CHAPTER XV

TEA LAND AND ITS ADMINISTRATION

During the century in which the District of Cachar had been under the British rule, its material prosperity increased rapidly. By far the most commendable contribution of the colonial administrators towards the material development of the valley was the introduction of Tea Plantation.¹ The tea industry brought with it a number of new developments which had ushered in a new era in every sphere of life of the inhabitants.

First Tea Plantation in Cachar

The discovery that the tea plant grows wild in the upper part of the Brahmaputra valley, was first made by Robert Bruce, agent of Purandar Singha, the last Ahom King. The first tea plantation in Assam on Governmental initiative was undertaken on the sandbank near the confluence of the Brahmaputra and Kundil rivers. The existence of indigenous tea in Cachar and Sylhet was soon afterwards ascertained, and in 1855, the pioneer garden in the former district was opened.² Although the indigenous tea in Cachar was first discovered in 1855, the speculations regarding the possibility of tea cultivation

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¹ Bhattacharjee, J.B.; Cachar Under British Rule in North-East India, New Delhi, 1977, p. 109.
begun since its annexation in 1832. In 1834, Captain Fisher, the then Superintendent of Cachar was requested by Mr. Gordon, the Secretary of the tea culture committee whether the climate of Cachar was suitable for tea plantation. On enquiry it was found that the climate, rainfall and weather conditions of Cachar were suitable for tea plantation. But the discovery of tea plant in Cachar in 1855, was not the result of any conscious effort.

About this discovery R. Stewart, the Superintendent of Cachar wrote:

"When in Mofassil last February, the first specimen I saw of the Cachar plant were brought to me by an individual who had been employed in a tea plantation in Assam, and who recognised the plant, and as inducement to others to bring to any notice any discoveries they may make, I beg to suggest that he be given a present of thirty or forty rupees or any sum which may be considered sufficient."

When it was discovered that the real tea plant was in abundance in the jungles of Cachar, the specimen had been sent to Dr. Thomas, Superintendent of the Botanical garden, Calcutta.

4. Ibid.
Dr. Thomas recognised them as genuine tea plants and further exploration in the jungles of Cachar established the fact that the plants were in abundance in the south and south-east of Silchar. Based on this finding the Tea Committee resolved to begin plantation in Cachar.7

Mr. Williamson, the Superintendent of the Assam Tea Company who had also an enterprise at Jorhat, wished to embark upon a new enterprise in Cachar under definite terms and conditions.8 The Lieutenant Governor agreed to grant the land to Mr. Williamson. As he happened to be the first applicant he was allowed to start his venture with the desired amount of land.9 Thus Mr. Williamson was granted tea tract under the waste land grants for 99 years in the following manner:10

As the same time the Lieutenant Governor was also pleased to sanction a reward of fifty rupees to the person for his accomplishment in the discovery of tea plant in Cachar.11

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<table>
<thead>
<tr>
<th>Number of grant</th>
<th>Name of grant</th>
<th>Name of grantee</th>
<th>Name of occupant and manager</th>
<th>Date on which grant was given</th>
<th>Area</th>
<th>District measurement</th>
<th>Acres</th>
<th>Amount</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Burr-</td>
<td>G. Saroop</td>
<td>Ram</td>
<td>1st May</td>
<td>454</td>
<td>J.R.I.P. poles free</td>
<td>742</td>
<td>16 yrs.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>aan-</td>
<td></td>
<td>Jama-</td>
<td></td>
<td>1856</td>
<td>poles free</td>
<td></td>
<td>10 yrs.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Williamson</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>10-5-11</td>
<td></td>
<td></td>
<td>Gs.105-5-10</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>73 yrs.</td>
<td></td>
<td></td>
<td>Gs.208-11-8</td>
</tr>
</tbody>
</table>

After the discovery of the tea plant wide publicity encouraged people to come to Cachar and undertake the work of tea-cultivation receiving grants of land from the Government. Meanwhile Mr. Verner, the Superintendent of Cachar received ten applications from G. Williamson, J.N. Wise, Dr. Barry, C.P. White, A.P. Sandman, C. Hultimann, G. Cowan, W.S. Pink, A.N. Sandeman etc., who had expressed their zeal and energy to spend sufficient means for tea plantation in Cachar. Among the applicants J.P. Wise and D. Barry also received lands, the boundaries of which were surveyed afterwards according to the terms and conditions settled by the Government. It may be mentioned in this connection that a Bengali gentleman Parbati Charan Banerjee was also one of the

