Appendices

Appendix – A

Section 4 Character of Land Tenure and System of Settlement and Survey

123. The ordinary land tenures very considerably in different parts of Assam. Distinct systems of tenure are found in:

(1) Assam Proper, (3) Sylhet
(2) Goalpara, (4) Cachar
(5) the Hill districts.

While several varieties of special waste land tenures, granted by Government at different periods, exist in all the plains districts.
124. There are three main classes of ordinary tenure in the Assam Valley, exclusive of Goalpara, viz., raiyatwari nisf-khiraj and lakhiraj. The raiyatwari tenures of the simplest characters: the raiyat holds an annual or periodic lease from Government, being free to relinquish the whole or any part of his holding, which is separately assessed, provided that notice is given to the revenue officers at the proper time of the year and in the manner prescribed. Any waste unoccupied land may also be taken up for cultivation without notice or application, and, when so taken up, is settled with the occupant. These are chiefly the inundated tracts in the neighbourhood of the Brahmaputra,
which comprise extensive areas of culturable waste land, covered with high grass and reeds, which can be reclaimed without difficulty. In the last few years, there has been a large influx of Eastern Bengal colonists to Assam. These have settled in the riparian tracts on either side of the Brahmaputra in the districts of Kamrup, Darrang and Nowgong and brought large areas of waste land under cultivation. Consequently, there has of late been a brisk demand for land even in the fluctuating areas. Relinquishment of land is practically unknown to the immigrants and it is not now so freely resorted to even by the Assamese as before, at least in places readily accessible.
to the immigrants. In these areas, the most profitable system of cultivation is that under which land is cropped for not more than three years in succession, usually with *ahu* rice and mustard, and is then left fallow for a term of years. Fluctuating cultivation also occurs in the thinly-peopled submontane tracts. In the intervening regions where population is more dense, and *Sali* rice is grown, settled land is seldom relinquished, and in normal times there is a steady extension of permanent cultivation with the growth of population. Prior to 1870, all *raiyatwari* lands were held on annual leases, but in that year a set of rules for the encouragement of ten-year leases was
sanctioned by the Bengal Government, expressly declaring that holdings so settled should be heritable and transferable, on condition of the transfer being registered in the Deputy Commissioner's office, while holders on annual *patta* were left without any legal assurance on these points. The principle of these rules was afterwards embodied in the Land and Revenue Regulation of 1886, which confers a permanent, heritable and transferable right on persons holding land under a lease the term of which is not less than ten years, but recognises no rights beyond those expressed in the lease in the case of annual tenants. The rules of 1870 remained practically inoperative until
1883, when they were recast, and a general system of ten years settlements was introduced in all parts of the Assam Valley, where the cultivation and occupation of land are of a permanent character. In the five districts of Assam Proper the bulk of the more permanently cultivated land is, therefore, now held under a periodic settlement, during the currency of which the raiytat is guaranteed against enhancement of the revenue rates. He is at liberty to relinquish the whole or any portion of his holding as stated above, and to take up new lands, while he is entitled to receive compensation from Government for any lands taken up for a public purpose. The rest of the area,
where a fluctuating system of cultivation prevails, is resettled annually on the basis of actual occupation, and, if dispossessed by Government for a public purpose, the raiyat is only entitled to compensation for the value of any trees, houses, crops, etc., actually standing on the land at the time of its resumption, but not to compensation for the land itself.

125. The holders of *nisf-khiraj* and *lakhiraj* lands enjoy an assignment respectively, of half and the whole of the assessable land revenue. In addition the *lakhirajdars* hold their lands in a proprietary right which is at present unfettered by any tenancy law. The holders of *nisf-khiraj* estates also come
within the definition of "land holder" under
the Assam Land and Revenue Regulation,
that is to say, they are on the same footing
as decennial settlement holders at full
rates. These tenures originated in
alienations, whether of land or of the
revenue or service dues upon land, that
had been made by former rulers of the
country for religious and others purposes.
On the lands now held as nisf-khiraj the
last Ahom ruler, Chandra Kanta Singh,
imposed a tax, called kharikatana, of 5
annas a pura (equivalent to $1\frac{1}{3}$ acres),
which continued to be levied by the
Burmeses invaders after their conquest of
the country. When Assam became British
by conquest, all these grants were held to
have lapsed; but Mr Scott retained the moderate assessment which he found in force upon them, adding later on 2 annas a pura, so that the whole assessment came, as left by him, to 8 annas a pura. In 1834 the Government directed that a full enquiry should be made into all claims to hold land rent-free as debottar, dharmottar, or on any other plea, throughout the district of Assam. Captain Bogle was appointed to make this enquiry, subject to the control and orders of the Commissioner, Captain Jenkins. Another officer, Captain Matthie, was also similarly employed. At the same time the following principles were laid down for the guidance of these officers.
(1) All rights to hold land free of assessment, founded on grants by any former Government, were to be considered as cancelled, and it was pointed out that any claims for restoration to any such tenures could rest only on the indulgence of Government.

