
PART I.

ORIGIN OF LAND REVENUE SETTLEMENT AND ORIGIN AND
EXISTENCE OF PRIVATE PROPERTY IN LAND.

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**HISTORY OF LAND REVENUE SETTLEMENT
AND
ABOLITION OF INTERMEDIARY TENURES
IN TAMIL NADU**

DIGITIZED

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GOVERNMENT OF TAMIL NADU
1977

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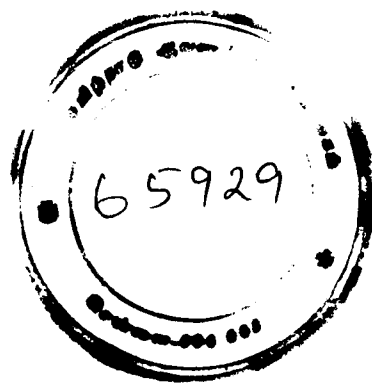
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1976.

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FOREWORD

This concise book which deals with the history of Land Revenue Settlement and the legislation undertaken to abolish intermediary tenures and introduce land reform measures has been brought out on the eve of completion of the work relating to abolition of estates and inams and introduction of ryotwari settlement. Having been associated with estate settlement work at different levels during various spells for nearly two decades now, and having been a member of the Co-ordinating Committee which guided and supervised the compilation of this book, I feel proud to say that very useful information has gone into its pages.

2. We find that, springing from the basic concept that Land Revenue is the Crown's prerogative the world over, its administration has undergone progressive changes in different countries, or different parts of a country, from time to time creating various types of tenures in land holdings, thus deviating from the ryotwari tenure. Time has proved that the ryotwari tenure is the only ideal tenure both for the State and for the landholder, as intermediary tenures that were created from time to time have only helped middlemen to prosper at the cost of agricultural economy. This book deals succinctly with the various types of tenures and the steps taken over the years to abolish all intermediaries and confer ryotwari rights on the occupancy ryots or landholders who had resorted to pannai cultivation.

3. We also find that different land revenue systems prevailed in the districts during native Governments and, notwithstanding various measures taken by those Governments from time to time, that system was the most abused at the hands of petty officials and middlemen and stood discredited for inflicting undue hardship on the cultivator without any corresponding benefit to the State. We owe it to the Britishers who introduced the system of land revenue settlement, linking the assessment to the productivity of land, commuted at average market rates which were unchangeable during a spell of 30 years, thus ushering in an era of prosperity to the agriculturists. The National Government that followed took more progressive views and put a stop to the periodical re-settlements from the year 1937 onwards.

4. At every settlement or re-settlement, efforts had been taken to have as few rates as possible in the scales of money rates applicable to wet or dry lands in each district. But, it will be found from the money rate tables appended to this book, that the sum total of the prevailing rates run to a few hundreds in the whole State. The land revenue assessment based on these money rates is superimposed with local cess and local cess surcharge besides charge for

water. These different rates of assessment, arrived at on certain principles on the basis of the conditions that prevailed in a district prior to the introduction of resettlement, would not stand scrutiny in the changed atmosphere of economic development and diversified land use, and the subtle differences provided for in the classification of soils based on productivity do not justify their existence any longer. It is, therefore, time that the land revenue system is simplified so as to eliminate the elaborate money rate tables.

5. Basically, the economy of our country is agricultural and it will continue to be so till we achieve a high degree of industrialisation, diverting a substantial part of the agricultural labour to extractive and manufacturing industries. This over-dependence on agricultural economy has necessitated the introduction of land reform measures to bring about economic land holdings, consistent with our socialistic goal, and thus prevent concentration of land in a few hands. Such land reform measures undertaken by the Government of Tamil Nadu over the years are also briefly dealt with in this book.

6. It is not as though this book is an original venture. There have been several publications, both Government and private, which have dealt exhaustively with most aspects of the themes, but it is a unique effort to bring in one place all aspects relating to landholdings in the State and their tenures. Such earlier works as have been referred to, have been listed out in the bibliography appended to the book. The subject is a vast one which will admit of further research.

7. I have great pleasure in introducing the book to the readers whose criticism will be welcome.

MADRAS,
7th September, 1976.

V. KARTHIKEYAN,
Chief Secretary.

PREFACE

In September 1974, a suggestion was made by Secretary to Government, Finance Department, that it may be worthwhile writing up a history of Settlement and Abolition of Tenures in Tamil Nadu, now that introduction of Settlement in the ex-estate areas was almost over. The Board (Settlement of Estates) welcomed this suggestion and sent up proposals to Government for the formation of a special cell in the Board's Office with a Special Officer and the required staff to draft the history. It also recommended that a steering committee consisting of senior officers, either retired or serving, may guide the Special Officer in preparing the draft so that the work may have a historic and research background, rather than remaining as a mere book of statistics. Thiru Badrinath, I.A.S., Commissioner of Archives and Historical Research, whose opinion was sought, supported the proposal, but stated that the work can as well be undertaken in the Archives itself under his general supervision with a selection grade Research Assistant deployed on it who can, in turn, avail himself of the material available in the works of Dr. B. S. Baliga, the late Curator. He discountenanced the idea of the Committee method of writing a history. The Government, however, decided that the work could be undertaken in the Board of Revenue (Settlement of Estates) with advantage and sanctioned in G.O. No. 238, C.T. and R.E., dated 4th March 1975 a special cell consisting of a District Revenue Officer with 3 to 5 years experience in settlement work. In the same G.O., the Government constituted a Co-ordinating Committee consisting of the officers noted below in order to edit and supervise the work of the Cell and also to touch up the drafting, besides giving the work a good historical and research perspective.

Chairman.

Commissioner for Settlement of Estates.

Members.

1. Thiru V. Karthikeyan, I.A.S., Member, Board of Revenue.
2. Director of Survey and Settlements.
3. Commissioner of Archives and Historical Research.
4. Thiru N. Subrahmanyam, I.C.S. (Retired).

The Government also desired that another retired civil servant who was connected with the early reforms may be nominated to the Committee, but that proposal was ultimately dropped.

The Special Cell Commenced the work when Thiru N. Nagarajan, D.R.O., joined duty on 1st June 1975. The Government also sanctioned some additional staff in G.O. Ms. No. 918, C.T. and R.E., dated 1st August 1975 to assist the Special Officer. The Commissioner of Archives made available to the special cell the papers of Dr. Baliga, including the District Gazeteers edited by his Department and also a set of papers presented at the Seminar on "The Agrarian History of Tamil Nadu (1750-1947 A.D.)" which was held at Madras on 23rd and 24th October 1974 under the auspices of the Tamil Nadu Council of Historical Research, Dr. R. Nagaswami, Director of Archaeology also lent some of the books brought out by his Department. The Co-ordinating Committee held its first meeting on 30th July 1975 under the Chairmanship of Thiru V. Ananthapadmanabhan, I.A.S. and approved the layout of the report for adoption by the Special Cell, and agreed that the write up should cover mainly the history of Settlement in Tamil Nadu, but may refer to aspects relating to the composite Madras State, wherever appropriate. It also indicated that the concerned authorities of the Madras University

PART II

LAND ADMINISTRATION IN TAMIL NADU DURING THE EARLY BRITISH PERIOD

may also be contacted for collecting useful information which they may have on the subject. The Committee approved the proposal of the Director of Survey and Settlements that the scope of the report may cover the following aspects in different parts:—

I. Brief history of land administration by Hindu Kings and Muslim Rulers that existed in Tamil Nadu prior to the advent of British Rule.

II. Land administration in Tamil Nadu during the British period up to Independence covering various Acts and Regulations like.

- (a) The Madras Permanent Settlement Regulation (Reg. XXV of 1802).
- (b) Inam Commission Enquiry.
- (c) The principles of ryotwari settlement.
- (d) The Estates Land Act of 1908 (Act I of 1908).

III. The History of Settlement and Tenure Abolition in Tamil Nadu after "Independence" covering the various enactments like

- (a) The Madras Estates Land (Reduction of Rent) Act 1947 (Act XXX of 1947).
- (b) The Tamil Nadu Estates (Abolition and Conversion into Ryotwari) Act, 1948 (Act XXVI of 1948).
- (c) The Tamil Nadu Inam Estates (Abolition and Conversion into Ryotwari) Act, 1963 (Act 26 of 1963).
- (d) The Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Act, 1963 (Act 30 of 1963).
- (e) The Land Ceiling Acts and other Acts including Acts framed for protection of cultivating tenants.

IV. A detailed history, allocating a chapter for each district.

In conformity with the above direction, Thiru N. Nagarajan, gathered the materials needed for Part I of the history and prepared a draft. He proceeded on leave on 23rd August 1975.

Thiru K. Subramanian, B.A., succeeded Thiru Nagarajan on 17th September 1975. He gave shape to the Part I of the draft edited by Thiru Nagarajan and proceeded to prepare the other parts. He was given the assistance of a superintendent, Thiru M. N. Raghunathan, from 6th October 1975. Copies of the draft as and when ready were sent to the Director of Archives for scrutiny by a Research Assistant.

In the meanwhile, Thiru N. Ananthapadmanabhan, I.A.S., Settlement Commissioner retired on 31st October 1975. As there were frequent changes in the portfolio of the Settlement Commissioner and the post was vacant during some spells, the next meeting of the Committee could not be convened soon. Thiru M. S. Ram, I.A.S., and Thiru K. Subrahmanyam, I.A.S., functioned as Settlement Commissioners for short intervals. In the meanwhile, Thiru V. Karthikeyan, I.A.S., assumed charge of the post of Chief Secretary in March 1976. The Committee was reconstituted in G.O. 686, C.T. and R.E., dated 20th May 1976 adding Thiru Ramchandrar, I.A.S., Board Member in the place of Thiru V. Karthikeyan. The draft of the history was circulated to the members of the Committee. The Committee, as reconstituted, met on 4th June 1976 under the Chairmanship of Thiru K. S. Sivasubrahmanyam, I.A.S., Settlement Commissioner. The Director of Archives deputised for the Commissioner of Archives and Historical Research at this meeting. The Committee reviewed the broad outline of the history as placed before it and desired that the Special Officer may gather statistical information, atleast for a few major estates, to show how the ryots had benefited by these

legislations and how it was advantageous to Government also. It was tentatively decided to have the next meeting of the Committee in a continuous session from 12th July 1976 to 15th July 1976 for a critical review of the draft. The members were also requested to offer their views on the draft in the meanwhile. Due, however, to other pre-occupation of the Chairman, this meeting had to be postponed. Thiru K. S. Sivasubrahmanyam, I.A.S. relinquished charge of the post of Settlement Commissioner on 2nd July 1976 and Thiru G. M. White, I.A.S. succeeded him. There were also changes in the incumbents of the posts of the Director of Survey and Settlements and the Commissioner of Archives and Historical Research.

The Committee which met again on 4th August 1976 under the Chairmanship of Thiru G. M. White, I.A.S., with the Director of Survey and Settlements and the Commissioner of Archives and Historical Research attending, approved the draft history indicating a few additions and modifications. It also placed on record the valuable services rendered by the Special Officer in bringing out the compilation within a reasonable time, ably assisted by the Superintendent.

This history, narrated in distinct parts, covers a span of several centuries. It traces the evolution of property in land, its social control and the origin and growth of land revenue system. The process of this evolution can be described in a nutshell as having turned a full circle and, though in effect the goal is nearly the same, the modus is different. Intermediary tenures were created only to be abolished as time proved that the system was anachronistic. Social restrictions have again been brought to bear on land ownership, though the mode of control is different in the changed circumstances where availability of land is limited.

Regarding the land revenue system itself, which is considered to be an inelastic source of Revenue, it has come to be increasingly acknowledged that it is necessary to have a systematic and up to date maintenance of land records incorporating the latest changes in ownership, including tenancy rights. It cannot be gainsaid that every measure taken in the land revenue administration over the ages, has carried with it a measure of land reform also, be it the Permanent Settlement Regulation or the Estates Land Act, or the Inams Regulations. It is, however, discernible that every measure of legislation has had in view the welfare of the tiller of the soil on whose prosperity depended the economy of this agricultural country, though a different approach had to be resorted to from time to time keeping in view the current thinking on what constituted his welfare. The country has passed through the hands of various Governments headed by autocrats, benevolent despots, foreign elements and democratic bodies all of whom had kept this basic concept in view, though in actual implementation different methods have been adopted by different heads of Government during different periods with different results. Fortunately for us, the Hindu Code handed down by Manu had formed the basis of administration by ancient Hindu Kings and his concept had permeated, by and large, into the fabric of land revenue administration and tenancy laws which have undergone progressive, though not violent, changes from time to time. This trend will be explicit in the general history of land tenures and land revenue administration and the Chapters on various districts.

In bringing out this book, care has been taken to see that it has a historic and research background as it was intended to be, rather than allowing it to remain a mere book of statistics. This was possible of achievement due to the interested guidance given by the Co-ordinating Committee and, in particular, the officers who held the posts of the Director of Survey and Settlements and Commissioner for Settlement of Estates under whose direction the special cell functioned. It is hoped that readers will find this book useful and authentic.

Madras,
3th September 1976.

G. M. WHITE,
Settlement Commissioner.

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PART I. CHAPTER I.

ORGANISATION OF VILLAGE COMMUNITIES.

Origin of Land Revenue Settlement'.⁽¹⁾

(1) (In the earlier times the affairs of the villages of the south were controlled by a headman) There was a concerted system for regulating common affairs, and division of labour was practised in the different trades and professions, by individuals receiving a regulated remuneration. (Local taxes for common purposes were levied rateably.) The ownership by the individual, however, in the soil itself was at first weak, for land being abundant it was the property of him who liked to take it, and there being more in reserve, occupation alone could give land only a slight marketable value. Ownership gradually grew stronger as occupants increased. The Government, as soon as any arose, limited its operations to taking from each individual cultivator a share of the produce. This primitive form of village corporation remained more or less in tact in many places, the only difference being that the lower orders had been to a considerable extent, emancipated in course of time, and that the Government had assumed the additional duty of assigning waste lands to new occupants. In the village system, there was no joint claim to the whole village area, including waste; and there was no combination to exclude strangers.

(2) Another form of village community also sprang up later. This form was the result of occupation by a body, democratic among themselves. The distinctive features of this system of village corporation were that the dominant race claimed a strong proprietary right in the while of the village, whether cultivated or uncultivated; that they gave no franchise to strangers and that in their own internal administration they had a tendency to practice communism, and adopted Government by Panchayat, or committee of elders, in preference to that by a single headman. In other respects the arrangements were the same as in the more ancient form. The Government had no concern with the distribution of land and it was believed that they settled the land tax, not with the individual cultivator singly, but collectively with the village authorities. The Panchayats assumed lesser importance than they first had, and generally gave place to the headman. The rents to the dominant body survived in a few cases only of what are called "Swatantrams" in Chingleput district and the rights to the waste, though still asserted by Mirasdars and Karaikarars in the southern districts and recognised by Government only as a preferential claim, to be indulged under certain conditions and in common with other inhabitants of the village. It has been stated by some that this form of community ownership is due to Aryan influence. It may be so, but it is equally possible that it represents the system of the more civilised Dravidians when they came into contact with an earlier and weaker race.