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earliest applicants for tea grant in Cachar. But it was not clear whether he himself withdrew from the field or his claim remained unrecognised by the authorities. Having seen the success of the venture of pioneer companies and the willingness of the fresh parties, Verner proposed the following rules to be adopted.\textsuperscript{15}

**Rule I:** Preference will be given to the first applicant and in case of larger grants the means together with other circumstances was to be considered.

**Rule II:** All grants of 1000 Kulbahe about 5000 acres and upwards one-third be exempted from assessment in perpetuity. Sites of houses, roads and tanks were not separated from the rest of the grant.

<table>
<thead>
<tr>
<th>100 Kulbahe about</th>
<th>5000 acres</th>
<th>(\frac{1}{3})rd to be exempted from assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>500</td>
<td>2500 acres</td>
<td>(\frac{1}{4})th</td>
</tr>
<tr>
<td>100</td>
<td>500 acres</td>
<td>(\frac{1}{5})th</td>
</tr>
<tr>
<td>20</td>
<td>100 acres</td>
<td>(\frac{1}{10})th</td>
</tr>
<tr>
<td>100</td>
<td>100 acres</td>
<td>(\frac{1}{10})th (\frac{1}{20})th</td>
</tr>
<tr>
<td>20</td>
<td></td>
<td>(\frac{1}{20})th</td>
</tr>
</tbody>
</table>

\textsuperscript{14} Bhattacharjee, J.B., n 1, p. 191.

\textsuperscript{15} B.R.P., No. 143 of 6 November 1855 and No. 76 of 27 October, 1855.

* The larger the grant, the greater part to be exempted from assessment, because within a large area there will be more land in proportion and unfit for cultivation than in smaller area where parties would only apply for choice picked lands.
Rule III: The remaining portion of the grants will be rent free for 3 years and then to be assessed as follows:

2 years at 10 annas per Kulbah about 2 annas per acre
5 years at Re. 1 „ „ Re.1-14 annas per 4 annas per acre
20 years at Re. 2,8 „ „ 8 annas per acre

Rule IV: After 30 years the grant was to be resettled with the grantees if they wish at such moderate rates with reference to the quality and description of the land.

Rule V: \(\frac{1}{5}\)th of the grant was to be cleared and rendered fit for cultivation by the expiration of the third year; \(\frac{2}{5}\)th by the expiration of the 5th year and \(\frac{4}{5}\)th by the expiration of the 10th year.

Failure to fulfil any such conditions the grant to be resumed by the Government and all right and interest of the grantees in the cleared and jungle lands will be resumed.

The Under Secretary to the Government of Bengal, having considered the primary stage of tea plantation in Cachar, and in consultation with the Board of Revenue suggested that the Assam Rules would prove more successful than those suggested by Verner. Again to pay homage to Williamson as the pioneer of tea-plantation in Cachar, one or two year rent-free period was
Thus the first rules to be introduced in tea cultivation were known as the Old Assam Rules of 1854 which were extended to the district in 1856, the total lease granted for 99 years one fourth of which was to be exempted from assessment in perpetuity; The remaining three-fourths was to be dealt with in the following manner.  

<table>
<thead>
<tr>
<th>Years</th>
<th>Conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td>15</td>
<td>revenue free</td>
</tr>
<tr>
<td>10</td>
<td>3 annas per acre</td>
</tr>
<tr>
<td>74</td>
<td>6 annas per acre</td>
</tr>
</tbody>
</table>

There were four categories of lands existing in Assam namely (1) Permanently settled estates (2) Temporarily settled estates (3) Government estates and (4) Raiyastwari estates. But the tea lands in Assam were not included in any of the above four classes. Rather, they were leased for 99 years with certain clearance conditions.

