balance of revenue payment. It has already been stated that the pargannah of Bishnupore was attached by the Board in November, 1813.

The petition of the ryots was distressing in the extreme; they were oppressed by the Zemindars for revenue arrears. C.Trower, the Collector of Burdwan, reported to the Board in September 1811, that the zemindars were guilty of general and heavy oppressions in their general transactions with the ryots and the power they possessed of distraining the property of their tenants for alleged balances was one of the principal sources of these oppressions. The Collector further stated that the 'Cablooleats' i.e. the agreements, were frequently extorted from the ryots by a prolonged detention of their persons by the Zemindar under the powers he possessed of compelling their attendance by preventing their cultivation and cutting their crops at proper period and also by threats of criminal prosecutions.
In 1812 there took place a change in the land revenue administration of Bengal. Though the provisions of Section 2 Regulation XLIV of 1793, limited the period of agreement for rent to ten years, but by Section 2, Regulation V of 1812 and also by Regulation XVIII of the same year it was distinctly stated that the Zemindars were at liberty to grant talooks or other leases of their lands, fixing the rent in perpetuity at their own discretion. These lands were again liable to be sold for arrears of Government revenues in the same manner as it has already been stated before hand.

It is doubtful whether the Raja of Burdwan could reap any advantage out of these regulations. It is worth remembering here that though during this period, the granting of patni talooks, by the Raja of Burdwan, were prevalent in the Zemindary of Burdwan, the same was not legalised by the Company. For we find that in June 1817, the Raja repeated his request to the Collector to be permitted to surrender his Zemindary into the hands of Government on receiving a suitable remuneration from the collections.

The Collector forwarded the application to the Board and refrained from advancing his opinion because he was not sure whether the offer of the Raja was proceeding from a deliberate determination and sincere wish to resign his Zemindary rights. In the subsequent year, i.e. in
1818, the Raja Pertaup Chand requested the Board that as he was the best judge of the lands of his estate, he should be given the power to conduct the sale of the talooks.

The Raja argued that the Judge or the Collector or both would definitely advance too low a rate for the fertile lands and yet a high rate for unprofitable lands. He was sure that this policy of the Company would cause ultimately a loss to the revenues of his estates. He also complained that his lands were sold for revenue arrears at the expiration of each month but he was empowered to sue against his defaulters for the arrear of rent of the whole year. Raja Pertaup Chand requested the Board that the discrepancy in tackling the arrear of revenue should be done away with.

The Raja's requests were not complied with and the Board held, '... that the principal cause of all the Raja's difficulties is that the rent of the talooks are too high to admit of creditable people becoming the purchaser of them, he will therefore probably find it to his advantage to buy them himself, and then reduce the rent.' The Directors of the Company, in their letter of February 2, 1819, advised Fleming, the Magistrate of Burdwan, that the rights of the ryots should be clearly defended, 'otherwise they would fall completely at the mercy of the Zemindars,
talookdars and other land holders.\textsuperscript{14}

To guard the interest of the ryots it was desired by the Directors of the Company to re-establish the office of the Canongoes. They expressed the desire that all enquiries into the state of the landed rights and tenures will be greatly facilitated by the re-organisation of the office of the Canongoes.

The Office of the canongoes was in use in Bengal since the time of the great Mughals. But in 1772 this office was thought to be an useless expense to the Company. The appointment of the Canongoes were hereditary and they had their 'dufters' in each pergunnah. The canongoes were thought to be intimately acquainted with the circumstances of the Zemindar.

Naturally, the Zemindars were obliged to grant them money and farms at an under value. They were thought to be better acquainted with the condition of the province than anybody else. During the Mughal Government the service of the office was excellent and it was constituted to check and control the Foujdar's and Zemindar's accounts.

But during the Company's rule the canongoes instead of being the agent of Government became the associates of the Zeminds in all collusive means. So this office with withdrawn in 1772 ;(but again was established in 1774. After a few years i.e. in 1781 it was again abolished).

canongoes ... on their ancient footing. In reply (dt. July 30, 1819), the Council pointed out that proper time had arrived to take necessary measures for the restoration of the office of the canongoes.