(3) In the times of the early village communities, proprietary rights, as signified by the power to alienate, existed to a very trifling extent. In the more ancient form of community, as has been said, tenures had no market value: and in the later and more democratic communities where rights were more decided, the land was not an individual but a common property, and one man could not, without the consent of the others, sell it to a stranger. Still transactions occurred in the latter case among the members of the community themselves, which evidenced in the latter case within that limit. Sales were not common, as mortgages were usually not forecloseable for a very long period: but the latter existed in abundance, showing a certain value in individual ownership of landed property.

(1) Land Tenure in Madras Presidency by Thiru Sundararaja Iyengar.

(4) Individual property in land sprang up earlier than elsewhere in the districts on the western coast, probably owing to the political circumstances which rendered the Government authority weak and the state demands light. The attitude of the Dravidian or Hindu rulers with regard to the soil probably varied entirely with the circumstances of times and places. The object of Government in this connection is to obtain revenue for Government purposes. If it found communities so organised as to be able to form the villages properly and to render the proper State dues, the Government would not interfere in the direction of the disposal of the lands claimed by the community. In imperfect organisations it would be forced to interfere in the disposal of the land especially of the wasteland, with a view to the proper development of the country and realisation of the revenue. The tendency probably was for the villagers to lean more and more on the Government in these matters, and hence in many parts of the country the State interference became a regular institution. Still, there was no evidence that any Hindu Government ever took the step of ejecting an occupier if he failed to deliver his dues.

(5) The land revenue was levied by all Hindu Governments in the shape of a proportion of the gross produce fixed according to the capacity of different soils and the value of different products either in kind or the commuted money value of that proportion. There was no settlement for a succession of years or seasons, but each crop was divided as it was produced. The Metrayar system of Italy and some other modern continental countries is but a repetition of this plan. The Government share was usually taken in kind under what is called the 'Amanny System'. In those times when the boundaries of fields were ill-defined and the holdings very small and inter-mixed, and where it was the practice to thrash out grain at once after reaping, it was easier and gave less opportunity for abuse to divide the grain so thrashed out, than to calculate annual money payments according to the quantity and quality of land actually cultivated. In certain cases, however, the value of the crop was estimated after reaping, and a portion of this value was paid in money to the State. The commutation system would, naturally, take the place of the other where joint settlements were made with villagers. It was also considered more applicable to dry land crops than to wet land crops. The amount of the Government share in Hindu times was very fluctuating. The institutes of Manu would have it that the State should take of grain only "an eighth part, a tenth, or a twelfth, according to the difference of the soil and the labour necessary to cultivate it". But it is quite certain that the average share under the Hindu Governments considerably exceeded these theoretical limits. The Hindu share was, as first mentioned, probably less than the Mohamedan share, but it must have been very much above the share of Manu, or it will be impossible to account for the slow development of individual landed property. It is probable that in times of war the land revenue demand increased.

Land Revenue Administration under the TAMILIAN KINGS.⁽¹⁾

(6) The Tamil Nadu in ancient times lay between Nellore on the north and the most southern extremity of the East Coast, skirting the Mysore plateau on the western side. It was the scene of three Old Hindu dynasties of Pandya, Chola and Chera.

The Pandya is generally identified with Madurai region, the Chola with Thanjavur region and Chera with Salem, till the Pallavas over ran the Tamil territory and were later followed by the Mohamedans and the British.

(7) In the Tamil Nadu area, the republican form of village community above mentioned was prevalent. On the first establishment of a Tamil village the rights of occupancy of the whole land were divided into a number of equal shares or ploughs and apportioned to the different members of the settling community. At the earliest stage it was probable that there was common cultivation, and that the net produce after payment of taxes was divided according to the shares. Subsequently individual

⁽¹⁾ Land Tenure in Madras Presidency by Thiru Sundararaja Iyengar.

cultivation seems to have been carried on, but the land to be cultivated by each was reapportioned by lots in the original proportions either annually or periodically at every five, six or ten years. In Thanjavur, Tirunelveli, Madurai, Dindigul and the other Tamil areas south of the Coleroon, individual occupancy seems to have arisen at an early date. The division of land was then considered permanent, and as far as occupation and cultivation went the ancient collective tenure was converted into one of severality.

8. For all other purposes, however, the communistic principle prevailed. A sharer could not sell his land without the consent of the community and on the other hand the possession of a share, whether inherited or acquired by sale or mortgage, gave a proportionate claim to all incidents common to the village, as for instance the advantages arising out of mines or quarries, fisheries, forests, taking up of new waste and pasturage. Gradually the shares became subdivided; but in the accounts of the village the original partition always remained, the small holdings being represented in terms fractional of the original shares, and the possessor of a reduced share possessing a corresponding share of the communal rights and duties. The name given to these communistic rights and duties was "Kaniachy" among the Vellalars. When the property fell into the hands of the Brahmins it was called "Swastiam". The same property when found in the possession of Mahomedans or native Christians was called "Mirassy", the name now most usually employed in all cases. (Mirass is an Arabic word, meaning inheritance or patrimony). "Pasangharay" in Tamil and "Sarwadayam" in Sanskrit are also terms carrying the same meaning. In some instances, principally in Thanjavur, the whole Mirassy of a village was vested either by purchase or otherwise, in the hands of one individual; it was then called "Yekabhogam". The duties of the individual Mirasdars, as such, consisted of paying certain small taxes of "Mercy" to the community for purposes of internal village administration. The following list taken from old accounts is illustrative of the nature of these taxes:—To feeding Brahmins on particular festivals; to lighting the village temples and gates; to expenses incurred on certain anniversaries; to feeding travellers and strangers one meal to each; to repairing the village well; to repairing the chief temples; to constructing a new gate for the village; paid to certain men for killing a tiger, etc.". The rights of the Mirasdars were more numerous than their duties; the institution being one for the assertion rather of the former than of the latter. Against the Government the Mirasdars asserted freedom from all interference in the apportionment of land within the village boundary, or in the management of village affairs; claiming the exclusive right to a hereditary authority, possession and usufruct of the former and the hereditary authority in the latter.

9. In Tondaimandalam lying south of Nellore and upto the Coleroon and comprising Chingleput and North and South Arcot districts, the Mirasdars claimed also as a perquisite a portion of arable land, called gramamanyam, free of all Government demands. Against non-Mirasdars the claims of the Mirasdars were the same as those of any owner of landed property against strangers, the latter having no part in the corporation and being admitted to cultivate only by sufferance. Non-Mirasdars paid village taxes to the Mirassy corporation, and these contributions eventually no doubt removed the necessity for the Mirasdars themselves making contributions at all, just like Mirasdars in some localities claiming such contributions from non-Mirasdars, in the form of a proportionate deduction from the gross produce of lands paying tax to Government, and this merely as a perquisite and without making any return for it. The village Government was carried on by a panchayat or body and the headman was only president in a sort of council. The management of all internal details and the realisation of the Government dues from the individual cultivator, vested with this body or their delegates, and public opinion was no doubt a powerful check on injustice. The collection of the revenue cost the Government nothing. The demand was a maximum demand liable to remissions on the reports of the village authorities. In early times each village was composed of a number of families claiming to be of the same origin and the inhabitants of part of the country were of one tribe or sub-division of

a tribe. The principal caste was that of the Vellalar, the professional cultivator. Non-Mirasdars were nearly always tenants of the Mirasdars collectively or severally, and in that capacity they were called 'Poyacarries'.

10. Besides the dues to the village Miras, they paid to Government an ordinary rent. The share of the profit due to the Mirasdar owner after paying Government dues was called "Swamibhogam" or "landlord's profit". In many cases one family of tenants rented the same farm at a stipulated amount or share of produce for several generations, and thus gradually acquired a prescriptive right to remain and not to have their rents raised. They also gradually acquired rights of alienations. This class of tenants was called "ulcoody" or 'inside cultivator'. Tenants who had not attained to such a position were called "puracoody" or "outside cultivator". These tenancies resembled very closely those of the colony and aratores of the Roman Empire. That the Mirasdars enjoyed a clear landlord's rent, and that individual property gradually arose, may be seen from deeds of sale belonging to the period. The Mirassy system flourished as long as the Government demand was not excessive. Thanjavur retained the Mirassy system the longest even at the beginning of the 19th Century, when the landlord's rent was still about 25 per cent of the crop. At the same period the Tirunelveli rent had sunk to 13½ per cent.

11. It should be mentioned, to render the description of the Tamil system complete, that manyams or alienation of State demands on certain lands were already prevalent in the Hindu period. In these cases the alienation was either in favour of a village system in accordance with custom and under the authority of the village register, when it was classed as Tarapady; or in favour of some independent person under special grant from the ruling power, when it was called "sunnad" or "Dumbala". The Mirasdars paid the Government tax on Manyam lands to the persons to whom the rights of Government were under these arrangements transferred. Occasionally the payee would himself get possession of the land and become eligible to pay the Government dues to himself. Whether this was done with the consent of the Government or only by accident and encroachment is a point much debated.

12. Under the early Pandyan kings (650 A.D. onwards) there was a well recognised precept that it was the duty of rulers to protect the cultivators and maintain peace so that the cultivators could carry on their work without difficulty. For the performance of this duty of maintaining law and order the Kings claimed a share of the gross produce from the land. This share of the tax on land was fixed after careful consideration of the fertility of the soil and the average yield for the previous three or four years. Lands presented to Brahmins and temples with the rights of tenancy (Karanmai) and landlordship (Miyatchi) were exempted from taxation. The land tax usually amounted to one-sixth of the produce as laid down by Manu in his Dharma Sastras. But sufficient information is not available regarding the methods followed during those times in conducting land survey and in fixing the assessment on land.

13. The Cheras for their part had occupied off and on portions of Kongunadu across the Palghat (now comprising the Coimbatore district) and the impact of their rule, if at all, has been very little. The Revenue systems introduced by the Cholas or Pandyas, whenever they held sway, was just continued without any noticeable changes.

Mahomedan conquest.

14. India was twice subject to Mahomedan rule, once under the Turks after the invasion of Mahomed of Ghuznee in the eleventh century, and again under the Moghuls after the invasion of Baber in the sixteenth century. On each of the two occasions, the southern part of the Peninsula was overrun by conquerors, though not

Akbar's principles of Settlement in a large portion of the south. The farming system led to abuses on the part of the farmers and to resistance on the part of the cultivators and Akbar was desirous of superseding it. He endeavoured to settle in all cases with village communities. With this object, he surveyed land with the Imperial Standard, classed the lands in the villages with reference to soil conditions into 3 classes, took the average produce of each class of land, ascertained the average price of produce for nineteen years past and took one-third of the average gross produce to be paid in cash as the Government demand. In this way was calculated the amount to be paid by each cultivator and demand lists given for the guidance of the village authorities. The close similarity between these assessment arrangements and the present day will be observed, and at the same time this important distinction, that village settlement had been abandoned. The assessment obtained under Akbar's system was less than former assessments, but it was anticipated that the difference would be made up by increased punctuality of payment, for the joint responsibility of the community was the condition on which the reduced rates and other advantages were accorded to the villagers. The community managed its own affairs and disposed of the waste. Under this settlement, lands exempted from revenue were registered and enquired into, and those that were improperly held were resumed. Remissions were given on the occurrence of great calamities, but not otherwise. Payment was enforced by a personal restraint and seizure of goods, but not by sale of lands. On the other hand the Government reserved the right to take land from those who would not cultivate and give it to others. The Mohamedan arrangements of this period were probably in many respects rather theoretical than practical for, a very short time afterwards, the former farming system is found again re-established all over the country. The Mohamedan rulers viz. the Nawabs of the Carnatic are generally supposed to have augmented the land tax to such a point as to have absorbed all landholder's rents, and to have reduced the Mirasdars to much the same position as an Ulcoody.

Progress of Revenue Administration in Ancient Times.

20. In the earliest times Land Revenue was the major, if not the sole, Government impost and the Revenue system of the country may be said to have been founded, in the absence of taxation on property so called, on the land revenue which was levied by all Governments in the shape of a proportion of the gross produce fixed according to the capacity of different soils vis-a-vis the value of the different products and was usually taken in kind, but there was really no limit to the share; though what was actually levied really represented little more than a contribution to the royal privy purse. There was practically no public expenditure regarding public works, the army or the police from out of this income, since the army was supported by the estate owners on the feudal system and so was the prince/distinct from the military force. The historical tanks, bathing ghats and other works (viz.) temples, sculptures etc. which are now pondered over with admiration as depicting the power, wealth and wisdom of the old Hindu Kings were constructed or produced chiefly by unpaid labour or by community effort.

21. Each village was manned by an Accountant, who was required to keep a register showing the details of the land held by each cultivator, his means of cultivation, the area cultivated, its actual yield, the share he was entitled to retain and the share paid by him towards Government dues, as well as every other circumstance or transaction in the village covering the tenures under which the land was held. The headman of the village was assigned the duty of receiving the Government share due from each cultivator. Villages were grouped into divisions (Parganas, taluks) and districts (Zillas, Sarkars), over each of which officers of similar functions were appointed in a hierarchical pattern to receive the Government revenues and to account for them. The typical settlement in South India was either with the ryot or cultivator direct or with the entire body of ryots in each village through the village heads. The Government dues as stated above were taken mostly in kind or stored in granaries and disposed of by the Government authorities when found profitable to dispose of it. This

to the same extent as the more northern provinces. About the year 1300 A.D. ALLAUDDIN formally completed the conquest of the Deccan, and in the year 1347 A.D. we find direct Mohamedan dominion extending as far south of the KISTNA river.

15. It has now to be seen how the Mohamedan theory of land ownership compares with the Hindu theory. The notion of the proprietary right of the Sovereign to land is a feudal one with which the Mahomedans were acquainted. But in its application to India without the same bold assertion which the idea involved, they practically arrived at the same result by raising the land revenue so high as to make the State virtual proprietors of the soil. This has to be viewed in the background of the Mohamedan law which regulated all activities of the Muslim rulers.