At first the tea gardens in Cachar were laid on the flat tops of the low spurs from the Barail mountain towards the river Barak. But as the area available was not so extensive, the planters preferred to have low round-topped hills called *tilas*. Again, the hilly land in Cachar consisted of

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18. C.R., No. 549g, 14 October of 1873; No. R, 26 January, 1874.
19. Allen, B.C., n 17, p. 78.
soil of light reddish colour composed of about one third porous clay, and two-thirds finely divided sand and the soil of the plains was altogether unfit for tea plant. There were four varieties of tea such as indigenous, Manipuri or Burma indigenous, Lushai or Cachar indigenous and Naga indigenous. The gardens of Kalain, Kashipore, Jatinga, Alni, Goabarí were said to have raised the seed of excellent quality. The indigenous tea was native to Cachar and Assam.

Subsequent tea grants

Simultaneously with the beginning of tea plantation in Cachar by Williamson, Boakara grant was allotted to A. Toyd of Wise and Company and Chandipur to M. Herring; Charles Mackey, a businessman in Sylhet also received a grant of 500 acres in Barakpar Mouza. The progress made by the pioneer tea companies had attracted the attention of a large number of capitalists and considerable number of applications poured in for leases. The Cachar Tea Company, Sylhet and Cachar Tea Company, Cachar Tea Association, Badarpur Tea Company, Jirighat Tea Company were among the applicants.

23. C.R., 30 August, 1856; Bhattarcharjee, n 1, p. 190; Dutta, D., n 3.
Having seen the urgent demand for more and more land, Government also entertained its own proposal for plantation of tea in Cachar. But considering the zeal and initiative undertaken by private planters, R. Stewart, the Superintendent of Cachar stated that there was no need of experimental Government plantations of tea in Cachar. He further added that, most of the tea planters began their venture with sufficient energy and enthusiasm. Although there was the problem of competent draftsman in Cachar, only a few grants had been settled regularly, some of them remained to be mapped and surveyed partially but all these did not retard the progress of tea in Cachar. In the meantime four thousand acres had been cultivated already and about three or four hundred maunds of tea was anticipated for the next season. Again there were 54 applicants for tea grants without formal regularisation, the area of which had already been chalked out and mapped.

Applications for grants

Assam Company's first application was made in 1856. Their demand was for 3,000 acres of the tile lands bordering on the Mauzahe of Netai Nagar and Mohanpur. The agent of the Assam Company again applied for another grant of 2000 acres to the north. The boundaries of the applied grant had Thapang

* See Appendix No. IV.
beel on the east, plains of Hailakandi on the west, Boogdoora Khal on the north, and the former grant on the south. Later on, there was a change of these boundaries and this change was due to lack of geographical knowledge on the part of the company. Some portions of this area were suitable for rice plantation only. At least five applications for fresh settlement in different dates were finalized under the company with an average area of 62 ha 5 kha. But the Board of Revenue was of the opinion that the lands outside the tea-tracts need not be included in the tea-grants and to be dealt along with other cultivable lands. 26

Captain Hogg, the Manager of the Cachar Tea Association applied for a large grant of waste lands. 27 Again, the Cachar tea company had received a grant of 12,508 acres on 1 May 1856, the survey of the grants was to be completed in the proceeding year. 28 The company had started the operation with a nominal capital of Rs. 1,25,000. Within a year they cleared about two hundred acres spending Rs. 12,000. But they had to suffer a set-back due to bad seedlings. At first the Company was also granted land for 3 years on condition that one fourth would be rent-free and one-eighth would be cleared and made fit for cultivation within five years. The failure of the fulfil-

27. B.R.P., Vol. 1202, No. 100, 28 April, 1858.
ment of the terms would lead to resumption. But the difficult problem of the land was that native people were habituated to collect timbers from these jungles.

