

Land Tenure System and the British East India Company: A Case Study of the South East Punjab



History

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ABSTRACT

The present paper attempts to focus on the land tenure system in the early 19th century in the south east Punjab. Land was the chief means of livelihood for the people of the south east Punjab and the land revenue was major source of income for the Governments. The land tenure system of the south east Punjab was divided into four groups as Zamindari, Pattidari, Bhaichara and Mixed or imperfect pattidari. The cultivators were also divided into four classes-the old residents, the itinerants, the hired, and the partial cultivators.

Agriculture was the oldest and the largest important occupation and land was the chief means of livelihood for the people of the south east Punjab. The land revenue was major source of income for the Governments. As such, the British authorities also paid their attention towards the agriculture and the land revenue policies as soon as they assumed power in the region. Before the British occupied this land, there were no records of rights in land, and peasants cultivated land individually. But their rights over the land were defined and limited by the social structure of the village communities. In all villages the right of property in the land is clearly recognized in the present agricultural inhabitants, by descent, purchase or gift.¹ Each village was imagined to have belonged to mainly one caste or clan of inhabitants as Jats or Gujjars etc. The smaller villages had more generally preserved their integrity in this respect than the larger. In deserted villages the proprietary right had not been clearly stated to be in the parties inhabiting them, it was yet pretty well understood to have belonged to them.²

The villages were usually divided into an indeterminate number of superior divisions called *Panas*, seldom exceeding four or five in the village, which were again sub-divided into *Tholas*, of no fixed numbers, and these were again subject to still smaller separations. The divisions by *Panas* and *Tholas* were more nominal than practical with respect to the definition either of the extent of the proprietary right in the lands or to the proportion of the public demand, although families, clans or classes and regulate the quota of the aggregate *Jumma* or public demand chargeable.³

After the advent of the British in the south east Punjab, they observed that the public assessment upon land had never been fixed and according to established usage and custom, the rulers have exercised their discretionary and despotic authority. The Government had, therefore, decided to make the policy of settlement and decided the type of land tenure developed in each region. The salient features of the settlement policy of the south east Punjab had a proper field survey with the results embodied in a field map and register, a full enquiry into the rights and liability of all persons having an interest in the soil, and the records of these rights and liabilities in permanent register. The settlement in the South-Eastern region was '*Mahalwari*', for example, the assessment unit was an 'estate' or groups of holdings owned under one title, for example, by a single owner or by a community or a proprietary body. 4The tenures of the south east Punjab were classified into four categories :

- (1) *Zamindari*
- (2) *Pattidari*
- (3) *Bhaichara*
- (4) *Mixed or imperfect Pattidari or Bhaichara.*⁵

The *zamindari* was possessed with full proprietary right by a single owner; *pattidari* was meant to cover cases in which land was divided and held 'in severalty' by different proprietors accord-

ing to ancestral or customary shares; and in *bhaichara*, land was held 'in severalty' without reference to any ancestral or customary shares. In the fourth or mixed *bhaichara / pattidari*, the lands are held partly in severalty and partly in common, the measure of right in common land being the amount of the share or extent of the land held in severalty. In the *pattidari* tenure, each share was regulated by the revenue payable; in the *bhaichara* tenure the revenue payable regulated the share.

In the Hissar and Rohtak district, the few '*zamindari*' villages were also of the north-western type-i.e., villages originally formed by individuals who had become landlords. In other villages, there were groups consisting of the owners of older proprietary rights mixed with new settlers when formed '*bhaichara*' bodies - with the least possible reference to the original meaning of the term.⁶ A *zamindar* was of the first rate that had four ploughs, otherwise he was considered as part of group that united their means and cultivated lands.⁷

A new method of *Chaubacha* tenure was also introduced in the Hissar district during the period of the first ten years settlement 1816-1825 by Fraser, the collector, in order, as he thought, to facilitate the collection of revenue. The *Chaubacha* or fourfold rate was the name given to a mode, peculiar to the part of the south east Punjab for effecting the distribution over the individual members of a village community, of the sum levied by way of revenue upon it as a corporate whole.⁸

The *Sukh Lambari* tenure was famous in Hissar and Sirsa tehsils. These tenures were created in 1819 by the grant of waste lands to the officers and soldiers of nine disbanded cavalry regiments. The succession was regulated by Muhamdan or Hindu Law, as the case might be.⁹

The circumstances from which *talukdari* rights had sprung were very various. In a good many cases the superior owners were descendants of persons who once exercised political sway or enjoyed a lordship over the soil from which they were ousted during the dominion of Sikhs they managed to collect at harvest with greater or less regularity some small proprietary fees, such as a *ser* in every *maund* of the produce from the persons in actual possession of the land.¹⁰