16. The Mohamedan law applicable to land in conquered territories, India having been one of them, is based on religion and it rests on the obligation of every one to embrace the true faith. This is the concept of a theocratic state. Before commencing war, the IMAM is to call upon the inhabitants of the country which is about to be invaded to embrace the true faith, as without that formality war is illegal. If they accept the invitation, they are in all respects treated like other Muslims, and the OOSHR is as a matter of course, levied upon them. If they reject it, they are next to be called upon to pay the JIZYUT or capitation tax and to become subjects of the Muslim power, and on their accepting it, they are admitted to the status of ZIMMEES. They are then left to the profession of their own religion, but KHIRAJ is levied upon their lands. If, however, the people refuse to adopt either course, they are to be warred on to the last extremity, and if conquered, their lands become "GHUNEEMUT" or plunder and are distributed among the soldiers.

17. There is no accurate account of the mode in which the Turks raised revenue, but it was probably through the local Hindu chiefs. The occupation was strictly a military one, and the police and revenue administration still remained for the most part in the hands of the local chiefs. There is no distinct trace of any changes in the land revenue system. The Mohamedans were well content to leave such institutions as they found them and indeed the only information available as to the rates of taxation peculiar to the Hindus is that given by the Mohamedan historian Ferishta. It is asserted that the Turkish invasion had the indirect effect on landed property of forcing up the land demand exacted by the Hindu chiefs, and so of weakening private property. As we know, the Turks were alien rulers and they have not left any other impact of their Revenue Administration in India.

18. In the interval between the Turkish and Moghul dynasties a number of the Hindu Kingdoms of the South were absorbed by Mohamedan Kingdoms, as a result of incessant petty wars. This period saw the rise of the farming system and outside speculators taking the place in many cases of the old native Rajahs. Where the Mohamedans found it inconvenient to deal with village communities and native Rajahs were not at hand, they appointed "farmers" of the land revenue. Such men undertook the farm as a mere temporary speculation, without acquiring any local rights, claims or ties of any kind and without interfering in any way with the existing rights of the cultivators. Successive Moghul rulers had admitted that they could not rule India as per the Mohamedan Law, but had to adopt their rule to suit local conditions in the larger interest of the country. We may notice here that these Moghuls were no more alien rulers but had adopted themselves to the circumstances of their "new home".

19. By the time Akbar succeeded to the throne in A.D. 1556, the conquest of the country was sufficiently confirmed to enable him to inaugurate measures of a more detailed nature for regulating the revenue system. By A.D. 1571, he had almost completed the Settlement of his North Indian possessions. Akbar followed the land settlement of his predecessor, Sher Khan: and Malik Amber, an Abyssinian under the Mohamedan princes of the south, and Shivajee among the Maharattas, carried out

system was however, shaken to the root due to the sway of various dynasties and with the weakening of the central authority, local chieftains assumed authority and appropriated the revenues and in the process, harassed the cultivator.

The little of the internal economy of the country before the advent of the British that gleams to us, leaves us with the impression that the manner of imposition of revenue was most arbitrary, and its collection most iniquitous. The revenue administration was in disorder and was carried on without any system whatever. The amount to be paid by each village was charged arbitrarily and when the demand increased, it was without any ostensible reason. This arbitrariness on top of the vagaries of the monsoons, left the cultivators frustrated. When agriculture became uneconomical, it created unrest and people began to migrate to other areas or in search of other professions. They would be ushered in back with promises and given cowles to reassure them; but when the crops were ready for harvest it will be seized quite against the promises; and the position at the time of assumption of the Government by the British was that there was more fallow land than that under plough.

Payment of Land Revenues is it rent or tax :

22. We have next to see in what capacity the king (or the State) is allowed to take a share of the produce. Does he take it as the proprietor of the soil or merely as the price for the protection he is affording to the life, liberty and property of his subjects? In other words, is the payment made by the subject rent or tax? A discussion of this question is not merely an academic one, and the point of view involved is of most important consequences to the subject and cannot be better described than in the words of the late MARQUIS of SALISBURY: "To the modern statesman, the refined distinctions of the economic school are a solid living reality, from which he can as little separate his thoughts as from his mother tongue. To us it may seem indifferent whether we call a payment REVENUE or RENT, so we get the money but it is not indifferent by what name we call it within his hearing. If we say that it is RENT, he will hold the Government in strictness entitled to all that remains after wages and profits have been paid, and he will do what he can to hasten the advent of the day when the State shall no longer be kept by any weak compromises from the enjoyment of its undoubted rights. If we persuade him that it is revenue he will note the vast disproportion of its incidence as compared to that of other taxes, and his efforts will tend to remedy the inequality and to lay upon other classes and interests a more equitable share of the public burden. I prefer the latter tendency to the former. So far as it is possible to change the Indian fiscal system, it is desirable that the cultivator should pay a smaller proportion of the whole national charge. It is not in itself a thrifty policy to draw the mass of revenue from the rural districts, where capital is scarce, sparing the towns where it is often redundant and runs to waste in luxury. The injury is exaggerated in the case of India, where so much of the revenue is exported without a direct equivalent. As India must be held, the latest should be directed to the parts where the blood is congested, or at least sufficient, not to those which are already feable from the want of it."

23. The original theory of rent as now interpreted, is that it is the portion of the produce of the land which is given by nature, as opposed to that which is ascribed to the interest on invested capital, and it is the proper source from which to draw revenue; and that if this be not alienated to individuals, or appropriated by them by prescription, the necessity of taxing labour or capital is obviated. This view is not inconsistent with the theory of creation of private property in the occupation of land, in capital sunk in it, and in that portion of the grain which is ascribed to the individual's labour to give him an abiding interest in the soil.

CHAPTER—II.

ORIGIN AND EXISTENCE OF PRIVATE PROPERTY IN LAND.

Tenure of land and its origin.

24. The term, tenure is feudal in origin, and is essentially applied to the system of holding land for cultivation by a person in subordination to another, which practice constituted the leading characteristic of ownership of property. Feudalism as was prevalent in mideaval Europe never obtained in India, but the Indian institutions resembled more the benefices which proceeded from, than the chiefs which constituted, it. Nevertheless, the term TENURE, has generally been made use of in Indian nomenclature; and it is retained in the absence of any other suitable term to denote comprehensively the rights and interests in and relating to land, and the relations with respect thereto between the persons entitled to those rights and privileges.

History of land Ownership

25. The history of ownership of land throughout the world shows that it has pursued one unvarying course. It commences with the division of men into tribes, for the division of tribes involves division of territory. Each tribe jealously guarded its own territory from intrusion by others, but within its own range all members of the community had equal and unrestricted rights of user. This principle still survives among civilised nations to the present day in the shape of Nation States. The territory of a Nation State is inviolable. Besides that, the Nation claims its sole right on its air space also. Each maritime State claims ownership in fisheries and minerals in the off-shore area within a certain distance of its coasts; and the inhabitants of these coasts are bestowed a common right to fish the waters thus reserved. So also, each modern State recognises the limits of the shores as far as the high water mark and the estuaries with their harvest of wild fowl, as the common property of its subjects. In the earliest or hunting state when primitive men lived by the chase, by fishing or gathering firewood, as is still pictured to us in the habits of the primitive North American Tribes, individuals never thought of appropriating the soil or laying claim to it, except regarding the hunting ground as common property which had to be guarded against competitors. In the next nomadic or pastoral stage, which is still prevalent among the hill tribes in India, in what is known as KUMRI cultivation, men moved with their flocks or herds from place to place as inclination or search of fresh pastures led them. Their agricultural labours were limited to the growing of a few cereals which the virgin soil produced with rich abundance and the occupation of land seldom extended beyond the period necessary for one sowing and reaping. The idea of ownership went little further than the right to occupy and cultivate a particular spot as long as its possessor chose to do so. Abundance of land and scarcity of population made such a life easy and unrestrained. This temporary cultivation was the first species of property in land. As the tribe augmented in number, the nomadic life became less convenient, and with the discovery by the higher races of agriculture, the next stage of settled agriculture was reached. Men then became associated for mutual advantage and settled down in fixed habitations known as "villages". The taste for property became visible at the origin of the family and its differentiation from the clan. Though holdings were allotted to each member, they were exchanged and redistributed, showing that no man regarded any field as his own property. The growth of population, however, necessitated more extensive and intensive cultivation, and the additional labour which it involved would make it inequitable to take away land from one who had spent labour upon it, and give it to another who had been less active. Thus a stage was reached in which community of possession was limited to pasture lands, arable lands being held in permanence by the members of each family. When once this process was reached, a clear property in land, originating in occupation and continued possession, was created. This property which was at first in the family as common property, soon decimated into individual property in obedience to the irresistible trend of progress and the ever growing possessive nature of man. Commencing, therefore, in community or tribal possession, land has every where been by degrees appropriated to the village, the family and the individual and in

every stage the condition of its enjoyment and use as property has been regulated by the community with reference to the general welfare.

Formation of tenants—

26. The formation of tenants is as much the result of geographical as of ethnological causes. Besides these two main causes, local conditions and the different political influences a country was subject to, with varying forces in different parts, have contributed to infinite varieties of tenures. Thus many of the disputes about property in the soil have been, as observed by Mr. Mountstuart Elphinstone, occasioned by applying to all parts of the country facts which are true only of particular tracts, and by including tenures totally dissimilar in their nature. This has happened in India also. Of the purely ancient institutions unaffected by the later Hindu, or Aryan influences, there is no reliable evidence except assumptions made on *apriori* reasoning. Starting, therefore with Hindu institutions, they were first subject to Mohamedan influence. Where it was completely felt, as in the Northern Sirkars, the original institutions were completely obliterated and foreign ones introduced: where it was weak, the institutions which were imperfect were left undeveloped, or changes were introduced on the basis of existing ones; and where it was not felt at all as in the southern parts of the country, the institutions were left in their original state. The anarchy and internecine wars that followed the decline of the Moghul empire brought about new ideas of landholding. Lastly came the British influence with a regular and systematic revenue pattern and recognition of individual holdings, which system quite suited the Indian condition and was quickly absorbed.

Dravidian Organisation—

27. At the dawn of Indian history, the territory now forming Tamil Nadu was peopled by a section of the Dravidian race, divided into a number of Kingdoms. The State of the society at the time, its manners and customs have to be traced out of descriptions given in the classical Tamil works, aided to a great extent by the ancient inscriptions on stone or copper plates mostly in temples, now made available by the Archaeological Department. Both of them exhibit considerable Aryan influence, and pure APRIORI reasoning adopted to the views of particular writers has to be called into aid to distinguish the purely ancient from foreign institutions. Allowing room for the impressions left by the latter upon the former, the Dravidians appear to have attained a high degree of civilisation and social inter-action. They had already passed the nomadic stage and settled down to agriculture. They had developed maritime intercourse with the Persians, the Greeks and the Romans, and excelled in warfare and Fine arts. They were acquainted with the art of Government which was far from despotic but conducive to public welfare. The head of state was a hereditary monarch whose power was controlled by five councils known as the FIVE GREAT ASSEMBLIES consisting of the representatives of (1) the people, (2) the priests (3) the physicians, (4) the astrologers and (5) the ministers each having defined functions. The council fifth named above attended to the collection and expenditure of revenue and the administration of justice. A land tax amounting to one-sixth of the produce, which was payable in money or in kind at the option of the former, was levied by the king. But this was not his only source of revenue. The farmers known as ULAVARS formed the landed aristocracy of the Country and occupied the highest position in society next to ARIVARS or SAGES. They were also called VELLALARS or KARALARS. The poor families of VELLALARS who owned small estates were known as VEELKUDI ULAVATRS.

Manu's Dictum.—(1)

28. It was Manu's view that the Hindu Kings did not ever recognise individuals, but made their arrangements for the payment of the share to State with the village elders representing the village community, which was the unit of fiscal Government,

(1) [Institutes of Manu] in Land Tenures of Madras Presidency Chapter 8 by Thiru Sundararaja Iyer 8ar.

and which, as representing the shareholders, possessed a complete and indefeasible property in the land. The very village system, constituted and in force from early times, clearly establishes the fact that none of the former Governments had ever laid claim to property in the soil.

29. (1) MANU says that "A king may take of grain an eighth part, a sixth, or a twelfth, according to the difference of the soil, and the labours necessary to cultivate it." and adds that the king may levy even a fourth part out of necessity in times of urgency, as of war or invasion.

Manu's dictum is not based upon any new theory, but is only a record of the actual practice that had previously obtained as declared by the sages and other rulers who went before him. The State of society described by him reveals a well established order of things.

The following passage occurs in Manu's text to evidence the differing claims on the produce of the owner of land and the tiller of the soil.

"Sages, who know former times, consider this earth (Prithivi) as the wife of King Prithu; and thus they pronounce cultivated land to be the property to him, who cut away the wood, or *who first cleared and tilled it*; as the antelope, of the hunter, who mortally wounded it"; the words in Italics being the gloss of KULLUKA BHATTA.

The verse of MANU evidently marks the stage when land was emerging from communal into private ownership which was, however, in the family.

30. This verse is used to illustrate the discussion on filiation that had been carried on in the previous verses by comparing the respective claims of the owner of the seed and the owner of the land in which it is sown; and as it is usual with all ancient writers to illustrate the obscure by the well-known, it follows that the ownership of land in the first occupant was a well understood right in his time. There is not in the early Hindu law books any text dealing in the abstract with the origin of property in land, though its existence under a variety of names and for a variety of purposes is alluded to everywhere. The reason seems to be that its existence was well understood in the time of our early law givers, and it was apparently considered superfluous by them to describe the origin of a thing which was well established.

Criticism of occupancy right by Sir H. Maine—

31. The theory of the right of occupancy by virtue of natural law has been strongly criticised by Sir Henry Maine. According to him this theory presupposed that the man in a state of nature was actuated by the same motives which guided a man of today living in an advanced state of civilisation to respect another man's property, whereas, on the contrary, his right to possession depended on his power to keep it, and overlooked the important fact that it was the community or the family that was the unit of such a society and the application of the principle of occupancy to land dated from the period when the JUS CENTIUM was becoming the code of nature and was the result of generalisation effected by the jurisconsults of the golden age. In his work on "Village Communities" Sir Henry Maine says:—

"The assumption which the English first made was one, which they had inherited from their "Mohamedan predecessors". It was that all the soil belonged as absolute property to the Sovereign and that all private property in land existed by his sufferance. The Mohamedan theory and the corresponding Mohamedan practice, have put out of sight the ancient view of the Sovereign right, which though it assigned to him a far larger share of the produce of the land than any monarch had ever claimed, yet in no wise denied the existence of private property in land. The English began to act in perfect good faith on the ideas which they found universally prevailing among functionaries whom they had taken from the Mohamadan Semi-Independent Viceroys dethroned by their army. Their earliest experiments on the belief that the soil was theirs and that any landlord would be of their exclusive creation have now passed into memories of Maldroit management".

(1) "Institutes of Manu"—Chapter I "Land Tenures in Madras Presidency" By Sundararaja Iyengar.