But the Raja of Burdwan was unwilling to see that the office of the canongoes was again restored and informed the Board that if the canongoes were established in his Zemindary, it would be impossible for him to realise the rents. The Raja's request failed to secure any favourable attention from the members of the Council. It was estimated that an area bearing a jumma of Rs. 50,000 per annum was to be placed under the supervision of a canongoe.

There had also been a widespread alarm among the general people in the establishment of the canongoes. This was viewed by them as forming a part of the system of resumption of their property. The Chief Zemindars were requested to recommend persons for the office of the canongees, yet, the Raja of Burdwan especially did not co-operate. Raja Pertaup Chand of Burdwan replied to the Council that he had none to recommend and if later on any person of past land revenue experience did occur to him, he would report the same. Persons who were formerly in Zemindar's
service were given preference to be appointed as canongoes as they were thought to be well acquainted with all the land rules and practices.

The Board favoured this view that ancient established pergunnahs and other local divisions should be as far as possible preserved. The canongoes were to be under the immediate supervision of the Collector and to be a part of his (i.e. the Collector's) fixed establishment. The payments of these persons were also to be advanced from the treasury of the Collector. In other words, these canongoes should have no relation for payments or other things with the Zemindars. The canongoes were to settle as near to their respective divisions and in case of a very extensive assignment, they were to act in concert.

So far as the duties of the canongoes were concerned, they were asked to obtain accurate lists of the villages in their divisions with the names of the possessors and the persons engaged in collecting the revenues. The transfer of canongoes from one place to another was prohibited as it was thought that it would spoil the advantages arising out of local experience.

There was a Sudder Canongoe attached to the
Collector's Office and in the case of a fraudulent collusion between the Zemindar and the canongoe, a strict enquiry to be made therein. If it was proved that the canongoe was responsible for any malpractice, he would be immediately removed from the office.18

The canongoes very strictly adhered to their duties and in May 1810, it was accounted that a heavy revenue arrear, amounting to Rs.1000,000-0-0 was due from the Raja of Burdwan. In the circumstances, his estates were advertised for public sale at Calcutta for the realization of the revenue arrears. But the actual sale of the lands did not take place as Raja Pertaup Chand (son of Raja Tejchand - who was then administering the revenue business of the zemindary of Burdwan) in a petition to the Board, forwarded by the Collector of Burdwan, stated that he had a balance of Rs.1900,000-0-0 due from his puttnoedars for the period from 1816 to 1818.

The Collector also gave his support to the Raja and remarked that he (i.e. the Raja) could not realise his payments from the puttnoedars. But the puttnoedars again, in a separate

* It had already been mentioned that the estates of the Raja of Burdwan were granted in patni talooks during the first decade of the 19th century. These farmers were known as puttnoedars, but the system then was not given a legal character by the Company.
petition to the Board reported that they had paid up all revenue demands which the Raja could claim and the responsibility of the non-payment of revenue did lie entirely with the Raja and not with them. They further requested that the lands farming the patni talooks should not be advertised for sale, but other tangible properties of the Raja might be disposed of. The Board did not enter into any decision as the patni tenures in Burdwan with special reference to the Raja were then not given a legal character by the Company and the same was brought under the notice of the Governor-General in Council.

An enquiry by the Council revealed the fact that the patni talooks of the Raja of Burdwan were introduced when Regulation XLIV of 1793 was in operation and before the

"Regulation XLIV of 1793 which by Section VI declaratorily sanctions the disposal by any zemindar, independent talookdar or other actual proprietor of any part of his lands as a dependent talook does particularly restrict such persons from disposing of an independent talook to be held at any zemindari or from letting any lands in farm, or granting puttahs to ryots or other persons for the cultivation of any lands for a term exceeding ten years."

(Vide: Board of Revenue - Revenue Department- Original Consultation, No.5 – dt. May 4, 1819).
passing of Regulation V of 1812 the Zemindars were enabled to grant leases of their own estates for any period, they should deem most beneficial and advantageous for the betterment of their country.

These regulations required the delivery of the papers, transacted between the party and the zemindar, to the Collector's Office and the Raja of Burdwan always neglected to hand over these papers to the Collector. The putneedars also, naturally, did not show any inclination to register in the Sudder Cutcherry of the Zemindar, the subordinate dependent talooks or the 'dur-patnis', into which they divided their original patni establishments.