The tenure of land in Delhi district was not complex. Of the 810 villages in the Delhi district, nearly twelve percent was of *zamindari*, 41 percent was of *pattidari*, and 46 percent of *bhaichara* tenure.¹¹ In Karnal district, of the 833 villages classified, for the purpose of settlement, 7 percent were of *zamindari* and 93 percent of mixed or imperfect *pattidari* or *bhaichara*.¹² In Hissar district also, three classes of village tenures existed as 25 percent of *zamindari*, 15 *pattidari* and 60 *bhaichara*.¹³ In Gudah, Fazilka and Khadar land in Sirsa district as 358 totals, 85 percent of *zamindari*, 14 *pattidari* and 1 of *bhaichara*. In Gurgaon district, out of 1233 total villages, there was of 13 percent of *zamindari*,

nearly 1 percent of *pattidari*, 26 of *bhaichara* and 60 percent of *mixed*.¹⁴

Two groups of land holders have been identified in the south east Punjab those having 1-20 acres and those having 25 over 50 acres. Former is taken because 1-20 acres are easily accessible and easily operated and latter is being taken because above 25 acres could not be easily operated, would have to take support from labourers and had long-term consequences. As far as the first category was concerned, all the districts, excluding Hissar, had almost 18 percent of the land which was held owners of 1-20 acres, or slightly more (up to 1-2 percent) in operation.¹⁵

Besides the actual owners of the soil, among whom the village lands were either divided or undivided, as mentioned above, and with whom alone rested the right of property as heirs to those of remoter days, these were four classes of cultivators – the old residents (*royat*), the itinerants (*pahee*), the hired (*kamera*) and the partial cultivators (*kameen*).¹⁶

The old residents (royat)

The old residents or *royat* were usually ancient family residents of the village and had cultivated the same lands. They attained to the highest rights in the village subordinate to those of the proprietors. So long as they continue to discharge their proportion of the public assessment due, they were not liable to ejectment from them. But if they failed in this and no individual sharer should have an exclusive right, it reverted to the division.¹⁷

The itinerants (pahee)

The itinerant or *pahee* cultivators were always residents of a different village. These cultivators could abandon and the owner of the land could prohibit the *pahee* at pleasure, mutually, though from the desire to profit by the cultivation of the super abundant lands the proprietors generally favor these people and they usually got terms equal to a contribution of a fourth less of their produce than established cultivators.¹⁸

The hired cultivators (kamera)

The hired cultivators or *kamera* were of all castes and classes, being mostly of the description of daily laborers whom had in India under the denomination of coolies. In the former case they earned from three to four rupees per month or they agree to receive 1/6th or so of the produce of the land with half seer of grain per day and each harvest certain clothing. They were encouraged to settle by the proprietors.¹⁹

The partial cultivators (kameen)

The partial cultivators or *kameen* were those whose occasional leisure from their primary occupations permits them to culti-

vate a few *beegahs* of land. The *kameens* often contributed to the realization of one or more of the three last species of taxation imposed by the proprietors as would be noticed hereafter in the *choubacha* plan. They were almost paid for their professional assistance by the proprietors at a stated allowance of grain from each plough.²⁰

There were the agriculturist castes of Ahirs, Jats, Rajputs, Ranghars, Meos and Gujjars.²¹ The non-agriculturist classes were the Brahmins and Banias and the required class of menials who received at the harvest time a certain acknowledgement dues for which they rendered fixed service besides pursuing their special calling.²² These were divided into two classes – those whose labour was intimately concerned with agriculture viz. the blacksmith, carpenter and tanner and secondly those whose services were rendered in other ways and less regularly, just as the weaver, barber, potter waterman, washer man and sweeper.²³

To sum up, one can say that agriculture was the chief means of livelihood for the people of the south east Punjab and land revenue was the chief source of income of the government. Before the advent of the British, there were no records of rights in land and peasants cultivated land individually. An old dictum was, as referred to, by eminent historian Dr. K.C.Yadav in his books:

Dilli paacchhe mard bhatere, base des hariyana,

Aappe bowein aape khaanwein, kisi ne de naa daana.

(Beyond the boundaries of Delhi, there is Hariyana region where people themselves sow and reap the crops and do not pay even a single grain to any one (master/king/power).

But after the advent of the British, they first made records of rights in land and the main object of the British was to obtain a record of liability for revenue which depended wholly upon cultivating possession. The Government had, therefore, decided to make the policy of land settlement and decided the type of land tenure which was developed in each region. The land tenure system of the south east Punjab was divided into four groups as *Zamindari*, *Pattidari*, *Bhaichara* and *Mixed or imperfect pattidari*. The Sirsa area was dominated by *Zamindari* (85percent), *Pattidari* existed in 40percent of the Delhi parts, and around 60 percent of Hissar was covered under *bhaichara*. In Karnal (93percent) and Gurgaon (60percent) *mixed* tenures were prevalent. The cultivators were also divided into four classes—the old residents (*ryats*), the itinerants (*pahee*), the hired (*kamera*) and the partial cultivators (*kameen*).

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