Judicial Decisions—

32. Judicial decisions have recognised the right of the first occupant to the possession of land under the Hindu Law. In SECRETARY OF STATE v. VINARAYAN, SIR CHARLES TURNER C. J. and MUTHUSWAMY AYYAR J. observed, "According to what may be termed the Hindu Common Law, a right to the possession of land is acquired by the first person who makes a beneficial use of the soil". The interest of the person thus taking possession is not a limited but an absolute one."

Justice Field has thus observed in his book on "Land Holdings".

"That the ownership of soil was not in the Sovereign is proved by a variety of arguments. One of these is remarkable, being drawn from the fact that the Europeans purchased land when they wanted it. Aurangzeb purchased the Purganas of Lundi, Palam, etc. Akbar purchased land for the forts of Akbarabad and Illahabad, Shah Jehan purchased for Shah Jahanabad. according to Mohamedan Law, the sovereign has only a right of property in the tribute or Revenue; but he, who has a tribute from the land has no property in the land."

Ryotwari Tenures.—

33. From the origin of history of land it will be seen that the first occupant of land by virtue of his possession acquired property right therein. Under the Hindu system of revenue administration there was little room for the employment of an intermediate class of proprietors interposed¹ between the sovereign and the subject. The landowners paid tax or revenue on the lands direct to the crown and they came to be called ryotwari lands. The following extract from the book "Land Tenures" in the Madras Presidency by Thiru S. Sundararaja Iyengar will show the sovereigns right to collect revenue vis-a-vis the right of the tiller of the soil:—

The king is described in a verse of Manu "as lord paramount of the soil" and in another verse "the regent of the waters" and "the lord of the firmament", and the assumption of such titles as affecting his title to the soil is well described by proof. Wilson in his History of India says. "He is not Lord of the soil; he is lord of the earth, of the whole earth or kingdom, not of any parcel or allotment of it; he may punish a cultivator for neglect in order to protect his acknowledged share of the crop, and when he gives away lands and villages, he gives away the share of the revenue. No one would ever think of following up such a donation by actual occupancy; he would be resisted if he did. The truth is, that the rights of the kind are a theory, an abstraction: poetically and politically speaking, he is the lord, the master, the protector of the earth (Prithivipati, Bhumiswara, Bhumipal), just as he is the lord, the master, the protector of men (Narapati, Nereswara, Nripa). Such is the purport of the common title of a king, but he is no more the actual proprietor of the soil than he is of his subjects, they need not obtain his permission to buy it, or sell it or to give it away and would be much surprised and grieved if the king or his officers were to buy or sell or give away the ground which they cultivated".

Zamindari tenure—

34. The introduction of an intermediary class such as KRORY OR ZAMINDAR was an innovation made by the Mohammadan rulers. Some authorities who have attempted to trace the origin of the word 'Zamindar' to the time of the Hindu rulers say that it went by the name of CHAUDRI which was subsequently changed by the Mohammadan rulers to the of KRORY (or Collector of KROR) in consequence of the lands being divided into charges yielding the amount. This statement gets reinforced by the later intermediaries created by the Mohammadan rulers such as Inams, Jagirs, etc. The word Inam by itself is an Arabic word introduced in India after the Mohammadan conquest, the term used before being "Manyam". The grant in 'Inam' is a gift from the superior to the inferior.

Under Tenures.—The Zamindars on their Part created rights over parts of their estates from time to time. The Dharmasanam grants made by the Zamindars of Ramanathapuram and Sivaganaga, at every instance there was accession to the Zamindari, can be cited as instances of creation of such rights. Where the undertenures so created were permanent in nature and covered one or more villages, they were treated as separate estates under the Estates Land Act. The income arising out of these under tenures was included in the assets of the Zamindari at permanent settlement for

(1) Chapter I—Land Tenures by Mr. Sundararaja Iyengar.

the number of sharers that initially settled there. The number of shares according to the original distribution is never forgotten. When one original share held by a family is divided or a portion of it is alienated, such fraction is never reckoned with as an independent share but only as a fraction thereof. Conversely, when one family acquires one or more shares of other families, it is said to own a plurality of (so many) shares.

Agrahara Vadiky and Pandara Vadiky:—

41. Mirasi villages in the present districts of Madurai, Ramanathapuram and Tirunelveli were of two classes Agrahara Vadiky and Pandara Vadiky. The former took its name from its being granted to a community of Brahmins, chiefly by rulers and other persons of rank and populace. It was a village in which the absolute proprietary right was vested in Brahmins. The village was divided into pangus and karays, and the right to each karay was recorded in the village KOSHAM (i.e.) register of village lands. But it did not carry with it the right to a specific plot of land in perpetuity, and a new distribution of lands was made at stated intervals; in fact the form of enjoyment was Karaiyedu. The village was common to the whole body of proprietors, and each proprietor could sell, mortgage or transfer his share in any way he pleased. All the sharers were jointly and severally liable for the whole revenue of the village. Pandara Vadiky took its distinction as of caste than it was of tenure. This was also divided into Pangus and Karays, which were recorded in the Kosham and were subject to purchase and sale. Sudra Mirasi villages in South Arcot go by the name of Manlavadoo villages.

In the judgment reported in 1929 - MS - 529, the history and incidence of Jagir and mirasi tenures have been discussed elaborately.

42. In Varadappan (vs) the State of Madras (1962-I.M.L.J. 405) the High Court has held "The basis of the Mirasi tenure is stated to be that cultivated land is the property of the man who cuts away the wood or who first cleared and titled it".

In W.P. Nos. 1920 to 1924/64, dated 20th April 1967, Venkatadri Justice dealing with mirasi tenure has observed:—

"The rights of the mirasdar in the law of tenure is one of the most complex mingled and mixed in the rights between the mirasdar and the tenant. The meaning of miras, as given in the replies to seventeen questions proposed by the Government of Fort St. George in relation to Mirasi right, is that it is a general term to designate a variety of rights differing in nature and degree, but all more or less connected with the proprietary possession of the soil or of its produce. Manyams (i.e.) land held free of tax and merais and fees at various rates received in kind from the general produce and other privileges of the various communities are called Miras. The rights of the permanent cultivator to the hereditary usufruct of the land is called miras. So also is the right of the circar's share of the produce of land held by special grant under the various denominations of Sarvamanyam, Ardhamanyam, Shrotriya and so on. In Chingleput and North Arcot districts the proprietary Mirasdars hold a certain extent of land free of all assessments and are entitled to receive fees under the various denominations from the gross produce of all taxable lands, and Thunduwaram a portion of the produce, or Swamibogam the landlord's right, from all land cultivated by payacaris, or persons who are not mirasdars".

With the abolition of all estates including Inams, and the introduction of ryotwari settlement, the mirasi system has also ceased to exist.

Karayedu System:—

43. Villages held jointly by Co-sharers in the districts of Madurai, Tirunelveli and Tanjore went by the name of Karay villages. In estate villages granted in inam to several persons, the melwaram right was known by the term pangus (i.e.) the right to the share of the produce due to the landholder; whereas the tenants' occupancy right was known by the term "Karais". While the landholders divided their dues between themselves under the system known as "Marakkal Kooltu", the Karaidars jointly tilled the land by supplying a specified number of ploughs and bullocks and workmen for each karai in a village. The co-sharers in these ryotwari villages were known as Karaikarers and the origin of the system may be traced to the village settlements. According to Mr. Nelson, the author of the Madurai District Manual, the origin of Karay villages is

traced to various and totally different causes. It was in an instance a sort of partnership entered into by the owners of lands agreeing to hold them in common for the purpose of guarding themselves against the rapacity and injustice of the State. This form of common enjoyment was known as karayedu. It may be doubted whether there were not other means of origin of Karay villages. Karay literally means division and is applied to a division of lands in a village. Karay land is a land which was in cultivation at the formation of the village or at the introduction of the system and included in the original division of lands, as distinguished from waste which was subsequently brought into cultivation though the karaidars had a limited interest in waste lands also. From the earliest times Kaniachikarens were also known as Karai-karens, with practically no distinction between them. Among Kallars, an aboriginal tribe, a certain tract of country was the property of a karai, the membership of a karai being upon the heads of families in the tribe in a settlement and when the lands of a karai are to be disposed of, the consent of all the owners of the karai must be obtained. The term karai is also used to denote the division of channel-fed lands into blocks for the purpose of kudimaramat, so that the incidence of the levy of grain tax or labour may be shared equitably by the landholders.

44. In Sundararaja Iyengar's "Land Tenures in Madras Presidency"—he has compared this term to Russian MIR:—

"The Russian Mir is an instance of the common property in land above described. The land belonged to the Communes and the individual as a member of the Communes had merely the usufruct, or the right to the temporary enjoyment of a share. The Communes were responsible for the discharge of those liabilities which by way of taxation or otherwise were imposed by the Government. This community of rights and privileges, the members of this political unit and the lands which belonged to them collectively were called the MIR. The MIR was originally an association of freemen, and when the Czar became their father, ruler and master, they became his children, subjects and servants, but never serfs".

Before property came to be held in permanence by the family or the individual, it was considered common to all the members of the community. There was periodical distribution of lands among them, and it was only at different stages that the practice of redistribution of land in a karai was stopped and the lands came to be held in permanence by the family or individual.

45. The earliest form of common enjoyment of landed property by village communities is known as Samudayam (in Sanskrit), or Pasankarai (in Tamil), known also as Sumohi. This comprised two categories (viz) absolute Samudayam or samudayam property so called, and Karaiyedu. Under the former the Mirasi of the entire cultivated area belonged to the whole body of Mirasdars, and the like of the common waste and fallow lands, each in proportion to a share or parts of the share he held, being eligible to a share in the common property. Under the latter form of Karaiyedu, which literally means putting or effecting division, lands were temporarily cultivated in separate shares by the co-sharers forming the members of the community, subject to redistribution at stated intervals once in 30, 27 or 12 years.

46. In Paramasiva Iyer (Vs) Chinnathambi Padayachi 1959-II MLJ. 68, the Karayedu system in Tanjore was dealt with. It has been held:—

"Under the system of Karayedu the tenants or kudiwaramdars are co-sharers of the entire villages, each individual tenant cultivating a specified piece of land, corresponding to his share or interest in the whole, for a definite period, decided upon by the community. There is a periodical distribution of lands between the tenants so that each sharer will get a distribution of the land on the basis of the productivity of the soil and sort, and not on the basis of the extent alone".

47. Such periodical rotation of lands among the ryots of the village is known to have been prevalent in Vennur and Pulicharapakkam villages in Villupuram taluk and Meyyur village in Tirukkoilur taluk of South Arcot district till the year 1876. This system of Karaiyedu had survived in Ganapathiagraharam inam village in Papanasani taluk of Thanjavur district till the year 1946 and given up on the eve of Estates

purposes of fixation of peshcush. Where the under tenures were later abolished along with the Zamindaris under the Estates Abolition Act, presettlement grants of under tenures were treated similar to Inams for purposes of grant of patta to landholders and for the application of the formula for grant of compensation, while the postsettlement under tenures were treated akin to zamin estates. The essential difference between the presettlement under tenure estates and Inams is the absence of confirmation or recognition of the grant by the Inam Commission by the issue of a title deed.

Jagirs—

35. Similarly, Jagir is a Mohammadan term and it has been described in various places in Baden Powell's Land tenures. At page 215 it is stated "one other feature of Moghul system should be mentioned. Just as the Hindus divided the whole country into the royal domains, so the Moghuls apportioned their territory into 'Khalsa and Jagir' lands....." The Jagir lands were divided into blocks or estates which were made over for life to certain military commanders, ministers or courtiers, who took the revenues for their own support or that of a military force which they were bound to maintain. Sometimes waste blocks were granted in Jagir, and at other times, outlying and trouble-some districts. The Jagirdar managed the whole, increased the cultivation and applied the revenue to his own support, and to expenses of the administration and pay of troops".

36. The term 'JAGIR' literally means place taken, and was applied to a grant in which the grantee took the place of the ruler and intercepted the KHIRAJ before it reached the public treasury. It was, properly speaking, an order upon the KHIRAJ of particular lands which were said to be granted by way of JAGIR. It was granted for various purposes. When a tract of the country was distant from headquarters and difficult to manage, the State appointed a JAGIRDAR who would collect and appropriate the revenue and in return keep the country in order and maintain a body of troops for local or other service. The position of the Jagirdars was then not dissimilar to that occupied by Hindu Chiefs in the frontier territory. According to Sundararaja Iyengar in his Land Tenures:—"It was usually granted for military service, and being one of the purposes for which the KHIRAJ is applicable, it is strictly conformable to Mohomedan law. This originated in the convenience of giving as assignment on a district near the station to troops, instead of an order on the general treasury. The officers and inhabitants of the district were directed to account for the rents and dues payable there on to the Jagirdar up to the sum specified. These assignments were at first made for specific sums equal to the pay due; and when they had long been continued, and were large enough to swallow up the whole revenue of the district, the arrangement was simplified by transferring the collection to the chief of the military body. This was done with every precaution to prevent the chiefs from appropriating more than the pay of troops or exercising any power not usually vested in other Collectors. It was also granted as remuneration for officers employed in the civil, revenue or police departments of the State. This was regularly done in the case of the Moghul Officers of State, each of whom held a MANSAB, i.e., a title with an assignment of revenue (so many rupees per annum) to support his dignity and also to maintain a certain number of troops which he had to call out when he joined the imperial standard in war, or on ceremonial occasions, or for duty at court." It was also similarly granted as a means of subsistence to conquered chiefs and princes, as pin money or means of support to the relations of the Emperor and sometimes for restoration of lands not under cultivation.

37. There is practically no difference between a jagir and an inam at present. Both might be assignments of land or land revenue and might have been granted for various purposes involving military, police or revenue duties. The services rendered by the Jagirdars were generally more of a honorific character. In *Sheik Sultan Gani v. Sheik Ibrahim Agmodim*, reference is made to certain inam villages and lands with Mukhasa which were granted by the Mahratta rulers as parts of one Saragam. Subsequently under

the treaty entered into by the British Government with the Peishwa these lands fell to the former, who entered into an agreement with the jagirdars in 1820, which recited that the jagirs were to be held by them as personal and military jagirs. The Privy Council held that the tenure thereby created was political and the question to whom the Saragam or Jagir was to be granted on the death of the holder was one which exclusively belonged to the Government to be determined on political considerations; and that it was not within the competency of any legal Tribunal to question the decision which Government might pronounce. In *Raghoji Rao Sahib v. Lakshman Rao Sahib*, the Privy Council held that a Jagir was personal and not hereditary, and that it was resumable at pleasure and impartible.

38. The revenue of the Poligar is not derived on any system of land assessment. The land which each cultivator cultivated from time to time is not measured and assessed to rent, nor is the value of the produce he raised computed and a share taken by the Poligar. The inhabitants pay a poll tax, an impost and various other kinds of taxes and levies.