But all the patni settlements were not beneficial and remunerative to the Raja of Burdwan. He, therefore, desired to sell such of his patni talooks which had been troublesome to him. The Board was very suspicious of the motive of the Raja and was inclined to believe that he was willing to purchase these talooks again in fictitious names and to make a new settlement only to lower the rent. 19

In his petition to the Board, in the first week of May 1819, Raja Pertap Chand of Burdwan requested that the Collector should be vested with the charge of the collections
of his zemindary. He stated that the Zemīdār would collect the balances, if there had been any, under his own superintendence and should be empowered to sell the lands to make a new settlement. The risk of profit and loss would rest with the Zemindar and in the case of a surplus in the revenues the Collector should appropriate 10 p.c. for the charges of collections, commissions etc. and the remaining balance was to be delivered over to the Zemindar. Raja Pertaup Chand was so afraid that he expressed that his Zemindary would be turned into 'villany of the puttneedars' if any of the above measures were not adopted.

Again in the third week of May, 1819 the Raja requested that in order to be punctual in the payment of revenue, the Zemindars should be empowered with the authority to collect the rents as the Collector was vested with the charge of the collection of Government revenues. The cause of the repeated requests of the Raja to be authorized with the charge of the collections was that at that time he had a revenue balance of nearly ₹1,000,000-0-0 due to Government.

It is needless to say that this appeal of Raja Pertaup Chand failed to receive any favourable consideration of the Board. In the opinion of J.E. Elliot, the Collector of Burdwan, the Raja of Burdwan was a considerable gainer
from his patni settlements during the first decade of the Nineteenth Century when this system was introduced at Burdwan. He also expressed the view that these patni settlements were in no way connected with Government, as the same was then not legalised by the Company, and naturally he (i.e. Raja) had no claim for a remission of any part of Government dues.

The Board concurred with the opinion of the Collector and declined to accept any of the petition of the Raja of the above nature. The Collector was ordered to advertise the sale of the Raja's lands and consequently on July 20, 1819, Raja Pertaup Chand deposited a considerable amount as revenue payment to the Burdwan Collectorate treasury.22

It is worth mentioning here, that during this time, though the patni tenures were widely in practice in the zemindary of Burdwan, and also in other zemindaries of Bengal, they were not given a legal character by the Council. They were thought to be the private establishment of the Raja of Burdwan and other zemindars concerned with these tenures.

With a view to make special enquiries regarding the land tenures prevalent in the district of Burdwan, the Governor-General in Council, on May 21, 1819, deputed H.R. Prinsep,
Superintendent and Remembrancer of Legal Affairs, to that district. He was required by the Council to carry on his investigation under the following heads—

(i) the real character of each category of tenure;

(ii) how far the introduction of the patni talooks and its subsequent gradations, between the Raja and the tenants, have injured the interests of the latter;

(iii) whether the complaints of the Raja of Burdwan in regard to the insufficiency of rules to empower him to enforce his collections from those holding the patni tenures immediately from him or whether the puttneedars failure to satisfy their revenue demands to the Raja;

(iv) to find out an uniform regulation for the sale of lands of all defaulting tenants of all degrees and how the security of the under tenants can best be promoted with a due regard to the interest of the Raja;

In his report to W. B. Bayley, Chief Secretary to Government in the Judicial Department, on July 14, 1819, H. R. Prinsep admitted that 'about fifteen years ago' the Raja
of Burdwan adopted the policy of letting out the greater part of his hereditary zemindary in leases to the willing \textit{talookdars}. The lots thus disposed of were known as the \textit{patni talooks} and consisted of very different sizes but with an average jumma of ₹2000-0-0 each.