In 1858, further clearances were made at Goongoor, Sil Oddri, Tingtapoocha but heavy rains and paddle crickets stood in the way of smooth plantation. Yet the company had spent a huge amount of money as was evident from the following chart:

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tea seed</td>
<td>Rs. 11,877-13-6</td>
</tr>
<tr>
<td>Live stock</td>
<td>Rs. 4,435-5-0</td>
</tr>
<tr>
<td>Iron boat</td>
<td>Rs. 6,998-5-5</td>
</tr>
<tr>
<td>Coolie Immigration</td>
<td>Rs. 5,047-0-10</td>
</tr>
<tr>
<td>Coolie Bazar</td>
<td>Rs. 1,771-11-4</td>
</tr>
<tr>
<td>Coolie buildings</td>
<td>Rs. 1,599-6-4</td>
</tr>
<tr>
<td>Road making</td>
<td>Rs. 1,642-6-0</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>Rs. 33,372-0-5</strong></td>
</tr>
</tbody>
</table>

In addition to this the company had imported steam saving machinery with an expenditure of Rs. 12,000. The Superintendent of Cachar in a report showed the progress of tea in Cachar in the table given in the back page.

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30. B.R.P., No. 100, 28 April, 1858.
If planted 6 x 3 feet these plants —

- Indigenous plant 50 acres
- 4 years old 4\frac{1}{2} acres
- 3 years old 14\frac{1}{2} acres
- 2 years old 33 acres
- 1 year old 242 acres

Equal to 343\frac{1}{2} acres of full plants

As the tea planters had to face many troubles like shortage of labour, unfavourable climatic condition etc., the company appealed for an extension of five to eight years in order to enable them to fulfill their contract. 34 The Cachar company with the exception of Williamson appeared to be the pioneer and undertook the cultivation with great earnest labouring under various disadvantages. Their failure to com-

plet the contract within the stipulated time was due to unanticipated difficulties and not for any intentional neglect. Under these circumstances, the extension applied for was granted as a special case by the Board of Revenue. 35 By 1860, the plantation increased rapidly under the initiative of prominent planters like W.H. Mac Arther of Lakhipur, James Aberton of Monachhera, H.C. Gibbon of Mohanpur and Sanderman of Rosekandi. Dr. J.B. Barry of Eastern Bengal Tea Company, who had obtained a number of grants from the Government and purchased some established gardens from the Cachar Tea Company was also a prominent planter. 36

On 8 February, 1862, Dr. Barry on behalf of the Imperial Tea Company applied for a grant of waste land in Cachar under the Old Assam Rules. This grant was composed of 5000 acres and the work of nominal survey had been already started. The grant was sold to the Eastern Bengal Tea Company and the sale arrangement was proposed to be under the clause of rent-free title. The grantee desired it to be rent-free, but the Board of Revenue did not take any decision until the survey was completed. So Dr. Barry was required to enter into a new bond with security. Again, Barry was to commute the Latakandi grant, the provisions of which appeared to be same with Barakai and Goongoor gardens consisting of 2,500 acres. As the grantees

35. Ibid.
failed to clear within the stipulated time, a further extension of 3 years was granted. Dr. Barry deposited Rs. 12,300 towards the redemption of these grants.37

Other grants such as the Katlichhera grant contained about 12,000 acres of land which had a long frontage on the Katakhai of two or three thousand acres along the river. On the opposite side of the Katakhai was the Rupachhera grant of about 15,000 acres.38

On the basis of Government's circular No. 66 dated 3 May, 1865 information was given regarding the boundary, clearance condition etc., to the managers of the East-India Tea Company, Tyod and Company, Bandookma Tea garden etc.39

Again the Managers of Rampur garden, Anipur, Monachlera T.E., Lalunukh and Hassiora Grant, Issapur T.E., Kalain grant respectively were asked to fix their respective boundaries etc., before the survey of the tea-grants had begun.40

Survey and assessment

The survey of the Provincial grants of tea-tracts in Cachar was undertaken in the year 1859 and final adjustments followed simultaneously. The grantees who could fulfil the

38. B.R.P., No. 1127, 6 September, 1867.
39. C.R., Circular No. 66, 3 May, 1865 and Circular Nos. 69,70,71,80,85 etc.
40. C.R., Circular No. 94, 1866.
necessary conditions were confirmed, others were redeemed, readjusted or relinquished. The tracts which had been left by Thuillier during his survey of the year 1841-42 was supposed to be regarded as wastes. In all Cachar surveys the areas were ascertained by native Amin and the maps had been compared with original records. So the primary object of survey was (1) to compare the maps with the general topographical survey of Cachar made by Thuillier, (2) whether they confuse with subsequent surveys made by compass Amin for other applicants in the same tract and (3) whether they were correct regarding compensation etc. To expedite this task the services of compass Amin were urgently needed. There were a number of trained Patwarie in Sylhet like Durpanarain Dutt, and Thuillier assured that in the absence of such intelligent personality in Cachar, the Commissioner of Dacca would settle the matter.