Mirasi Tenures:— (1)

39. The term Mirasi tenure is applied in South India to denote the tenure of villages held jointly by cosharers who, as a body, constitute the proprietors thereof and enjoy the produce according to their respective shares in what is known as "Marakkal Koottu". It is, in fact, the relic of the system of village communities. Notwithstanding the different disintegrating influences to which village communities in the State were subject, not in a small measure to the varying types of Revenue systems imposed on the villages from time to time by the later rulers, and in spite of the fact that village communities in the other districts succumbed thereunder, some villages in the Chingleput district were able to preserve them. These villages where village Communities exist are known as mirasi villages and those where they do not exist are known as non-mirasi villages. The rude shocks which village communities received at different times, did not efface them altogether in the Chingleput district, but considerably weakened them. At the time when the district came under the control of the East India company, they were in a decaying condition. The aim of the earlier administrators was to infuse into them fresh strength and to raise them, but the later school of administrators led by Sri Thomas Munroe deliberately wanted to put an end to them, and by a series of administrative acts succeeded in establishing direct contact of the ryots with the Government in the payment of land revenue. The introduction of this policy put an end to the principle of co-operation and the self contained organism on which the village communities were essentially based.

Distinctive Feature of Mirasi Tenure:—

40. The distinctive feature of Mirasi tenure, a feature which is as old as the tenure itself and which still survives, is the division of the village into pangus or shares, each made up of lands yielding an equal amount of produce and each including a proportionate share of all the benefits of common property such as the use of the village waste, mines, quarries, fisheries, forests and pastures. The village is divided into Karays and Karay comprises many pangual. The lands constituting a pangu are not situated in one place forming a compact whole, but are distributed throughout the village having regard to the superiority and inferiority of the soil and facilities for irrigation. They comprise both Nanja or wet lands and Punja or dry lands, and the possession of a pangu carries also a right to a proportionate share of all the benefits of common property. This division into shares is supposed to have been made at the original settlement of the village, the number of shares apparently corresponding to the number of settlers who first occupied the village or of the labourers which each settler brought with him. All villages are not divided into the same number of shares. One village is divided into 4 shares, another into 30, a third into 160, and so on, the number of shares representing

(1) Chingalpattu District manual by Mr. CROLE

Abolition. While granting pattas to the occupants under the Abolition Act, due consideration was given to the redistribution effected at the last karaiyedu that was in vogue at the time of the taking over of the estate.

Free Hold Tenure—

48. The origin of the freehold tenure is traceable to the orders contained in G.O. Ms. No. 1053 (Revenue), dated 5th August 1859, by which the then Government permitted the grant of free hold or the commutation of the existing land tax on occupied lands on payment of twenty times the annual Government rent or tax, the intention being to grant absolute freehold rights in the lands used, or which may be used, for building purposes without any reservation of Government rent. It is absolute only against that demand of Government which represents the share of the Government of the produce and gives no immunity from other Government demands. Its holder has got the right of alienation; and his lands are liable to attachment and sale under the Revenue Recovery Act. The redemption in no way affects sub-tenures, viz. right of occupancy or other similar rights and the freedom conferred is absolute only as against Government. These lands are neither inam nor ayan. The abolition of this tenure is also under the active consideration of the Government to bring these lands as well on a par with the rest of the ryotwari lands in the State.

Leasehold Tenure—

49. During the earlier British administration the Government granted certain villages on lease for 99 years and some permanently. The leaseholds covered 13 whole villages, which were supposed to have devolved on the British Government with full ownership rights.

District.	Taluk.	Name of the leasehold.
(1)	(2)	(3)
Chingleput	Saidapet ..	Grant Lyon. Mukthapudupattu.
	Ponneri ..	Karadiputhur. Kannankottai. Thervoi. Kandigai. Pappankuppam alias Alamelumangapuram.
Madras .. ..	.. ..	Ikkattuthangal.
Salem	Harur ..	Hunisanahalli. Sillarahalli. Regadahalli. Mottankurichi.

These leaseholds were exceptions to the British Land Revenue System and were motivated by favouritism. The Government have since abolished this tenure by legislation (1) and introduced ryotwari settlements as is obtaining in the rest of the State.

Other Tenures—

50. The antique Rulers of the days, prior to and during the Mohammadan conquest, and thereafter the East India Company, created several grants on various tenures such as:—

- (1) Beneficial tenures
- (2) Personal grants; and
- (3) Service grants.

The Tamil Nadu lease holds (Abolition and Commission in to ryotwari) Act 1963—Act 27 of 1963.

The existence of beneficial tenures, known originally by the Sanskrit term "Manyams", can be traced to a very remote antiquity in India. It was the custom of the Hindu Governments to grant assignments of lands, revenue free or at low quit rents, for the supply of troops and pay of Civil Officers or for the support of temples and their servants and charitable institutions, for the subsistence of holy and learned men, or for rewards for public service.

(51. Grants made by the Kings and Ministers are borne out by deeds or 'Sasans' containing all the details. Most of them are found etched on copper plates or on the stone walls of temples. The later Mohamadan rulers allotted large tracts of lands to their relatives, or as reward to their officers in the Military and Civil Service, styled as 'Jagirs'. During the earlier period of the British rule under the East India Company, the Government of the day, following the custom of the country, adopted the same practice to some extent which grants are known as "Inams". However, when the British monarch assumed direct control of the Government of India, grants of inams were dispensed with as it was repugnant to the secular spirit of the Government to make denominational grants and it was considered waste of revenue to make such grants.

Wilson has defined "Inams" thus:—

"In India and especially in the South, and amongst the Mahratas, the term was specifically applied to grants of lands held rent free, and in hereditary and perpetual occupation; the tenure came, in time, to be qualified by the reservation of a portion of the assessable revenue, or by the exaction of all proceeds exceeding the intended value of the original assignment; the term was also vaguely applied to grants of rent-free land, without reference to perpetuity or any specified conditions. The grants are also distinguishable by their origin from the ruling authorities, or the village communities, and are also distinguishable by peculiar reservations, or by their being applicable to different objects.

52. In former times the distinction between a jagir grant and Inam grant was that the former was a larger political grant implying conditions of service and the latter a comparatively smaller personal grant with no condition of service. The term INAM is a term applicable to all crown grants as a whole, but gradually when the term was used without any qualification or restriction, it came to denote a grant in perpetuity, not resumable.

Beneficial grants were either of a whole village, or a group of villages or related to a piece or parcel of lands. The grant of a whole village constituted "major inam", while grant of parcels of lands in a village came to be known by the name "minor inam".

Kinds of Beneficial Grants.

53. The following are the various kinds of beneficial grants, denoting in each case the quantum or proportion of land revenue foregone by the State.

1. *Sarva Inam or Sarvamanyam or Agraharam*.—Sarvamanyam, or sarva Dumbala or Darobust inam which means that the lands are held free of all assessment; sometimes it is known as Ekhabhogam inam or Agraharam. This kind of inam was granted generally in favour of religious and charitable institutions, or in favour of learned and pious persons, or in favour of decayed noble families.

2. *Shortriyam*.—Shortriyams are grants made to Brahmins skilled in the "Sruti or Vedas.

3. *Ardhamanyam*.—Ardhamanyam, lands held half rent free. The term is also used to denote a grant of lands held partly rent free, and to a grant of the Government's share to one who does not own the right to the soil.

4. *Chaturbogham*.—Chaturbhogam, known also as Patikabadi inam, consists of one-fourth share of the Government revenue. Nelson defines it as "the fourth part of the annual crop received by Government from the holders of certain alienated lands. According to the definition of the term as applied in the Tamil provinces, it is a grant or alienation of the Government's one-fourth share in favour of the holder of the land".

5. *Muppatika-badi*.—Muppatika-badi, lands held at three-fourths of usual assessment.

6. *Mukhasa*.—Rayayat Mukhasa, or Mukhasa villages are held on a favourable assessment fluctuating with the cultivation of each year.

7. *Tribhagam*.—Tribhagam inams consist of one third share of Government produce. Wilson defines it as a third of the annual crop payable to the Government.

8. *Bilmakta Inam*.—Bilmakta Inam, lands held at a fixed rent below the usual standard. Wilson defines it thus, "In the Northern Circars it was applied to a fixed quit rent or revenue assessed at a rate below the usual standard. In the South it implies land or village held at a fixed rent".

9. *Kattukuttagai*.—Kattukuttagai, lands held at a fixed money rent less than the full assessment. This kind of grant was also made in return for military services.

10. *Kayam Jodi*.—Kayam Jodi, or Har Sai - Makta inam, is held on a fixed quit rent, not subject to variation with reference to the cultivation or produce.

11. *Rokkakuttagai*.—Rokkakuttagai, or Money rented villages, are held on a fixed money payment, the amount of which is somewhat lower than the standard of assessment on Government lands but higher than the jodi, and the favourable tenure consists in the fixity of the tenure. They resemble the SHROTRIYAM in that they are held on a fixed favourable assessment, but while the latter are grants on professedly low rents, the Rokka Kuttagai consists simply in a small allotment of Government dues made to holders of certain villages.

12. *Nelkuthagai*.—Nelkuthagai or grain rent villages are villages held on Inam tenure charged with a fixed payment in grain below the full assessment, the grain rent being paid in money at the average current selling price of the year.

13. *Patam Lands*.—Patam lands are wet lands which pay a low assessment in grain.

Sometimes grants have no localities at all, such as.

(a) Anna or Hissa Shrotriyam inam villages in which the interest of the inamdar is so many annas or shares out of each rupee of revenue, the rest going to Government.

(b) Dittam, a deduction of a fixed extent from the annual cultivation of the village, the proportionate revenue demand of which is paid to the inamdar without being brought to account.

(c) Ivumanyam, a grant of proportion or percentage on any branch of land revenue, which fluctuates with the improvement or deterioration of the produce.

(d) Warariyayat, a class of beneficial tenures resulting from the abatement of a portion of the sirkar demand. They differ from the Pattam in that the remission allowed is a defined proportion of either the gross produce or the full assessment.

Personal Grants.

54. These are grants made for the support or subsistence of the grantee in the form of assignment of land or of land revenue in conformity with the mode of conferring benefits adopted in earlier days. They were mainly granted in favour of learned and

pious people or officers of State to support them in their old age, to persons unable to earn their livelihood, such as those who were crippled, etc., and was generally tenable for life or in the line of succession upto a certain limit.
Types of Personal Grants:

55. (1) *Bhattavirthi*.—An assignment of land or land revenue granted to Brahmans at a low rent or rent free for their subsistence.

(2) *Brahmadayam*.—Brahmadayam which means grants held by Brahmans for their personal benefit, generally free of assessment, though services, almost nominal, were at times reserved. In the great majority of cases, only small extents of land were granted.

(3) *Adhyayanam*.—For the service of reciting Vedas in Pagodas.

(4) *Bharati*.—For the service of reading Mahabarata in Pagodas.

(5) *Panchangam*.—For the service of a calander Brahman, whose duty it was to announce to the villagers lucky days for commencing to plough and reap, for celebrating marriages and festivals, or engaging in any business.

(6) *Puranam*.—For the service of reading the Puranams in Pagodas.

(7) *Vedavritti*.—For reciting the Vedas and teaching them to Brahmans.

(8) *Dharmasanam*.—Dharmasanam resembles an Agraharam. It was granted in favour of Brahmans for their subsistence on payment of a fixed favourable rent by them and in shares. It was also made as an entire grant. Most of the villages are held by the grantees generally on PANNAI, the tenants having no PANNAI and the rest are held by ryots with occupancy rights. Dharmasanam laids are considered transferable property.

(9) *Kairati*.—Kairati is a term applied originally to inams held for personal benefit by Mohamedans and latterly to those held by persons other than Brahmans.

Service Grants—

56. These grants came into existence on account of the custom of the rulers to remunerate services rendered by servants, public and private, by assignments of land or land revenue and this system was specially adopted where the revenue was payable in kind. Such assignments varied according to the nature of services to be rendered.

There are five types:—

1. Grants for private or personal service.
2. Grants for public services.
3. Grants for village servants.
4. Grants for religious and Charitable services.
5. Grants for maintenance of irrigation tanks.

The various services for which grants were known to be made under the above categories are given below:—

1. *Amaram*.—Amaram grant "a grant of land by the prince or Poligar on condition of service, generally military or police".

2. *Doratnam*.—Doratnams are lands granted to the Doras who held villages for the security of the country and for preventing the incursions of Savaras and other hill tribes.

3. *Jivithams*.—Jivithams found in the Ramanathapuram and Madurai districts are of the same nature as the Mukasas of the Northern Sirkats. They were granted by zamindars to their relations and dependants, sometimes for personal services and sometimes as subsistence grants. They were also granted as rewards for meritorious services, or as support to helpless poets, etc., PORUPPU was fixed on them or not, according to the degree of benefit intended to be conferred.

4. *Kattubadi*.—Kattubadi means settlement and is used to denote lands granted by Zamindars to their armed servants and personal retainers on tenure of service at a fixed, invariable and favourable rent. They were of two classes GRAMA KATTUBADIS who were strictly village servants and were required to perform service throughout the year and JANGI KATTUBADIS who were called out for service only on emergent occasions. Kattubadi Grants are resumable at the will of the grantor. They were of various classes, known as (1) ANAKALA, held by KATTUBADI peons whose duty it was to carry provisions to village and taluk officials; (2) ANGAZALA, held for performing service in distributing water to the fields, and in collecting ryots for the performance of customary labour; (3) DANDIYA, held by the head of KATTUBADI peons; (4) JITAVRITTI: JIOTRA, held by a class of Kattubadis known by this name who formerly used to draw pay without rendering any service; service was demanded of them from fasli 1255; (5) Kandacharam, held by Kattubadi peons employed in the western taluks of Bellary (now in Karnataka State) who were remunerated by fixed remissions from the assessment of the lands held by them; (6) KOLA PAYAKO, held for the maintenance of armed retainers in the Zamindaries in the District of Ganjam, (7) MUTRATSA, granted to a man of the mutratsa caste for service as Kattubadi peon; (8) PAIK, held by military peons in the District of Ganjam on condition of service; and (9) TIRASTU, held by a description of armed peons maintained by the hill zamindars of the Vizagapatnam District for preserving the peace of the country. The obligations of KATTUBADIS are similar to those of AMARAMS with the difference that the former, when called out, are bound to serve either with pikes or matchlocks provided at their own expense as may be stipulated for. They are entitled to batta in the same way as the AMARAMS, and in respect of inheritance, their lands descend in a similar manner. They are bound to do the kaval duties in the limits assigned to them and make good all thefts within those limits. It is also understood that when AMARAMS AND KATTUBADIS distinguish themselves particularly in battle, they are to be handsomely rewarded.