The Raja admitted that the puttneddars were entitled to fair and open-sale and the defaulter was entitled to the surplus when a talook was fetching more than the amount of balance for which it was sold. The Raja was also authorized to sales and a resettlement of the patni talooks according to his own discretion only after the proof of an arrear on summary suit.

\begin{quote}
\textquote{When the Raja of Burdwan devised and adopted the system of giving out his lands in Patni talooks in perpetuity, he did so with the intention of transferring his entire rights over the cultivating classes. The creation of such an interest, however, in perpetuity involves the transfer of all the Zemindaree rights upon the land, save the rent that may be stipulated to be reserved.}'
\end{quote}

\begin{flushright}
\textit{(Vide: Observation of H.R.Princep, Superintendent and Remembrancer of Legal Affairs, to W.B.Bayley, Chief Secretary to Government in Judicial Department - dt. July 12, 1819-Judicial Department-Civil Original Consultation, No.35, dt. October 8, 1819.)}
\end{flushright}
Princep observed that the patni tenures were again subdivided into 'dar-patni' tenures, 'Se-patni' tenures, 'chaharum patni' tenures and also into tenures of more inferior gradations. The several classes of puttneedars did possess no confidence in the sales conducted by the Raja himself and some cases were taken up by the Courts when a party aimed at some unfair advantages reaped by the Raja of Burdwan.

Raja Pertaup Chand also complained to the Civil Court at Burdwan against his puttneedars for non-payment of revenues. In 1818-19, the total number of applications made by the Raja against his puttneedar was four hundred and sixty (460) and the cases of the puttneedars against the dur-puttneedars were only one hundred and sixty (160). The Civil Court of Burdwan, to

*Abstract of applications made in the Civil Court of Burdwan for leave to sell tenures on account of arrears of revenue for 1818-19 A.D.*

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(Vide: 'Collection of Papers regarding Patni Sale Law'-Published by the Government of Bengal-Board of Revenue-Yr. 1927, pp. 110).
where the cases of this nature were brought into, used to take an unusual long time for a decision and the Raja often made a complaint to the Council in this respect.

Prinsep remarked that there had been hardly any rule established for the 'settlement of cases arising out of this system in a uniform and consistent manner by all the courts...'

From a statement made by Raja Pertau Chand to the Judge of the Civil Court of Burdwan it appeared that the total number of Patni talooks * existing in several parts of his zemindary ran to one thousand four hundred and ninety five (1495) comprising about eight thousand seven hundred and thirty seven villages. These patni tenures paid a yearly revenue to the Raja amounting to Rs. 325,494-0-0.

Later on, the Raja of Burdwan was asked by the 'Sudder Dewany Adalat' at Burdwan to submit copies of the forms of engagements executed by the puttunee talookdar, and by the zemindar, on the constitution of a patni talook. Raja Pertau Chand complied with the request and delivered seven documents to the Judge of the Court.

* Petition of Raja Pertau Chand to the 'Sudder Dewany Adalat' regarding the origin of the patni tenures—'Formerly when the lands of my zemindary were under my immediate management, or let in form, the rents were not duly realized; and no plan appeared to me better calculated for the speedy realization of them than the system of granting Puttunies; I, therefore, granted Puttunies of almost the whole of the Mehals in my zemindary...' (Vide: Judicial Department—Civil Original Consultations, No. 28, dt. October 8, 1819).
i) A paper known as 'salebund' was signed by the purchaser of a patni talook immediately after his purchase by auction at the zemindar's cutcherry and was addressed to the zemindar. This 'Salebund' contained the names of the mehals, number of villages sold and the annual revenue payable to the zemindar. The purchaser of the talook had to deposit 15 p.c. of the purchase money immediately after his purchase and the rest within eight days, 'under penalty of forfeiting the 15 p.c. earnest money.'

ii) A 'cubooleat' or agreement, addressed to the zemindar, and executed by the patni talookdar.

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The 'cubooleat' of Kaitoo(Kesto ?) Nath Ghose, purchaser of Lot Purna Koombha in 1210 B.S.(i.e. 1803 A.D.) as a mofussily patni talook, from the Raja of Burdwan - for instance -

'The Cubooleat is written by me, Kaitoo(Kesto ?) Nath Ghose, and the object of it is this. I purchase a mofussily puttuny talook, in the pergunnah of Gopebboom, Lot Purna Koombha, containing 22 - mousas, at the annual Jumma of Rs.12,328-14-11 ; and aymah lands with the annual jumma of Rs.213-0-0, in all amounting to an annual jumma of Rs.12,541-14-11 for the sum of Rs.4300-0-0. 