Thus due to the difficulties of finding surveyors capable of undertaking such surveys as provided by Rule II for waste land grants, Colonel Thuillier, the Surveyor General of India proposed a party to be engaged in the survey work of tea-tracts in Cachar at a cost of Rs. 850 per month. As the working of two parties at the same time would prove detrimental

41. Bhattacharjee, n 1, p. 192.
42. B.R.P., No. 259, 19 April, 1861.
43. B.R.P., No. 19, 8 July, 1858.
44. B.R.P., No. 259, 19 April, 1861.
to the smooth survey work, the 3rd Division Professional Party which was engaged in survey work in Sylhet was directed to proceed and undertake the survey work of Cachar after completion of their own assignment.46

In the month of March 1861, the Superintendent of survey of the 3rd Division Mr. F. Jones asked for instructions to be followed in Cachar. According to him, in Cachar with the exception of a few Lakheral holdings, the lands were settled at a fixed Jumma for 20 years. Grant of waste lands for tea was given on leases for 99 years and only the jungles were available for further grants.47 Again, the tea plantations which were started were based on the old revenue survey and were taken each as a Mauxah. He also pointed out the necessity to subdivide them into dags to facilitate the settlement.48

In Cachar the disputes regarding the boundaries of land held under different pattahs were decided by reference to the settlement papers.49 Large areas of waste lands were scattered in southern, northern and eastern boundaries of Cachar. A careful survey of all these with natural features

like mountains, rivers, heels, nullahs etc., was extremely necessary. Considering all these factors the Government desired to undertake a topographical survey in Cachar in order to demarcate the hulkes or blocks of several pattahdars. According to make minute and careful measurement of all new grants and tea allotments, to sell the lands in fee-simple, to mark the old village boundaries etc., Thuillier advocated a regular Mouzauar measurement proceeded by a mere inspection of map. The Mouzauar system was the grand basis of all professional operations of the British from the Indus to the Brahmaputra.

In accordance with the direction of the Board of Revenue, the survey party began work in Cachar on 20 September 1866. It was divided into three main circuits (a) north of the Barak river and north Cachar hills in the west was to be surveyed by circuit No. 1; (b) East by Manipur and (c) South by the unsurveyed portions of Cachar. The total outturn of the season in Cachar was 122 village circuits including 67 grants consisting of 264 square miles. The area remained unsurveyed was 4,110 square miles including 3,000 square miles of waste lands as will be evident from the statement given as follows:

50. Ibid., A.S.R., 2 August, 1862.
51. B.R.P., No. 28, 29 May, 1862. Letter from H.L. Thuillier, Surveyor General of India to the Secretary to the Board of Revenue.
Of demarcated land

<table>
<thead>
<tr>
<th>Villages</th>
<th>250 sq. miles</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grants</td>
<td>860</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>1110 sq. miles</strong></td>
</tr>
</tbody>
</table>

One of the important drawbacks noticed by the surveyors was the absence of permanent marks on the boundaries of the grant and tea estates in Cachar. Demarcations in Cachar were made in 1862-63 and a few in 1865. When the survey party entered the district in 1865, nearly all landmarks had been swept away by heavy rains and the boundary lines were covered with jungles. Among 67 grants 16 were marked at triple junctions by masonry pillars, cairns of slabs and 51 were without any mark of identification on boundary. The Deputy Commissioner on enquiry estimated the number of pillars required to be 1,200 at a cost of Rs. 50 each. But having considered the economic position of the planters for so costly a material, he suggested cairns of stones for the purpose. But it was decided that in case of cairns if destroyed, the masonry pillars would be erected by the authorities at their own expense.