Other Service Grants—

- 57 (1) ATTUR, for supplying perfumes to the poligar.
- (2) BARUT-GOLA, to supply the Poligar with gun powder and ball.
- (3) BHATRAZ; SANGITHAM, held by bards for singing the praises of the Zamindar or Poligar.
- (4) BOI: GADABA: CADABALU: SHENDI, for the service of palanquin bearer.
- (5) DARZI: TAIYALKARAN, for the service of tailor to the Zamindar or Poligar.
- (6) DEGA, held by falconers in the service of Zamindars or poligars.
- (7) DOMMERA, granted to persons of the DOMMERA or Nokkan caste, who gain their livelihood performing as tumblers and rope dancers.
8. ERUKALA, granted to persons of the Erukala tribe for collecting medicinal drugs or plants for the use of the Zamindar.

9. GAUDA, MANDA: GOLLA: PALKALAYA KUNDU, held by a shepherd for the service of supplying milk to the Zamindar and for manuring the fields of a village with his sheep.

10. GODUGU, for holding an umbrella over the Zamindar.
11. GURUPU, for superintending and breaking in the horses of the Zamindar; for the maintenance of a horse given as a present.
12. JATHI, held by wrestlers in the service of poligars or Zamindars.
13. KADAIYAN, for the service of supplying cadjan leaves to the Zamindar.
14. KAVIROYAN PULAVAN, held by poets at the court of poligars and Zamindars; known as KAVITAI PATTAN, when held by a Brahman.
15. KHASA, for domestic service in the household of the Zamindar.
16. KOMMU, for the service of blowing a horn before the Tahsildar.
17. KON, for the service of supplying milk, ghee, etc., to the Zamindar or his servants when they halt in the village.
18. KUDUKUDUPPAI, held by fortune tellers who beat a kind of clapper called Kudukuduppai.
19. MATAPATI, for the service of supplying milk to public officers and cooking food to the Reddis when they leave the village on public duty. Wilson defines it thus:— 'A member of the village community holding land in inam rent free on condition of his supplying public officers and servants with buttermilk, being also paid for the same; it is said to apply to village servants who acted not only as purveyors to public officers but sometimes as cooks for the villagers.'
20. NAKARA, for the service of beating a drum at mosques, or at the gates of Nawabs or men of rank.
21. PALAPATTI, for performing the service of pouring milk at particular places on the boundary line of a village on the last day of procession of the village deity.
22. PERIA ARANMANAI, for watching the Zamindar's palace.
23. PERUKULI, (1) for the benefit of persons who gave to their children the name of the reigning Zamindar in Sivaganga; (2) granted for giving names to the children of the Zamindar.
24. PUPPOTTI, for the service of supplying flowers to the Zamindar.
25. SRI KALGAR, for the service of polishing the arms of Zamindars.
26. SEMMAN, for supplying the Zamindar with Chunnam.
27. SIYAH WALA, granted for the service of supplying ink to public officers.
28. TABELA, for superintending the stables of the Zamindar.
29. TAMALAPUKULA, for supplying betal leaves to the Zamindar.
30. USTAD, for teaching the Zamindar fencing and gymnastics.
31. VALAYAN, for catching fish to the Zamindar.
32. ZINGAR, for the service of saddler in the service of the Zamindar.
33. KASAVARGAM tenure is the one under which house-sites were granted to tenants and artisans, either by individual mirasidars or by village communities, in consideration of the performance of services required of them.

Public Service Grants.

58. (1) DASABANDHAM means ten in hundred, implying thereby a deduction of one-tenth of the revenue. If the grant consists of land, it is called KHANDAM DASA BANDHAM; and if it consists of an assignment of revenue, it is called SHAMILAR DASABANDHAM. In the North Arcot District two varieties of DASABANDHAM inams were found (1) CHAUTAYI, in which the Dasabandhamdar received one-fourth of the assessment paid on the ayakat, and (2) VALAVADI, in which he was granted the whole AYAKAT at favourable rate of assessment. They are liable to resumption, if the inamdars, after due notice, fail to carry out the necessary repairs to the irrigation work for the upkeep of which they were granted, and they are allowed to participate in the enhanced revenue derived from the works they maintain. SHAMILATH DASABANDHAMDARS are allowed a share in the profit of dry land irrigated in excess of the registered area, proportionate to the SHAMILATH inams they enjoy, and KHANDAM DASABANDHAMADARS 25 per cent of the water rate leviable on the extension of cultivation. Government had given up its reversionary right to resume these inams situated within permanently settled estates, even though they were in existence at the time of the permanent settlement, and had declared that the proprietors are entitled to resume them on failure of the inamdars to do their duty.

Other Grants.

59. ALOTTI, for the service of collecting ryots for the performance of customary labour.

AMBIKAR: PALLEVADI: TEPPAM, for ferryman's service.

ANAIKKARAN, for the service of preserving anikats or dams in good order and of keeping off cattle, etc., from destroying the weeds growing thereon.

BANDELA, held by inferior servants for protecting cattle from straying into the fields and destroying the crops.

KARAI MANYAM: KULAM VETTU: KANMOY VETTU, for the service of collecting work people to repair tanks.

KHULGA: PATULA, granted to tank diggers for the service of executing petty repairs to tanks and channels.

KULAM KAVAI, for guarding tanks and seeing that the ryots do not waste the water.

NANAL, for the service of planting reeds for the protection of anikats and irrigation channels.

NIRMUNAKA, for the service of diving into the water and opening and shutting the sluice of a tank.

PATTI, for the service of preventing cattle from trespassing and destroying the crops.

SAGUBHADI, granted to head ryots with a view to their encouraging the cultivation of Government lands.

UPPARA: WADDI, for the service of repairing tanks.

URANI, for maintaining in repair the village tanks, for supplying drinking water.

VAYKKAL, for the service of preserving channels and other irrigation works in repair.)

PART II

CHAPTER I

(1) Older Revenue Systems introduced by the British in the first stage.

1. The history of the revenue set up in India under the British dates back to the year 1765 A.D. when, on a 'Firman' or grant of the Padishah of Delhi, the Bengal Government, presided over by Lord Clive was assured of the Diwani or financial administration of Bengal, Bihar and Orissa. Under the same authority, the Madras Government known to the management of the Northern Circars. The chief aim of this arrangement was that the British Government, through the East India Company, as diarchy was that the British Government, through the East India Company, wanted money for its trade and wars, but did not want to involve itself in matters of internal administration, till it had trained the men required for it. The Revenue collection system of the Mohamedan rulers was just continued by and large and for, engaged revenue was made through the jagirdars or poligars. In both cases, there entered into contracts, sometimes yearly and at other times for a term of five years, were as revenue with zamindars or contractors of the revenue who agreed to pay a lumpsum for the area over which they exercised control. If the offer of the Zamindar was not satisfactory, another contractor was substituted in his place. For more than 20 years, these temporary engagements continued and at last in 1789 A.D., an accurate and factual investigation into the resources of Bengal was commenced and the settlement made in 1793 A.D. based upon that investigation, was declared perpetual by Lord Cornwallis. That system was the forerunner of Permanent Settlement.

2. Pressure was brought to bear on Madras by the Bengal Government to adopt the same policy; and the court of Directors issued orders to that effect in 1795 A.D. The Board of Revenue, Madras, however, replied that it was hardly prepared to recommend the perpetuation of Land Revenue Settlement and required time for collection of further information and particulars. Thus the universal introduction of Zamindari system was held in abeyance for fear of sacrificing the future revenue of the Government in the imperfect state of knowledge. Eventually, the Madras Government reported to the Supreme Government that it was possessed of materials for a permanent Zamindari settlement in certain parts of the tract. A special commission was appointed and between 1802 and 1804 A.D. the southern districts of the Madras Presidency were parcelled out into estates and permanently assessed. That system was alien to the village system prevailing in the tract. In course of time, therefore, many of those artificially created estates reverted back into the hands of the Government owing to the failure of the purchasers to pay the prescribed assessment due to non co-operation of the villagers and in the absence of new purchasers, the lands became subject to the ordinary (temporary) settlement direct with the cultivators or the village body.

3. Thus while the measures for the settlement of the British possessions were being considered, more territories were being added to Madras Presidency. In 1792 A.D. the first Mysore war (with Tippu Sultan) placed a considerable tract of the country in Baarmahal and Salam in the hands of the British. The second war with Tippu added Canara and Coimbatore. According to a treaty made with the Nizam of Hyderabad in 1800, the 4 ceded districts (viz) Bellary, Anantapur, Cudappah and a portion of Kurnool districts were added to the company's territory in perpetuity. In 1801 A.D. all the remaining possessions of the Nawab of Arcot in the Carnatic comprising the present districts of North Arcot, South Arcot, Madurai, Tiruchirappalli and Tirunelveli (including Nellore in Andhra Pradesh) were made over to the British, thus carrying

(1) Note on the permanent settlement by Rao Sahib P. K. Gnanasundara Mudallari.

(2) Land Tenures in Madras Presidency by Sundareja Iyengar.

their possessions down to Cape Comerin. Tanjore had, in the meanwhile, been brought under British management in 1799 A.D. owing to the incapacity of the then Mahratta Ruler.

4. In the tracts thus newly acquired, there were lands held under numerous Chieftains (Poligars) besides lands held direct from Government. To settle these new districts Captain Read, Major (afterwards Sir) Thomas Munroe, Captain Grahame and 3 other officers were appointed and different modes of settlement were tried one after the other or simultaneously in several tracts. (1)

1. The Renting System.
2. The Asara, Amaniar or Sharing System.
3. The Vissabadi System.
4. Joint Renting System.
5. Mukta System in the North.
6. The Olungu System.
7. The Mottafaisal of the South (practically the Mukta System of the North).
8. Tharao or Sarasari Settlement.

Under the Renting System, villages were let on lease either to the highest bidder or jointly to the cultivators of the villages on a fixed rental with reference to the average collections of past years, the number of years varying according to the discretion of the officer making the settlement.

The Asara System was simply the conversion into money of the Government share of the crop based on estimate or actual measurement at the threshing floor. Gradually this System failed due to the lack of integrity of the officers who sapped the ryots either by mismanagement or wrong estimate, etc.

The Vissabadi System was the equitable distribution, with the sanction of the Collector, of the total demand of the village on the lands held by each ryot for a period which was either annual or a number of years as the case may be. Under this system the ryots retained the same land, of course subject to periodical revision of assessments. To secure the fair distribution of the public burden of assessment, a system of challenging was introduced under which he had the right to agitate over excess apportionment of assessment. Individual assessment was revised whenever land was exchanged according to the custom or heritage obtaining in the village.

The principle of Joint Rent System was that the ryots were jointly and severally held responsible for the payment of the entire rent of the village, the details being adjusted among the villagers by themselves. The rents were annually determined and the rent roll carefully scrutinised by the Collector subject to revision during each year's jamabandi involving a readjustment of individual responsibility which again was left to the ryots themselves.

Under the Mukta System the rent was, as in the Vissabadi System, fixed on the village as a whole on a general consideration of its resources; the details were left to the ryots, who arranged among themselves the proportion of the total demand which each should bear. The responsibility of each ryot once fixed, however, was not, as under Vissabadi and joint systems liable to be changed, but remained fixed as long as the system was in force.

The Olungu system was prevalent only in Tanjore District which was based on grain rent convertible into money every year at the current selling price. A standard of gross produce for each village was arrived at by comparing the outturn prospect of the year with that in one of the earlier years under the amaniar system (under which Government had supervised the harvest and shared the produce) and also with the standard fixed even before when the country was under native administration. From this standard the village grain fees (swatantriams) were first deducted and then a portion (50 per cent of the remainder in river irrigated villages or 55 per cent in rain fed tracts) was taken as the cultivator's share and the balance, with the addition of the resumed village swatantriams, formed the Government's share. The standard price at which this share was commuted into money was calculated for each mahanam (sub-division of a district) upon the average of current prices for five years and this average was compared with the current price of the year and any rise beyond 10 per cent or fall below 5 per cent was added to, or deducted from, the standard price, and the result represented the jamabandi price of the year.

The Mottafaisal system was the payment of a fixed lumpsum money as assessment which did not vary with the current prices. This system was prevalent only in Thanjavur where it was introduced partially in the year 1830 and finally in 1859 in the whole district, replacing the Olungu system referred to earlier.

The Tarao or Sarasari system was a method of settlement confined to Canara having been introduced in 1819 A.D. Under this system the demand was originally based on the average collection realised from each estate for 16 or 17 years immediately proceeding.

(2) RYOTWARI SYSTEM (ORIGINAL).

5. Ryotwari or the permanent settlement system was first introduced into the British possessions by Col. Read in 1792. When the Baramahal and Salem Districts were ceded to the British by Tippu, Lord Cornwallis specially deputed Col. Read for their settlement. The permanent settlement of land revenue settlement at the time was the permanent settlement the favourite of Lord Cornwallis. Col. Read was expected to carry it out in those districts in the course of a few years as a temporary expedient. But as the circumstances of the country were known, without any instructions from head-quarters he deemed it prudent to introduce temporary settlements with the actual cultivators than with renters, and thus gave rise to a new system since designated 'Ryotwari or Kulwar' system. This system introduced by Col. Read embraced the survey of every holding in the district and fixation of a field assessment based on the productive powers of the soil. These particulars were determined by the entries recorded in the village accounts, by information derived from ryots, and by the personal observation of the surveyors of the crops or the stubbles on the ground. It fixed and recorded a specific sum of money as the maximum revenue payable on each field or tract of occupied land, and when the revenue was payable in kind, it commuted it into a money payment. Individual assessments were subject to modification, not only on such considerations as vicinity to roads, markets and villages, but it also took into account such changing factors as the personal strength and health of the ryot, his caste, the amount of his stock and his general reputation for wealth or poverty. The ryot was not regarded as the proprietor of the soil but only as cultivating tenant from whom was to be exacted by Government all that he could afford. While the settlement was made with each ryot for the lands held by him, an element of the village system was introduced by making him collectively liable for the entire demand on the village. This system was open to several objections. By fixing only the maximum demand payable by the ryot, the system introduced an uncertainty in the amount actually payable by him and he did not know what it was until he actually reaped the crops. As it was fixed on the footing that he was only a cultivating tenant, and was based on hypothetical data, it was high. Under the old system though the assessment was

high, there were many opportunities for the ryot to evade its payment in full, but under the new system there was none. Further the ryot was made liable for the default of those whom he even did not know and for whose introduction he was not responsible. The only redeeming feature of this settlement was that the assessment was "fixed for ever", and the ryot was given option to relinquish his land before the commencement of a fasli. Mr. Read completed his work by 1798, though the ryotwari settlement was not approved by the Government which was obsessed by the Zamindari or Mittadari system.

SETTLEMENT OF CEDED DISTRICTS.

