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### **MAHALWARI SETTLEMENT**

The 'village community', which some of the early Western observers from Charles Metcalfe to Henry Maine spoke so eloquently about, figured neither in the Permanent Settlement nor in the Ryotwari system. However, when these two systems were being worked out, vast stretches of territory in north and north-western India were overrun between 1801 and 1806. This region, once the heartland of the Mughal empire, stretching from the Himalayan foothills to the central Indian plateau, including the Ganga-Jumna Doab, formed the North-Western Provinces. In the agrarian structure of this area, there was on the one hand, a small group of magnates, known as the taluqdars. Nurul Hasan has described them as the "intermediary zamindars", who "contracted with the state to realise the revenue of a given territory". There were on the other hand, a large group of "primary zamindars", who were the "holders of proprietary rights over agricultural as well as habitation lands". Included in this group were both the small owner-cultivators and also the large proprietors of several villages. With the Bengal model in mind, the British initially proceeded to collect revenue from the taluqdars, who by the end of the eighteenth century included two distinct social groups. On the one hand there were the locally entrenched "rulers of the lineage-dominated principalities" and on the other, the Mughal jagirdars, revenue officials and tax-farmers who had instituted themselves as "de facto rajas or taluqdars".<sup>78</sup> These initial short-term settlements, eventually to be made permanent, were based on artificial and faulty estimates of the productivity of the newly conquered lands, and therefore revenue assessments in many cases were abnormally high. Many of the big taluqdars resisted the new regime and its high revenue demand, and were liquidated with utter ruthlessness. Many were driven off and their mud fortresses razed to the ground. In other cases, defaulting estates were sold off by the government. As a result, by 1820, many of this "inchoate magnate class of upper India", as Eric Stokes described them, had "either lost their position entirely or were left in a shrunken condition". The land sold in auction was often bought by the amlas and tehsildars, who used their local knowledge and manipulated

their power to buy some of the best properties in the area. In the Banaras region, for example, about 40 per cent of land had changed hands by the middle of the nineteenth century and they went into the possession of, as Bernard Cohn gives the list, "under civilservants and their descendants, and to merchants and bankers".

These people came to constitute a "a new class of landlords", who were outsiders to the village community and had different attitudes to the land. 80 But on the other hand, as Thomas Metcalf has argued, since land market was imperfect ( often there were no buyers) and frequently the new purchasers had to leave the former owners in charge, in few cases only the land actually changed hands. The situation created nevertheless a scare that land was passing into the hands of non-cultivating classes, Holt Mackenzie in 1819 describing it as a

"melancholy revolution"; for in his judgement only the village coparcenary bodies were the "sole owners of the land" .81

So from taluqdars British preference now shifted to the 'primary zamindars' and village communities. Mackenzie's recommendations were incorporated in the Regulation VII of 1822, which provided for a detailed field-to-field survey for revenue assessment. Settlement was to be made with the village community or with a taluqdar where available; and in addition to the rights of the proprietors, the rent to be paid by the resident cultivating peasants was also to be ascertained and recorded. Thus taluqdars were not completely eliminated; but where possible joint proprietary right in land was vested in the village communities. The refractory and oppressive nature of the taluqdars and the need to maximise revenue as well as protect the rights of the peasant proprietors to ensure the improvement of agriculture, rather than the influence of the Ricardian theory of rent, prompted the making of the Mahalwari Settlement. But the new settlement from the very beginning was enmeshed in confusion, and corruption, as in practice it was virtually impossible to implement. The survey, which was at the core of the new arrangement, failed, because it was too complex to be carried out with the existing administrative machinery. The obvious result was over-assessment, based on "idiosyncratic estimates". 82 The situation was worsened by the agricultural depression of 1828. Arrears started mounting, land remained uncultivated; buyers were difficult to find. Some reforms had become clearly necessary, which came in the Regulation XI of 1833.

The revised system, as worked out by another civilian, R.M. Bird, provided for a detailed survey to assess the revenue of an entire mahal or fiscal unit, based on the net value of potential produce of the field. The total revenue thus fixed was then to be shared by the members of a co-sharing body. The state was to appropriate two-thirds

of the net income of the land and the settlement was to be made for thirty years. But the village settlements, started by Bird and completed by James Thomason, were again based on imperfect survey, inaccurate calculations and therefore over-assessment. And they were marked by an unconcealed hostility towards the taluqdars, whom Bird considered to be a "host of unproductives". Many of them were dispossessed and pensioned off with a cash allowance; and so effective was this policy that it nearly "flattened] the whole surface of society", as the Lt. Governor of the province commented in 1842 after Bird's retirement.<sup>83</sup> But this did not mean the ushering in of a golden age for the village communities, which were ruined by high revenue demand, mounting debt burden, arrears of revenue and the resulting sales of their properties and dispossession through decrees of the civil courts. Land in many cases passed into the hands of moneylenders and merchants, more so in the commercialised districts. Whether this meant a fundamental social upheaval is open to question, as in many cases the formal sale of properties did not effect any real change in the structure of landholding in the villages, as the new purchasers could hardly do anything without the original owners. But, as Thomas Metcalf concedes, "one can hardly say that 'nothing happened'".<sup>84</sup> The grievances of the rural society of north India were soon to be expressed rather loudly and violently in the revolt of 1857, as we shall see in the next chapter.

Thus by the middle of the nineteenth century the Company's administration had devised three systems of land revenue administration, creating private property in land and conferring that proprietary right on three different groups—the Permanent Settlement was made with the zamindars, the Ryotwari Settlement with the ryots or peasant proprietors and the Mahalwari Settlement with the village community. The latter system was extended to Punjab and central India when those regions were conquered subsequently, while the Ryotwari system was introduced in Sind, Assam and Coorg. The zamindari system was tried in the northern districts of the Madras Presidency where zamindars could be found. According to a rough estimate, in 1928-29 about 19 per cent of the cultivable land in India was under zamindari settlement, 29 per cent under Mahalwari settlement and 52 per cent under Ryotwari system. "A common feature of all the settlements, as we have noted, was over-assessment, as the primary aim of the Company's government was to maximise revenue income. The results were arrears of payment, mounting debt, increasing land sales and dispossession. Contrary to received wisdom, modern research has established that the effects of these changes were less spectacular than once imagined, and had significant regional variations, as the land transfers could

not fundamentally alter the structure of landholding everywhere. The agrarian society thus proved to be more resilient than once thought to be. But the groups and classes that survived had substantially different rights, obligations and powers. These changes and grievances generating from there were amply reflected in the series of agrarian disturbances that marked the first century of British rule in India