The field work of the 3rd Division Professional Party continued till May, 1867. According to the Government order of 9 November 1866, and on the initiative of W. Edgar,

52. Ibid.
53. Ibid.
Deputy Commissioner of Cachar, the defects in the demarcation of pillars were verified and noted in the Thakbust records. But the survey between Chittagong and Cachar remained unfinished due to the strained relations with the Lushais. Thus at the end of the official year 1867-68 it was seen that 179 lots were originally applied for under the old Assam Rules.* After commutation, it was found that 146 grants were held under the Assam Rules. Of these grants 67 were cultivated and the total area appeared to be 1,62,235 acres. Many of these were subject to revision under the revised Rules 12.8 and 4 section and VI Chapter XXVI of the Board's rules. The area of the unsurveyed portions estimated to be 2,25,000 acres.56

Introduction of waste land rules

In order to encourage the cultivation of tea the Government created revenue free or concessional revenue paying estates by settling waste land with tea planters in perpetuity. The Waste Land Settlement Rules in Assam were first framed in 1838 and these rules were modified successively in the last century, especially during 1860 to 1880. Since the beginning of tea plantations in Cachar, the jungle or waste lands were leased in accordance with the existing rules in the Assam.

56. B.R.P., No. 288, 7 June, 1869.
Valley. The Rules for leasing such lands in Assam and Cachar were as follows:

I. "Unassessed waste lands not previously cultivated or only cultivated in the Jhoom method and long since abandoned .............. covered with jungle as to require clearance may be granted on leases for ten years in lots containing not less than a hundred and not more than a thousand acres.

II. Application to such cases shall be made to the Deputy Commissioner of the district in which the land is situated. Every such application shall state: the estimated area in acres of the land applied for, the situation of the land, its boundaries....

III. The Deputy Commissioner on receipt of such application shall enter it into a register to be kept for the purpose and shall compare it with the records of the office.

IV. If on enquiry the Deputy Commissioner is satisfied that no right of any kind exists in the land applied for, and that there is no other objection to leasing it; and if after its position, extent and description have been accurately ascertained, it be found to fulfill the conditions prescribed in Rule I, the Deputy Commissioner may grant it to the applicant on a lease for ten years at the rate of eight annas, equivalent to one Shillong per acre per annum, provided he be satisfied that such applicant is prepared to reclaim and utilise.

* B.R.P., 4 April, 1873, No. 1072.
the land............. reasonable proportion of unculturable land used for grazing, fuel or other purposes may be let at four annas per acre, if the Deputy Commissioner is satisfied that it is not worth more. If there be more than one applicant for the same land, the Deputy Commissioner may put the lease up to auction.

V. The lease-holder shall be bound to put up within one year the date of leases such boundary marks as the collector may deem sufficient. If he should fail to comply with the condition, the Deputy Commissioner shall cause the marks to be put up, and shall realise the cost from the lease holder in the same manner as if it were on arrear of revenue on the land.

VI. Holdings settled for ten years under the above provisions shall be heritable and transferable on the condition that all transfers are registered in the office of the Deputy Commissioner. At the end of 10 years' settlement, if the lessee is found to have properly used and cultivated the land, he will be entitled a renewal of lease for 10 years at fair revenue rates, such as are charged on land cultivated with the ordinary crops of the country and on after every ten years, or any longer period which the Government may fix. In case of such renewal of fair proportion of land used for fuel, grazing, sites of houses etc........may be included at half rates if culturable and at one fourth rates if unculturable.
VII. Under a similar procedure leases for 10 years the plots of uncultivated jungle land not less than five and not exceeding five-hundred acres, which are in such a condition as to require heavy labour for clearance, may be given to cultivators or planters on the following terms.......

Rates for the above leases
Four years .........rent-free
Three years ......one-fourth
Three years......one half-full revenue rates

VIII. If at the end of a ten years' lease under rule VI the land is found to be properly reclaimed and utilised, the lessee will be entitled to a renewal of lease on a heritable and transferable title on the conditions laid down in Rule VI.

IX. No more than one lease can be given to any one person under Rule IV and VII without the special sanction of Government.