In 1802 the systematic survey and settlement of the ceded districts was taken up by Sir Thomas Munroe and completed in 1806. All lands except hills and rocks were measured; cultivated land was surveyed by fields and registered in the names of the persons enjoying the same. Regarding the method of assessment, the Settlement Commissioner determined the land revenue demand of the whole district with reference to the collections under the previous princes and under the Company's Government from its commencement, the estimates of the ordinary and head assessors and the opinion of the most intelligent ryots and after a due consideration as to what would be a fair assessment of the district in its present State. The whole amount was later on adjusted to the different villages in the free and public enquiry in the presence of villagers. Two other methods were also followed (i.e.) (i) to take the demand on each village and distribute it to the several fields or (ii) to assess each individual field and then fix the total demand of the village.

In one of the dispatches to the Court of Directors, dated 20th October 1802, the Madras Government referring to Baramahal and Salem districts stated as follows:—

"The lands of those districts being, like the lands of the Jagir, Havelly, or Khas, it will not be necessary to recapitulate the observations already conveyed to your honourable court in regard to the description of lands; it is known to your Honourable Court that the whole of those lands were surveyed and valued under the superintendence of Lieut. Col. Read; in consequence of that survey ample and complete information exists for arranging the division of the country into estates and for arranging a permanent land tax on those estates".

By the time the settlement on these lines was completed and before the rates were introduced throughout, the system of leasing out villages for 3 or 5 or 10 years was ordered to be adopted and this happened about the year 1806.

INTRODUCTION OF ZAMINDARI SYSTEM.¹

In the meanwhile, attempts were made to introduce permanent settlement in all territories in this province, as by that time, the Permanent Settlement had been introduced in Bengal and the Governor-General and the Home Government, being impressed with the benefits of the system, instructed the local Government to introduce it where there were zamindaries, and to create fresh zamindars where there were none before. But this was strongly objected to by the local officers except in the case of old zamindaries. But the objections were disregarded and the local Governments were directed to introduce the Permanent Settlement. This they proceeded to do. The land revenue of a major portion of the Northern Circars was under the management of the zamindars, some of whom were ancient Rajas or local chiefs of great influence. They were allowed to continue as before in collecting the land revenue on behalf of Government. In respect of 'Haveli' lands in the Circars which were private estates of former Kings, and in Chingleput, South Arcot, North Arcot and Salem districts which came in possession of the British with the fall of the Nawab of Carnatic and Tippu Sultan of Mysore, 'farmers of revenue' or agents were appointed for the collection of land revenue on behalf of Government. Attempts were made to introduce the same method in other districts, by the creation of new classes of Zamindaries. But these attempts proved abortive. The permanent settlement could be introduced only in the ancient Zamindaries in the Southern districts and in some of the estates previously held by the Poligars. It was not possible to introduce the Zamindari system in other districts which formed a great portion of the Presidency.

ment was prepared to sacrifice the prospect of an increase in land revenue "in consideration of the great importance of connecting the interests of the proprietors of the land with the stability of the British Government". He laid down the rules to restrict the permanent settlement in undeveloped tracts and estates:—(1) "No estate shall be permanent settlement in undeveloped tracts and estates:—(1) "No estate" shall be of the cultivable or malgozaree area"; and (2) "No permanent settlement shall be concluded for any estate to which canal irrigation is, in the opinion of the Governor-General in Council, likely to be extended within the next twenty years, and the existing assets of which would be thereby increased in the proportion of twenty per cent".

SUBSEQUENT CHANGE OF VIEW.

9. Subsequently, however, a change of view had come upon the authorities in England arising from the loss of prospective income to the State. When the Madras Government solicited the orders of the Secretary of State for India to declare the grain valuations imposed by the Settlement department permanent, he refused his sanction in 1869 as the scheme involved an unjustifiable sacrifice of the future resources of the State. For a time, the idea of permanent settlement was dropped. Finally the Secretary of State in his despatch No. 24, dated 28th March 1883 decided "that the policy laid down in the year 1862 should now be formally abandoned". Subsequently, the Board of Revenue considered the history of the permanent settlement under ryotwari tenure and its conclusions were accepted by the Government of Madras (an official summary of which was issued by the Settlement Officer of the Salem District over 100 years ago). The gist of it was that "no declaration had been made to the people binding the Government to any permanent settlement". During the discussions which attended the introduction and gradual evolution of the ryotwari settlement, opinions were recorded—in some cases by highly paid officers of Government in favour of the eventual permanency of the settlement, and so late as the year 1862 a guarded adherence to this view was expressed by the Secretary of State. But whatever weight may at the time have attached to those views, they remained mere expressions of opinion as practical effect to, or adopted as a principle for, immediate adoption. The only claim that the ryots of Madras can urge to a permanent settlement rests on the fact that at one time the eventual making of such a settlement was in contemplation, but no rights were affected by the subsequent decision that the time had not come for limiting the maximum amount of land revenue.

10. It was ultimately decided that ryotwari settlement, though not permanent, should at least be durable for a period of 30 years. It was therefore introduced in tracts in which permanent settlement or the zamindari system was not extended or had failed. As Government revenue is reckoned as the value of half net produce, it was but fair that any stable increase of prices of agricultural commodities over a period of years should be reflected in the Land Revenue also, and this was achieved by periodical resettlements, which opportunity was availed of to update registry and bring to assessment the extended cultivation. Resettlement generally took the form of percentage enhancement of the assessment.

THE EVOLUTION OF LAND REVENUE POLICY UNDER POPULAR GOVERNMENTS.

11. (The first major decision of the Congress Government of the Madras Presidency under Mr. C. Rajagopalachari (Rajaji) was the abolition of all future Resettlements as notified in G.O. Ms. No. 1067, Revenue, dated 21st May 1937. This was inspired by the fact that the country which was then in the grip of a recession was slowly turning around the corner and the agriculturist was the worst affected by recession. In the context of the nationalistic fervour of that period, this decision and the similar one to introduce sales-tax to offset the loss in liquor revenue due to introduction of prohibition, came to be looked upon as land marks in the freedom struggle. Thus, a purely administrative measure which, amongst other benefits, helped to balance the incidence of land-tax with agricultural prices and make the tax structure more rational, assumed political significance of a magnitude, which made it thereafter difficult to examine in a rational manner the impact of rising prices on the land revenues system.

12. The history of land revenue assessment of the State thereafter was just a jumble of adhoc decisions taken from time to time to meet particular situations. Apart from the deliberate handicap of the assessments failing to keep pace with the steep rise in prices and general level of incomes, the basic settlement classification of land itself, has increasingly become invalid. Adoption of improved agricultural practices like double and multiple cropping, use of high quality seeds suited to particular seasons or soils, fertilizer and pesticides, increase in cultivation of commercial crops, provision of better communication and marketing facilities, enormous expansion of institutional agricultural credit facilitating, land improvement, improved irrigation and drainage facilities and above all the fixation of economic prices for food and commercial crops and rapid progress in urbanisation and diversification of income, have tended to minimise, if not eliminate altogether, the differences in grain values of lands classified in the last century into different soil classification and sorts based on origin and mechanical composition with the result the "half net theory" has now long gone by.

A large number of new irrigation scheme, covering extensive areas have been implemented since the last resettlement. These expensive projects called for the levy of much higher water charges than those envisaged by settlement norms. The economic principle that water charge should have a reasonable relation to the capital cost of the project, or approximate to the cost of this input as a factor of production, could not be accommodated within the frame work of settlement notifications in force, nor is it possible to make each project self financing. The Government, therefore, had to resort to the practice of retaining the classification of the lands newly brought under the ayacut of the new projects as dry and charge appropriate water rate under the Irrigation Cess Act, besides levying betterment tax. Thus a large chunk of the land revenue has come to be derived by adopting methods outside the frame work of the settlement notifications in force though land revenue as such has come to occupy an insignificant part of the complex tax structure of the State.

13. The two last successive Governments have resorted to the policy of abolition of land revenue and have issued orders waiving the collection of the basic assessment on all dry lands—vide G.O. No. 1122, Revenue, dated 22nd June 1967 and extended the waiver to the notional dry component of the wet assessment in respect of holdings of 5 acres and less of wet land vide G.O. No. 2622, Revenue, dated 13th September 1971.

14. The Administrative Reforms Commission, after broadly analysing the various features of Land Revenue Administration and the recent trends referred to above has mentioned the following alternative choices.

- (1) The Government may go back to the Revenue system which obtained in the thirties, by reimposing dry assessment and the dry component of the wet assessment, which have been waived, reviving periodic resettlements, and integrating the substance of the adhoc decisions taken in recent years within the settlement framework.

Or

- (2) The Government may adhere to the decision to give up basic land revenue, extend this policy to its logical limits and introduce a rational water rate structure.

The second alternative proposal is in conformity with the recommendation of the One Man Commission (Thiru S. R. Kaiwar, I.C.S.) made in 1967 which prompted the Government to waive dry assessment. The Full Board in B.P. 287, dated 17th November 1972 has recommended the levy of water charge at a uniform rate all over the State on all lands irrigated by the same class of irrigation sources. The most expedient method according to them would be to fix a set of water charges for each major project, taking into account its capital and maintenance cost. The Commission, after adverting to the various benefits involved, and the time honoured experiences gained, has however opted to the reversion back to the traditional land revenue system with only such modifications, as are necessary to suit the changed conditions. They have stressed and emphasised the inevitable need for resettlement for updating registry which has higher priority to the rural folk, than most welfare measures organised for their benefit. This matter is receiving the attention of the Government.

CHAPTER II.

THE MADRAS PERMANENT SETTLEMENT REGULATION, 1802 (XXV OF 1802).

(i) Origin of the idea of Permanent Settlement :

15. The first express intimation of a desire on the part of the Court of Directors to see the Bengal revenue and judicial system established within the territories of Fort Saint George was conveyed in their letter, dated 21st April 1795 in which they authorised the disbandment of the military followers of the Zamindars in the Northern Circars. In that letter, the Court of Directors, being thoroughly sensible of the propriety and expedience of the revenue and judicial regulations lately established in Bengal, directed the Madras Government to consider the expediency of adopting similar plans for the Company's possessions in Madras, adding that, should the Madras Government be of opinion after mature deliberation, that the Bengal assessments might be extended with equal promise of general advantage to the districts under their superintendence, they (the Court) confided in their wisdom and discretion to carry the same into effect by such degrees and in such manner and at such times as the local circumstances might appear to warrant.

16. In their reply to this letter (dated 2nd October 1795), the Madras Government informed the Court of Directors that so much remained to be acquired in knowledge and reformed in practice that they should use great caution in introducing the Bengal Regulations.

17. The Supreme Government in Bengal, who had been apprised of the instructions of the Court of Directors, dated 21st April, 1795, directed the Madras Government in the following year to furnish them with their sentiments on the subject of those instructions and to inform them whether they had taken any measures for carrying them into effect. The Madras Government were at the same time furnished with a copy of the Bengal Regulations. The Bombay Government had also been furnished with a copy of them with a view to the eventual settlement of the Province of Malabar then under their charge. Both Governments had been previously supplied by Lord Cornwallis, before he left India, with the papers containing the discussions respecting the decennial settlement in Bengal.

18. The Court of Directors, in answer to a despatch from the Supreme Government of 23rd May 1798, expressed their desire to see the Bengal system of internal administration extended to the Coast of Coromandel and Malabar and stated that they too felt it as sensible, that the defective knowledge of the resources of those countries and the little progress that had been made in establishing the public authority so as to make it felt and esteemed, rendered it improbable that the completion of that object would be attained as soon as it were to be wished; that they nevertheless approved of the Bengal Presidency having made this a subject of correspondence with the other Presidencies; and that they relied on the zealous co-operation of that Presidency with the subordinate Government, for its gradual accomplishment.

19. On 6th August 1798, Lord Wellesley, the Governor-General, issued instructions to the Madras Government, in consequence of the pecuniary distress of that Presidency (as represented to him during his visit there), to institute an inquiry into the state and condition of all the branches of the public expenditure and resources. In these instructions, it was signified to be the wish of the Supreme Government that with the reform which was to result from this inquiry, should be connected the introduction of the same system of revenue and judicature on the coast as had been established in Bengal, a measure which was thought no time should be lost in effecting. For the purpose of carrying these orders into effect, the Madras Government on the 15th September 1798 asked the Board of Revenue to report its sentiments respecting the extension to the Madras territories of the system of revenue and judicial administration in Bengal. The Board of Revenue was furnished with the papers respecting the Village settlement in Bengal, containing the discussions which took place as preliminary to the permanent assessment of the lands in Bengal, and with the regulations the rules and principles of the system.

(1) Note on permanent settlement by Rao Sahib P. K. Guansundara Mudaliar page—

(2) *Proposals of the Board of Revenue for Permanent Settlement:*

20. On 2nd September 1799, the Board of Revenue submitted an elaborate report on the arrangements necessary for the introduction of the proposed plan.

21. In that report, the Board stated that it had been strongly impressed, from experience, with the necessity of some change that should substitute 'system' for that mode of management which had hitherto rested on a temporary expedient; that as in a permanent settlement of land revenue not only the interests of the company but those of the landholders were, in a most important degree, involved by the amount to be assessed on the latter, it had been induced to enter into a very laborious undertaking with a view to ascertaining the real resources of the several districts; and that though disappointed in this object, it had at least established the improbability of arriving at that knowledge which it wished to acquire. As the situation and description of those connected with the lands in the Northern Circars and in the other territories then subject to the Presidency of Fort St. George were considered to bear a great affinity to the state of things in those respects in the Bengal possessions when an assessment in perpetuity was applied to those possessions, it was considered by the Board that the necessity was thus obviated of discussing the subject anew. The Board quoted extensively from the documents which had been received from Bengal and from the general regulations of that province such parts as served to convey a connected idea of the system itself compared with the evils which it was intended to correct and of the arguments on both sides in regard to its adoption and expressed itself in favour of the policy of extending that system to the Madras territories.

22. The Board reduced the principal points for consideration under the following general heads:—

- (1) The induction of Zamindari tenure and constituting the native landholders proprietors of the soil;
- (2) a permanent settlement, particularly distinguishing with whom to be made;
- (3) the lands to be held answerable by sale for the due discharge of the jumma;
- (4) the amount of jumma and upon what principle regulated;
- (5) securing to the inferior occupants and immediate cultivators the enjoyment of their property subject only to moderate and known demands from the principal holders;
- (6) regulations for the security of the weavers;
- (7) the disposal of the lands then held by the Company as Havelly—whether to be sold or otherwise transferred in property to the natives subject to a fixed permanent jumma and in that case in what proportions and to whom, preserving to the cultivating inhabitants their just rights and privileges and how to determine the assessment on each lot;
- (8) the future of the western and southern Poligars whose peshcush had been assigned over to the company;
- (9) the resumption from the Zamindars, and general abolition, of the sayer or internal duties;
- (10) the mode of collecting the abkari;
- (11) the practicability of establishing an improved revenue from salt;
- (12) the propriety of equalising the duties on all goods imported by sea;
- (13) the adoption of the judicial system of Bengal; and
- (14) the establishment of an efficient police throughout the country.

dars were formerly upon the same footing and regarding whom the observations of Mr. Shore and Lord Cornwallis, with the orders of the hon'ble Court of Directors thereon equally apply on this Coast".