Being well acquainted with the amount of jumma, I have signed my name to this deed, and will make no complaint concerning the jumma, either in consequence of the diminution or want of assets, by reason of brusting of embankments, wet, draught or other losses ; or, if I do, it cannot be attended to.

I will pay the annual jumma according to the kistbundee, by monthly instalments, ... into the cutcherry of your zemindary. If the monthly instalments be not paid, they shall bear interest from the first of the succeeding month... If the arrear, with the interest be not paid at the end of the year, you are empowered to sell the talook and dispose of it at your discretion. (Vide: Judicial Department-Civil Original Consultations- No.28, dt.October 8,1819).
iii) A 'kistbundy' or instalment in which was specified the monthly instalments to be paid from Bysack to Phalgoon (i.e. from April to March). This paper bore the signature of the patni talookdar and also contained the amount of annual revenue payable to the zemindar.

iv) A 'dukhulee' or an order of possession of talook was given by the Zemindar to the talookdar. It contained an order to the ryots, pikes, kutwals and other inhabitants of the several villages, included in the patni talook to furnish the talookdar with requisite papers and to pay their rents to him.

v) The zemindar used to address a letter to the holder of an unexpired farm within the patni talook, reporting to him the sale of the talook and ordering him to deposit his revenues to the talookdar for the remaining period of the lease.

vi) The zemindar had to issue a receipt, including the date of payment that had been paid up with the full amount of the purchase money by the talookdar.
vii) A 'bynamah' or deed of sale signed by the zemindar to the patni talookdar. 26 (an example: This writing is given to Kaitoo(Kestoo ?) Nath Ghose as a memorial that I have constituted i.e. 'puttun' him mofussily talookdar of lot Purna Khombha... in consideration of the sum of Rs.4300-0-0 received by me...He will obtain full possession of the said mehals...)

It appeared that the agreement that was required of the patni talookdar, was nearly the same in content as the one required of the Raja of Burdwan by the Company for the yearly settlement of his zemindary in 1789. It has already been stated that besides these patni talooks, subordinate tenures e.g. 'durpatni' tenures, 'dur-dur patni' tenures etc. upto the fifth or sixth gradations were created. But these engagements were never registered in the zemindar's cutcherry and were of the same nature of the agreement that was transacted between the zemindar and the patni talookdar.

It is to be noted here that if a person was unwilling to hold any patni tenure, he was at liberty to surrender his talook to the zemindar at the end of the current Bengali Year. He was supposed to receive back the purchase money from the zemindar on the payment of any revenue arrear due from him.
Though the original patni tenure holders subdivided their tenures, it was desired of them that they would keep the whole of his lands constituting the talook under his own management. The harmful consequence that arose from letting out the patni talooks in durpatni was that it brought about great oppression to the ryots. 'The often a talook is sold, the greater is the rent which is demanded from the ryots.'

These ryots were an ignorant mass and did not know how to approach the Court of Justice for any compensations. Moreover, these 'dur patni' tenures were viewed by the Raja of Burdwan as being 'only productive of losses, fraud and inconvenience.'

A practice prevalent among the puttneedar was that they often granted his talook in durpatni either to his son or dependant in order to make a new settlement with the ryots.*

*Proportionate number of suits brought by tenants of each class at Burdwan:

<table>
<thead>
<tr>
<th>Suits by</th>
<th>No.</th>
<th>Amount</th>
<th>Decided Amount</th>
<th>Pending</th>
</tr>
</thead>
<tbody>
<tr>
<td>Raja and his Rani-</td>
<td>74</td>
<td>92741-0-0</td>
<td>71 91684-0-0</td>
<td>3</td>
</tr>
<tr>
<td>Sudder Puttneedars-466</td>
<td>466</td>
<td>69926-0-0</td>
<td>385 62525-0-0</td>
<td>81</td>
</tr>
<tr>
<td>Durputtneedars -</td>
<td>96</td>
<td>8561-0-0</td>
<td>87 5818-0-0</td>
<td>9</td>
</tr>
<tr>
<td>Seputtneedars -</td>
<td>7</td>
<td>260-0-0</td>
<td>6 227-0-0</td>
<td>1</td>
</tr>
<tr>
<td>Hujoore talookdars-</td>
<td>54</td>
<td>15181-0-0</td>
<td>46 14351-0-0</td>
<td>8</td>
</tr>
<tr>
<td>Farmers -</td>
<td>52</td>
<td>3385-0-0</td>
<td>40 2509-0-0</td>
<td>12</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>749</td>
<td><strong>190164-0-0</strong></td>
<td><strong>635 177114-0-0</strong></td>
<td>114</td>
</tr>
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(Vide: 'Collection of Papers regarding Patni Sale Law'-pp.109,No.10,Published by the Government of Bengal-Board of Revenue - Year 1927).
The cause of this transaction was the enhancement of rents. The ryots sometimes deserted the lands, the lands remain uncultivated and the revenue ultimately suffered. So far as the 'durpatni' tenures were concerned, the Acting Judge of the Jungel Mehal observed that 'it would ultimately lend to the absolute ruin of the zemindar, from the total impossibility that would in the end be experienced in the realization of the rents of his estate.'

However, despite the agrarian ills produced by the Patni system, Patni tenures were legalised by the Governor-General in Council by Regulation VIII of September 1819. This Regulation VIII was declared by the Council as 'a regulation to declare the validity of certain tenures, and to define the relative rights of Zemindars and patni talookdars, also to establish a process for the sale of such talooks in satisfaction of the Zemindar's demand of rent, and to explain and modify other parts of the system established for the collection of rents generally throughout Bengal'. The main clauses of this Regulation were as following:

(1) Proprietors of estates, paying revenues to Government were enabled to make leases fixing rent in perpetuity, for a longer term than ten years.
(ii) Patni tenures were declared valid, hereditary, transferable by sale, gift or otherwise and answerable for personal debt as well.

(iii) The puttneedars were authorised to underlet their patni talooks.

(iv) 'Patni tenures were declared not voidable for arrears'.

(v) Subordinate patni tenures, held under title deeds, were thought to bear similar character as provided for original patni talook.

(vi) Zemindars were not to stand on the way of a transfer but were enabled to exact a fee upon each alienation at the rate of 2 P.C. of the jumma of the interest transferred, to the maximum of Rs.100-0-0. The zemindars were entitled to refuse sanction to transfer until the fee and the security were deposited.

(vii) Zemindars were authorised for the periodical sales of tenures for arrears. The first and the mid-year sales were to be held respectively on the first of Bysack(i.e. April) and on the first of Kartick(i.e. October). The Registrar of the district was to conduct the sale of the patni talooks.
(viii) All tenures were to be sold free of any incumbrance. No under-lease were declared valid after the sale (i.e. all leases of the former tenure holder should be treated as cancelled).

(ix) Rules for disposing of the purchase money of sales for arrears -
   a) One per cent (1 p.c.) was to be deposited to Government for the purpose of meeting the expenses
   b) Next, the Zemindars were authorised to receive their balances;
   c) The rest amount was to be sent to the Collector's cutcherry.

(x) It was expressly declared that the holdings of the ryots were not to be attached or cancelled for arrears.20

After passing of this Regulation VIII, the Council reported to the Court of Directors that the provisions of the above Regulation VIII were designed ' to effect very widely the interests of various classes of individuals connected with land.' In the same letter (dated November 3, 1820) it attributed special regards to H.R.Princop, Superintendent and Remembrancer of Legal Aggairs, for the labours he had...
undertaken to conduct an enquiry with regard to the patni tenures at Burdwan.

The Proceedings of the Board of Revenue of January, 12, 1821 showed that Raja Pertaup Chand, the 'moving force' behind this patni system, the only son of Raja Tejchand and the 'proprietor of Burdwan Zemindary' died on the 3rd January 1821 at Ambo near Culna. Raja Pertaup Chand was only 22 years of age when he breathed his last.

Raja Tejchand again took up the administration of his Burdwan Zemindary after the death of his only son Raja Pertaup Chand. With the death of Raja Pertaup Chand the direct link of inheritance, terminated as Raja Tejchand had not any other male heir, to the zemindary. Though Raja Tejchand was then sixty year of age, he worked hard for a better management of his estates.