X. If the Deputy Commissioner at any time finds that land leased under Rules IV or VII is not properly reclaimed and utilised, he may resume the lease, but his decision shall be subject to appeal to the Commissioner. In case a lessee holding rent free under Rule VII is not fairly reclaiming the land, the Deputy Commissioner shall be bound to resume it.

XI. No lessee under Rules IV and VII entitled to sell or carry off wood growing on the land. Such wood may only be used for the fair and legitimate purposes of cultivation and manufacture on the land leased.
The right of Government to the minerals under the land is reserved during the currency of the lease under Rule IV and VII, but the lessee may quarry stone or other minerals for fair use on the land. A renewal of lease after the expiration of the first ten years under Rules VI and VIII will convey the right to wood and minerals unless they are specially reserved.

Jungleburi or Waste Land Reclamation Leases

In 1864 the Jungleburi or Waste Land Reclamation Lease Rules were introduced. Down to 1864, the history of tea gardens in Cachar was much the same as that of gardens in the Assam valley. Although in 1862, the Fee Simple Rules were introduced, under special circumstances grants were limited to an area of 3,000 acres. The land was put to auction and the price ranged from Rs. 2-8 to Rs. 10 per acre. Again the Jungleburi leases as sanctioned in 1864 contained the following provisions:

(1) The leases were to be thirty years
(2) The revenue to be assessed was:
   for the first 3 years ... revenue-free
   for the first 5 years ... at 3 annas per acre
   for the first 5 years ... at 6 annas per acre

58. Allen, n 17, p. 130.
for the first 5 years ... at 12 annas per acre
for the first 12 years .. Rs. 1-8-0 per acre

(3) The lease was to have right of resettlement at the expiry of the lease was to be moderate jams, the lessee being assured that the assessment would never exceed one-half the gross rental, calculated either on the actual assets or a fair estimate of what the estate may be worth to let.

(4) The lessee was only to be entitled to resettlement of the entire land covered by his lease if he had cleared and cultivated three-quarters of it, failing this only the cleared and cultivated land would be resettled with him.

(5) No promise was to be given that a permanent settlement would be granted on expiry of the lease.

In 1874 Assam was transformed into a Chief Commissioner's province. Even before the creation of the Chief Commissionership of Assam, Assam, Cachar and Sylhet were included in the same tea district. Prior to that in 1873, the Government of Bengal considered a proposal to divide the tea districts into two whereby Cachar and Sylhet would form a separate tea district, and to permit the planters in Cachar the free recruitment of tea-labourers. But the planters in Assam and their sympathisers took an exception.60

60. Hindu Patriot, 18 August, 1873 Quoted in Bhattacharjey's book; n 1, p. 198.
In 1875 the Government of India, with the consent of the Chief Commissioner modified the Reclamation lease rules of 1864. Accordingly the term of the lease was reduced to 20 years, after which the lands covered by the lease were to be settled at the "Current district rates". The rates followed accordingly were:

- For the first 2 years: revenue free
- For next 4 years: at 3 annas per acre
- For next 4 years: at 6 annas per acre
- For next 10 years: at 12 annas per acre

No clearance condition was imposed by this and the promise made by the Government of Bengal that the next resettlement should be at rates not exceeding one-half of the gross rental etc., was withdrawn. Again, the leases were applied to ordinary cultivation also. In 1876, the new thirty years Waste Land Rules were issued, which were originally intended to apply in the Assam Valley districts only. The Chief Commissioner also drew the attention of the Deputy Commissioner of Cachar to implement it as an alternative to the Reclamation Rules of 1875. A comparison between the Jungleburi Rules of 1875 and the thirty years' Lease Rules of 1876 for special cultivation, showed that all was in favour of the former. Again, it was

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62. Ibid.
63. Circular No. 24, 13 April, 1876.
64. Scott, n 61.
realised that it would not be convenient to have two sets of rules at a time. Therefore, the Chief Commissioner directed the abrogation of the Reclamation Rules of 1875 and the extension of the Waste Land Rules of 1876 to the whole province. The said Rule of 1876, however, applied only to special cultivation and it was finally decided in 1882, that leases for ordinary cultivation should be in a form somewhat different from that laid down in the Rules of 1876; the conditions were also less favourable to the lessee. The main conditions of the lease were:

(1) The term of the lease was 20 years;
(2) For two years the land was to be revenue-free;
(3) For four years the assessment was to be 3 annas an acre;
(4) For four years the assessment was to be 6 annas an acre;
(5) For ten years the assessment was to be 12 annas an acre and the rest of the term was to be assessed according to the prevailing neighbouring rates. As a result of this very large areas of land were taken up for tea cultivation under the Junglebahi rules and only a few insignificant plots under the 3 years rules.