(2) All lands found to be held in excess of what was held and possessed under *bonafide* grants prior to the Burmese conquest, or for services no longer performed, as well as all lands held for services no longer performed, were to be assessed at full rates.
(3) All lands, held on *bonafide* grants before the Burmese conquests, or for services still performed, were to be reported to Government, on receipt of the report special orders would be issued on each case.

(4) Captain Jenkins might in his discretion suspend the orders for bringing any particular land on full rates, but he was to submit his reasons for the consideration of Government.

(5) Pending the *lakhiraj* enquiry, Mr Scott's moderate rates were to be levied as before on all land claimed as *lakhiraj* (whether as *debottar*,
brahmottar, dharmottar, or on whatever plea) until brought under assessment at full rates, or until orders to the contrary were received from Government.

The work was commenced in 1834, but was not concluded till 1860, and in the lapse of time these orders were altogether forgotten. Instead of referring the cases, which came before him, for the orders of Government, General Jenkins dealt with them in a manner which was not authorised by his instructions. He drew a distinction between debottar or temple lands, and other grants, such as brahmottar (personal grants to Brahmans for religious services), dharmottar (grants
to religious communities other than temples, or for pious uses), etc. In the case of the first when he found the grant to be *bonafide* and valid, he confirmed them as revenue free, without, as he was ordered, referring the case to superior authority. In all other cases of *bonafide* and valid grants, he simply confirmed the grantee in possession, and directed that, as ordered in his instructions, the land should be assessed as before, i.e., at Mr Scott's favourable rates of 8 annas a *pura*, pending the final orders of Government on the whole question. Where the land held was not found to be held under a *bonafide* and valid grant, it was resumed and settled at full rates, which in those days were Re.
1 a *pura*. But no reference was ever made to Government on the conclusion of the proceedings and thus until 1861, when the revenue rates were raised throughout Assam, the second class of lands continued to be assessed at rates which, though this was not expressly intended, were, as a matter of fact, half the rates prevailing for other lands.

The matter was then allowed to rest till 1872, when a long correspondence began, which was not finally closed till 1879. It was considered by the Government of India that the grantees having so long been suffered to hold at half rates, it would not be judicious to make any alteration in their status, and so
General Jenkins' unauthorised action was condoned. These half-rate holders were at that time called, equally with the revenue-free holder, lakhirajdars. The term nisf-khirajdar was adopted in 1871, as a more accurate description of their status as landholders liable to be assessed at only half the current rates of revenue, whatever these may happened to be.

A nisf-khirajdar now enjoys the further privilege of holding the waste land of his estates free of revenue unless he derives a regular income from it. Prior to the last settlement, the waste was assessed at one anna three pies per bigha.
Three fourths of the total number of nisf-khiraj estates are situated in the district of Kamrup and date from the last period of Ahom rule, when the seat of Government had been transferred from Gurhgaon to Gauhati, and the Ahom kings gave away lands wholesale with all the zeal of recent converts to Hinduism. The lakhiraj or debottar grants, on the other hand, are usually of older date, the most ancient being ascribed to kings Dharmapal and Vanamala, who are believed to have reigned about the eighth century AD.

The other special tenures in Assam Proper are chamuas, khats, ten-twenties and six-pie lakhiraj tenures. A chamua is simply a large holding under Government
the land being held at ordinary rents. The *chamuadar* has the privilege of paying the revenue direct into the treasury instead of through the local fiscal officer, and is granted a commission of 10 per cent on the total demand. There is now only one such tenure in Assam. There are four *khats*, viz, 1 in Nowgong, 1 in Lakhimpur, 2 in Kamrup. In two of these *khats* the *khatdar* is simply in the position of the ordinary mauzadar, but in the other two the *patta* is issued to the *khatdar*, and not to the cultivators direct. These *khats* are all assessed on cultivation only at ordinary *khiraj* rates. In Nowgong the concession of 10 percent commission which was personal to the predecessor of the present *khatdar*
has now lapsed. Ten-twenties are also tenures which are settled at ordinary rates, their only privilege being that when the land revenue exceeds Rs. 10, half of the total demand is remitted, but when the revenue is between Rs. 10 and Rs. 20, the remission is restricted to half the amount by which it exceeds Rs. 10. There are 97 acres of such lands in Sibsagar. The six pie lakhiraj estates consists of nine holdings covering about 2765 acres of land, which pay a revenue of 6 pies per bigha of cultivated land, this being the amount of blackmail originally given by the owners to the hill tribes. These estates are to be found only in the districts of Darrang and Lakhimpur.
The *nisf-khiraj* and *lakhiraj* estates are, like the *chamuas* and *khiraj khas* already mentioned, ordinarily cultivated by sub-tenants, who, when their superior landlord is (as is generally the case) a religious institution are known as *paiks* or *bhakats* of the temple or *satra*.