In 1835 there developed a controversy over the death of Raja Pertaup Chand of Burdwan. An imposter arrived at Burdwan and tried to establish his identity as Raja Pertaup Chand. This aroused a lot of sensation in the town, but the imposter was made unsuccessful in his attempt by the Company and Raja Mahatab Chand of Burdwan.
The Court of Directors, in their letter of April, 13, 1825, addressed to the Council in Bengal desired to know how far the measures contained in Regulation VIII of 1819 has affected either the public revenues or the just rights and interests of the ryots. Accordingly, the Board of Revenue directed the Collector of Burdwan to report to them the consequences of the legalisation of the patni system.

J. Armstrong, the Collector of Burdwan, on January, 28, 1826, despatched to the Board a report relative to the operation Regulation VIII of 1819 for the benefit of the Court of Directors at London. The Collector praised highly Regulation VIII, and commented that this tenure has produced the most beneficial results not only with respect to the public revenues but the interest of the Zemindars, the putunneedars and the ryots.

The Collector also reported that the uncertainty of the possession of land by the putunneedar was an evil most severely felt prior to the promulgation of this Regulation. Because the putunneedar was always subject to dispossession 'from the collusion of the zemindar and the individuals' from whom the putunneedar had the immediate possession of his tenure.
This uncertainty of holding, stood in the way of any expenditure of capital, by the puttnneedar himself, for the betterment of the land. But the Regulation VIII of 1819, had given a security to the land holders by explaining the nature of patni tenures of whatever denomination. It also enabled the puttnneedars an undisturbed possession of the land, so long he could satisfy the zemindar with his arrangements.

Moreover, in the opinion of the Collector of Burdwan, the passing of this regulation also provided 'a highly beneficial impulse to agriculture.' Uncultivated lands were now began to be cultivated and this opened up an opportunity of employment to the cultivating classes. Hereditary occupancy of land had given birth to a new class of landed gentry and the relation between the puttnneedars and the ryots became more interwoven with each other.'

The patni talookdars tried to keep their ryots satisfied because upon their timely payment of rent depended the security of maintaining their estate and property. A fixed revenue demand of the puttnneedars, according to the regulation, exempted them of any coercion from their superior land-holders.
and this also allowed the ryots to seek a redress at the Civil Court when they were harassed by their immediate owner of land.

Considering this report of the Collector of Burdwan, on the consequences of the patni system, the Board of the Revenue observed on June 20, 1826, that "the experience of so many years has satisfactorily shown that the Regulation works beneficially." And up to the 1830s there were received very few complaints against this patni system either from the Zemindars, the tenure-holders or the ryots.

In February 1827, i.e. six years after the death of his only son Raja Pertaup Chand, Raja Tejchand adopted one Chunilal, a boy of seven years of age. This Chunilal was the youngest son Paranchand, a relative of Raja Tejchand, and later on became famous as Mahatab Chand Bahadur of Burdwan.

But soon the direct ancestral link of the Burdwan Raj Family, from Sangam Roy to Raja Tejchand, came to an end with the death of Raja Tejchand. Raja Tejchand, the only survivor of the old Raj Family died at Burdwan in August 1832 at the age of seventy years.
REFERENCES:


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<tr>
<td>15.</td>
<td>Letter from Court - dt. January 15, 1819 - para 69; (Vide: General Letters from the Court of Directors in the Territorial Department (Revenue) - 1817-34).</td>
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<td>16.</td>
<td>Letter to Court - dt. July 30, 1819 - para 48; (Vide: General Letters to the Court of Directors in the Territorial Department (Revenue) - 1816-34).</td>
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<td>17.</td>
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<td>18.</td>
<td>Proc. BOR, dt. August 17, 1819 (Misc.).</td>
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<tr>
<td>20.</td>
<td>Proc. BOR - dt. May 7, 1819 (Misc.).</td>
</tr>
</tbody>
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29. Judicial Department - Civil Original Consultations No. 39, dt. October 9, 1819.
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Published by the "Burdhaman Raj and printed at the Burdhaman Raj Press"; (Vide: the Chapter on 'Tejchand Bahadur').