66. Ibid.
67. Scott, n 61.
Progress of tea plantation

The tea plantation had gradually developed throughout Cachar in course of time. In order to meet the demand of the planters land was granted to them under three different tenures like (1) Grants under the old Assam Rules, (2) Grants in Fee-simple and (3) Mirasdari leases for a period of thirty years as mentioned earlier. 68

In the early sixties of the nineteenth century tea-planting was more in the nature of speculation than a solid industry. About speculation in tea W. Edgar, the Deputy Commissioner of Cachar reported in 1873 thus:

"Scarcely any one interested looked forward to obtaining his return from the produce of his tea-cultivation; everyone looked forward to becoming suddenly and immensely rich, by getting a piece of land, planting it out with tea, and then selling it, for a vastly greater sum than he had expended on it." 69

Edgar was justified in his observation because it was said that many gardens were sold for seven to eight times more than the actual cost and in some cases the plantation existed in paper only. This unhealthy state of affairs proved detrimental to the progress of tea-industry. So, a crash came in

69. Allen, B.C., n 17, p. 79; Papers relating to tea industry in Bengal, Calcutta, 1873.
1866 and the period of depression continued till 1869.70

According to the report of Mac William, the Deputy Commissioner of Cachar up to August 1862, the Assam Rules were set aside by the issue of new Waste Land Rules. There were 281 applications registered under the old rules and about 484760 acres of land were surveyed. As the grantees did not take any step to avail themselves of the indulgence granted them under Act VI chapter XXVI of Board's rules, 71 grants with an area of 204120 acres were resumed by Government in 1870-71.71 It was evident that under careful management those who worked steadily were making a substantial profit. The area under cultivation in Cachar was said to be 21,151 acres which yielded 4,235,000 lbs. of manufactured tea—a quantity which exceeded that produced in the neighbouring district of Sylhet even as late as 1881. By 1882, the area under plantation had risen to 18,878 acres and the yield to 12,721,000 lbs., which was considerably in excess of that returned from any other district in the Province.

A comparative study of the Waste Land grants of Cachar under different tenures would be clear from the statement of ten years from 1881 to 1900.72

70. Ibid., Bhattacharjee, J.C., n 1, p. 194-195.
71. Land Revenue Administration Report from 1881-1900.
  * See Appendix No.XV.
72. B.R.P., No. 17, 10 January, 1871.
Besides, the Fee Simple and old Assam Rules in accordance with the Government Memorandum of 28 December, 1870, some villages had been settled under the Assam Rules and District mirasdari rules. These included the villages like Jeerighat, Alni, Kachimpore, Koylashpur, Khaspur, Doyapur, Bikrampur or Domonathpur Bengalnugger, Bovalia, Chenggoor, Burthal, Madurapur, Libberbond, Salganga etc. 73

In 1898, the area under tea plantation was 62,179 and a series of favourable seasons helped the cultivation and the yield in 1901 reached 81,088,000 lbs. 74

The planters in Cachar had to face numerous problems. They were required to import machineries, seed and skilled men from outside. The indigenous people of Cachar were traditional agriculturists and so there was dearth of manual labourers. The paid labour was unknown and no one would therefore volunteer to be wage workers. 75 Again, there was the lack of well established road communication and other means of transport.

In spite of so many problems, the tea industry in Cachar prospered and it may be regarded as the 'gift of the British'. It had its far reaching effects on the socio-economic life of the people of Cachar to a very great extent.

* See Appendix No. VI.
73. Allen, B.C., n 17, pp. 79-80.
74. Bhattacharjee, J.B., n 1, p. 195.
75. Ibid.