126. What is known as the permanently settled portion of Goalpara consists of nineteen permanently settled estates and eight small temporarily settled holdings. These between them cover the whole district, excluding the Eastern Duars. Nine of the nineteen permanently settled estates are those of the border *Chaudhuris*. The remaining ten consists for the most part of lands originally held
revenue-free on invalid titled which were resumed in consequence, and settled at a *jama* fixed in perpetuity. The eight temporarily settled estates include five *chars*, which are farmed yearly to the highest bidder. Of the remaining three, two are resumed *lakhiraj*, and the third was acquired by Government as a free gift from the zamindar.

127. The Eastern Duars comprise six separate tracts, viz., Bijni, Sidli, Chirang, Ripu, Guma and the Santal Colony. The last four are the exclusive property of Government, and are managed on the same system as the *ratwari* tracts of Assam Proper, the only difference being that in the greater number of the estates
cultivation has been on annual leases, and that the revenue rates are lower than those prevailing in Assam. Holdings in Guma have been settled for a term of 20 years from 1st April 1915, on rates varying from six annas to one rupee per bigha for different classes of land. Revised rates ranging from six annas to ten annas a bigha have been sanctioned for ten years, with effect from 1st April 1922, in respect of mauzas Chirang, Ripu and the Santal Colony. The Santal Colony was started by the Scandinavian Mission (whose base is in the Santal parganas) for its converts, but other (local) classes of cultivators also take up land therein. Since 1914 the Sidli and Bijni Duars have been settled with the Raja
of Sidli and the Rani of Bijni respectively at revenue of 70 percent and 80 percent, of the gross assessment. The term of the settlement was ten years in the case of Sidli and ten years or the lifetime of the Rani in the case of Bijni. By the death of the Rani, however the management of the whole of Bijni has passed to the Court of Wards.

128. The land tenures in the district of Sylhet (excluding Jaintia, which was not annexed to the district until 1835) present remarkable contrast to those of all the districts of the permanently settled Bengal, except Chittagong. In no other district was the permanent settlement preceded, as in these, by a survey, in no other district
were the zamindars passed over at that settlement in favour of the superior rayats or middlemen called *mirasdars* or *talukdars* (c.f. the Chittagong *tarafdars*). The consequence of the survey is that all lands within the surveyed portion of the district which were settled in 1791-92, the date of the decennial settlement and have not since been specially settled in perpetuity, are the property of Government and held under temporary settlement. The result of the settlement having been made with a large number of middlemen is that, while in the districts of permanently settled Bengal estates are counted by tens or hundreds, in Sylhet they are counted by thousands and the individual revenue of
each estate is generally very small. Thus, Sylhet is distinguished (1) by the large proportion of its area which is not permanently settled, and (2) by the extremely small payments of revenue due from individual estates, which make the collection (in the absence of mufassal revenue establishments entertained nowhere in permanently settled districts) a peculiarly difficult and complicated task.

Source:
Appendix - B

Abstract Statement of Civil Business in the Office of the Superintendent of Cachar, during the years 1854, 1855, 1856 and 1857

<table>
<thead>
<tr>
<th>Years</th>
<th>Remaining from previous year</th>
<th>Instituted during the year</th>
<th>Total</th>
<th>Decided on trial</th>
<th>Settled and struck off.</th>
<th>Total</th>
<th>Remaining at the end of the year</th>
<th>Remaining from previous year</th>
<th>Written and answered</th>
<th>Remaining</th>
<th>Remaining from previous year</th>
<th>Due during the year</th>
<th>Disposed of</th>
<th>Pending</th>
<th>Witnesses examined during the year</th>
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Source:
[Report on the Administration on the District of Cachar, No. 1002, from W J Allen, Esquire, Member of the Board of Revenue to A R Young, Esquire, Secretary to the Government of Bengal, fort William, 16th December, 1858]
Appendix C

<table>
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<th>Names</th>
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<td>W.C.M. Dudas, IP</td>
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## Appendices

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Appendices


N.M. Ghosh, IP : 24.4.1928 to 22.6.1928

J.S. Lighfoot, IP : 22.6.1928 to 7.3.1931

K.R. Choudhury, IP : 3.7.1931 to 12.10.1931

R. Krus, IP : 12.10.1931 to 6.11.1931

J.E. Rig, IP : 27.2.1934 to 2.3.1936

G.P. Boruah, IP : 5.4.1936 to 23.11.1939
Appendices

C.G. Jacos, IP : 23.11.1939 to 6.2.1940

Haider Hussain : 7.2.1940 to 13.4.1940

H.F.G. Barbiz, IP : 14.5.1940 to 9.4.1941

K.R. Choudhury, IP : 10.4.1941 to 3.10.1941

S.M. Dutta, IP : 4.10.1941 to 4.2.1942

K.R. Choudhury, IP : 6.2.1942 to 7.7.1945

B.K. Boruah, IP : 8.7.1945 to 25.7.1945

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Appendices

R.Krus, IP : 26.7.1945 to 9.11.1945

S.Dutta, IP : 10.11.1945 to 25.11.1945

Source

[Barak Satabdi Smarak, Silchar 2000, p. 46]