24. The observations of Mr. Shore and Lord Cornwallis, which the Board said equally applied to Madras, were to the effect that the Zamindars were the proprietors of the soil. The orders of the Court of Directors referred to by the Board were those contained in their letter to Bengal, dated 19th September 1792 in which they stated that whatever doubts might exist with respect to the Zamindar's original character, whether as proprietors of land or collectors of revenue, they (the court) were for establishing real, permanent, valuable landed rights and for conferring such rights upon the Zamindars.

25. After quoting extensive extracts from the minutes of Mr. Shore and Lord Cornwallis, from the orders of the Court of Directors and from the Bengal Regulations, as regards the persons with whom the settlement was to be concluded and the amount of jumma to be fixed, the Board recommended that the same principles and rules should be adopted in Madras.

26. Taking for its general guide the sentiments expressed by the Court of Directors in their letters to Bengal, dated 12th April 1786 and 19th September 1792 with respect to the principle to be adopted in calculating and determining the amount of jumma, and taking also a general review of the settlements which till then obtained in the Madras possessions, the Board proceeded to a consideration of a new and permanent settlement with the Zamindars and other landholders in Madras.

27. The Board observed that although they had not succeeded in obtaining information regarding the actual resources of the Zamindars, they had "derived that general information from past experience so as to be satisfied that the statements of the Committee of Circuit formed from the average of several years' mufassal accounts, compared with such materials since received as may be entitled to any share of confidence, and the actual receipts for the last thirteen years, will furnish data for determining, with sufficient accuracy, the permanent assessments."

28. With respect to waste lands, the Board quoted the correspondence between the Court of Directors and the Governor-General in Council in Bengal in which it was stated that "any attempt to stipulate for a proportion of their produce would not only be considered a breach of the engagements entered into with the landholders but..... would greatly counteract if not altogether damp that spirit of industry and improvement to excite which is the great object of fixing the tax upon each estate" and observed that this correspondence "will sufficiently explain the line to be observed" in Madras.

29. The Board quoted with approval the 33rd Bengal Regulation of 1793 in which provision was made for the grant of advances to proprietors, farmers and cultivators of land to undertake repairs of embankments, reservoirs and water courses in estates which were not considered as public works and also new works of the same nature where necessary and practicable. The Board also referred to the observations of the Bengal Government in their letter, dated 6th March 1793, in which the latter referred to the waste lands as the additional resources which alone "can place the landholders in a State of affluence and enable them to guard against inundation or drought," and added that to stipulate with the Zamindars for a part of the produce of the waste lands would not only diminish the inducement to carry out the above works but also deprive the landholders of the means of effecting essential improvements.

31. Referring to the subject of "security to the inferior occupants and immediate cultivators for the enjoyment of their property subject to only moderate and known demands from the principal landholders" the Board began by quoting from the minutes of Mr. Shore and Lord Cornwallis, in which they referred to "the undefined state of the demands of the landholders upon the ryots", "to the oppression to which they were subject to and the need for protecting them from unjust demands, to the impossibility of the task of entering into the details of the rates of rent and the tenures of the ryots, and to the "only mode of remedying the evils, which was to establish such rules as shall oblige the proprietors of the soil and their ryots who alone possess the requisite information for the purpose to come to a fair adjustment of the rates to be paid for the different kinds of lands or produce in their respective districts" "and to require the landholders to grant pattas in which the rents payable by the ryots by whatever rule or custom they may be demanded, were to be entered".

32. The Board also quoted extracts from the orders of the Court of Directors, dated 19th September 1792 in which they reserved the right, which belonged to them as Sovereigns, of interposing their authority in making from time to time all such regulations as might be necessary to prevent the ryots being improperly disturbed in their possession or loaded with unwarrantable exactions.

(3) *Main Point of Difference in the Bengal Regulation:*

33. The Board then extensively quoted extracts from the Bengal Regulations VIII of 1793 and LI of 1796 providing for the security of the ryots.

The propositions enunciated by the Board in its proceedings, dated 2nd September 1799, were thus fundamentally and substantially the same as those which had been reduced to practice in Bengal. But there was one major exception.

34. Under the Bengal Government, nearly the whole lands were in the hands of Zamindars at the time of the Permanent Settlement and it only remained to establish these Zamindars on the footing intended by the rules of that settlement. But in the territories subject to the Madras Presidency, a very large portion of them was not in the possession of Zamindars or Poligars, but was under the immediate management of the Company's servants. It, therefore, became a question in what mode and under what form an assessment in perpetuity should be carried into effect in those parts which came under the latter description.

35. Referring to this description of lands, the Board observed:—

"It does not appear that in the Bengal, etc., provinces the Company were ever the immediate proprietors of lands to any considerable extent, whereas, on this Coast, a very considerable portion of the Circars was Havelly at the period of their cession and that has been augmented by the Muglatores, Corcondah and Moherry Zamindari, the two first having devolved to the Company in default of lawful heirs and the latter declared forfeited for ever by the crimes and rebellion of the Zamindars; to those must be added several Purgunahs which were included in the Zamindari of the late Viziram Ranga and which were reannexed to the Havelly by the arrangement that took place on his death. All these lands are considered the immediate property of the Company. The Committee of Circuit reported that after the fullest enquiry they found the inhabitants possessed no property in the soil.

other respect to be upon the same footing as Zamindari lands, the proprietor becoming in like manner, amenable to all general regulations that may be instituted now and hereafter by Government".

37. When the Board submitted its report of 2nd September 1799, the East India Company had possessed (besides the ancient possessions) the Baramahal and Dindigul countries about seven years and had just acquired the province of Canara and Coimbatore and the Poliams of Palghat. The Malabar country was not then transferred from the Bombay Presidency, nor had the Company obtained the Carnatic, Tanjore and the districts ceded by the Nizam but arrangements were in progress for the annexation of those territories to the possessions under the Government of Fort St. George. Colonel Read had introduced a survey and ryotwari settlement in the Baramahal and Salem districts. In other parts of the Havellies, Village rents settled with the head inhabitants were in force.

38. The Board stated that the materials furnished by Mr. Place exhibiting the actual gross produce of every village for six years and the extent of the arable and other lands and the proportion in cultivation, would be sufficient for fixing the amount of assessment in the Company's Jagirs, and that the information furnished by Colonel Read would equally furnish the means of completing the permanent settlement of Baramahal and Salem districts. With respect to Dindigul, part of which was Havelly, the Board stated that the information received and expected from the Collector, Mr. Hurdis, would enable it to form a sufficiently accurate judgment for determining what the permanent assessment ought to be. As regards Cuddalore, Nagore and Nagapatnam, the Board stated that the fixed assessment might be based on the average collections for the last twelve years.

39. It is fairly clear from a perusal of the Board's report that they construed "permanent settlement", "permanent assessment" and similar phrases as referring only to the settlement in perpetuity with the landholders of the sums payable by them to the Government and that, as regards the dues payable to the landholders by the ryots, the Board contemplated the passing of regulations similar to those made in Bengal.

40. The Board observed that "Jumma as conferring a proprietary right in the soil and establishing a moderate permanent assessment on the estates or individuals is the only means by which Government can secure a certain revenue and the improvement of the country. The idea of the company sustaining loss by not extending its demand in proportion to improvement is founded on very narrow views of policy. The State must ever be enriched in proportion as its subjects increase in wealth and a portion of it can always, if necessary, be drawn to the public treasury, through the medium of taxes, not on the lands, but on the commerce of the country, and this Marquis Cornwallis had expressly in view in limiting the demand on the landholder.

41. In the event of its being resolved to sell or otherwise dispose of, on a fixed and permanent jumma, the proprietary right of these extensive Havelly lands, the Board added that it need not remark how important will be the trust confided to the Collectors who will have the division of the villages into lots or estates and the apportioning of the Jumma on each division. Although the Board will possess a check on the aggregate, yet, on their intelligence and integrity will to a considerable degree, depend equality and adequacy of the assessment on the sub-division and, where local causes have led to extraordinary temporary declaration, the establishment of a specified *Russud* within a given period, so as to bring up the Revenue to its proportionate level.

42. The Board thus referred to the permanent assessment or jumma as the revenue of the Government, and contemplated the fixing of such assessment on estates and on lots into which the Havelly lands were to be divided, and not on individual fields.

INCIDENTAL PROPOSALS.

43. In incidental matters proposed on other matters the Board stated foregoing propositions are in some points more particularly applicable to the Madura and Manapara Poligars, but except what relates to their local Desha Cavalgars, the principles apply to the greater palaiyams".

44. The Board then proceeded to deal with sayer or internal duties, land customs, abkary revenues, salt and salt-petre, sale of beetle and tobacco, mint customs, currency and coinage, the Judicial system, the criminal justice, Police and salaries and allowances of Judges, Officers and establishments.

6. GOVERNMENT'S ORDERS TO EFFECT PERMANENT SETTLEMENT.

45. This Voluminous report of the Board was submitted on 2nd September 1799. Two days later, i.e., on 4th September 1799, an order was issued to the Board by the Madras Government, Signed by Lord Wellesly (Mornington), Governor-General, who was in Madras at the time, Lord Clive, Governor of Madras, and the Members of Council. This order ran as follows:—

"We have received your report on the proposed changes in the Revenue System on the Coast, and shall hereafter furnish you with our orders thereon. In the meantime we desire that you will prepare materials for forming a permanent settlement with the Zamindars (whom it is our intention to constitute proprietors of their respective Estates or Zamindaries) on the best information which your orders and the recent enquiries of your Collectors may afford.

"You are already fully informed of the principles on which the permanent settlement has been established in Bengal, and we desire generally that you will conform to those principles in all cases in which it may be practicable.

"You will also prepare every necessary formation respecting the rights of the Talookdars, and under tenantry throughout the different districts, that in confirming the proprietary rights of Zamindars we may not alienate the ascertained rights of other individuals.

"In the Havelly lands in which the property in the soil is vested immediately in Government, you will proceed to form small sub-divisions or estates of from one to ten thousand Pagodas annual Jumma and you will apportion the allotment on such estates with a due computation of their actual assets, it being our intention, where it may be practicable, to dispose of or otherwise transfer the proprietary right in all such lands to native landholders".

46. It will be seen that the intention was to conclude the permanent settlement with the Zamindars, in conformity with the principles on which it had been established in Bengal, in all cases in which it might be practicable. Every necessary information respecting the rights of the under-tenantry was ordered to be prepared, so that in confirming the proprietary rights of Zamindars the ascertained rights of other individuals might not be violated. In the Havelly lands in which the property in the soil was vested in the Government, the intention was to transfer such right to native landholders.

7. Board's Instruction To Collectors.

47. The Board thereupon issued instruction to Collectors on 15th October 1799 explaining the principles of the proposed new system and requesting them to furnish the requisite information.

It was stated in these instructions that the Zamindars were then holding their Zamindaries by a tenure so precarious as scarcely to convey least idea of property in the soil; that the public assessment had been fluctuating and arbitrary; and that such a system having been found incompatible with the greatest interest of the Country, it had been resolved to adopt the reform introduced in Bengal by constituting the Zamindars and other landholders actual proprietors of the soil and to form a settlement with each estate on a principle of permanency, the Jumma or land-tax being fixed in perpetuity and declared unalterable. It was explained that the measure involved the happiness of the cultivators of the soil who could not expect to experience moderation or encouragement from their landholders whilst they (the landholders) themselves were exposed to indefinite demands. The observation of the court of Directors on the Bengal permanent settlement in which they referred to the contention of Lord Cornwallis that "in order to simplify and regulate the demands of the landholders upon their tenants, the first step is to fix the demands of Government itself" was quoted in the instructions.

other buildings, the same being for the use of the ground or in other words ground rent." It was explained that though these had been sometimes classed under the general denomination of Sayer, such rents were properly the private right of the proprietor. The assessment was also to be fixed exclusive of the salt revenue and independently of all alienated lands. All allowances of Cauzies and Government Revenue Officers (except the Curnams) heretofore paid by landholders, as well as public pensions paid through the landholders were to be added to the amount of Jumma. The accounts submitted by the Circuit Committee were to be adopted as the general standard in fixing the assessment and after making deductions on account of Sayer, etc., two-thirds of the remaining gross collections upon a general calculation were to be taken as the average estimate of the fixed land tax, and the amount of the permanent settlement was not to "fall short, in the gross of the aggregate two-thirds of the Committee's statements". It was at the same time explained that some variations might be necessary with respect to particular zamindaries, and that the Circuit Committee's accounts were not reliable, as "the Revenue Officers from whom they were obtained were, though actually Circar servants, under the control or influence of the Zamindars or others, whose interest rendered it an object of first consequence to conceal the real resources of the Country and consequently to corrupt the channels through which the Committee were seeking the required information, and as in some instances the Committee "were obliged to take the accounts from the Zamindars themselves and in all others there was equal reason to believe that they were fabricated to serve the interested purpose of the principals."

The extensive tracts of uncultivated arable and waste lands forming part of every Zamindary were "to be given up in perpetuity to the Zamindars free of any additional assessment."

Where a Zamindary had so little recovered from the effects of famine or subsequent mismanagement as to be unequal at first to bear the full amount of the assessment, a rissud of gradual rise of assessment was to be adopted, the several progressive demands being specified in the sunnud "conferring proprietary right in the soil."

The instructions proceeded to say that "Having constituted the Zamindars proprietors of their estate, their land becomes the security to Government for the due realisation of the public Jumma assessed thereon."

49. The instructions for the fixing of the permanent assessment or Jumma thus related to what was payable by the Zamindars to the Government.

The Bengal method by which the Zamindars and the ryots were left to come to mutual agreements in respect of the customary rents, was more or less copied.

It was stated that the ryots although they had no positive property in the soil, had a right of occupancy "as long as they cultivated to the extent of their usual means and gave to the circar or proprietor whether in money or kind the accepted portion of the produce."

50. All Revenue Officers except the Karnam were to be abolished, as the Jumma having been permanently fixed, there was no need for the ruling authority to have officers on the spot to keep accounts of the produce and to furnish information required by persons appointed to collect the revenues. The Karnams were to be placed on the same footing as in Bengal.

51. It was stated that a regulation would be framed containing all the general rules and principles of the settlements to be concluded, which would be the standard for determining the rights of those with whom the settlements might be made, and also all disputes between the landholders, farmers and ryots.

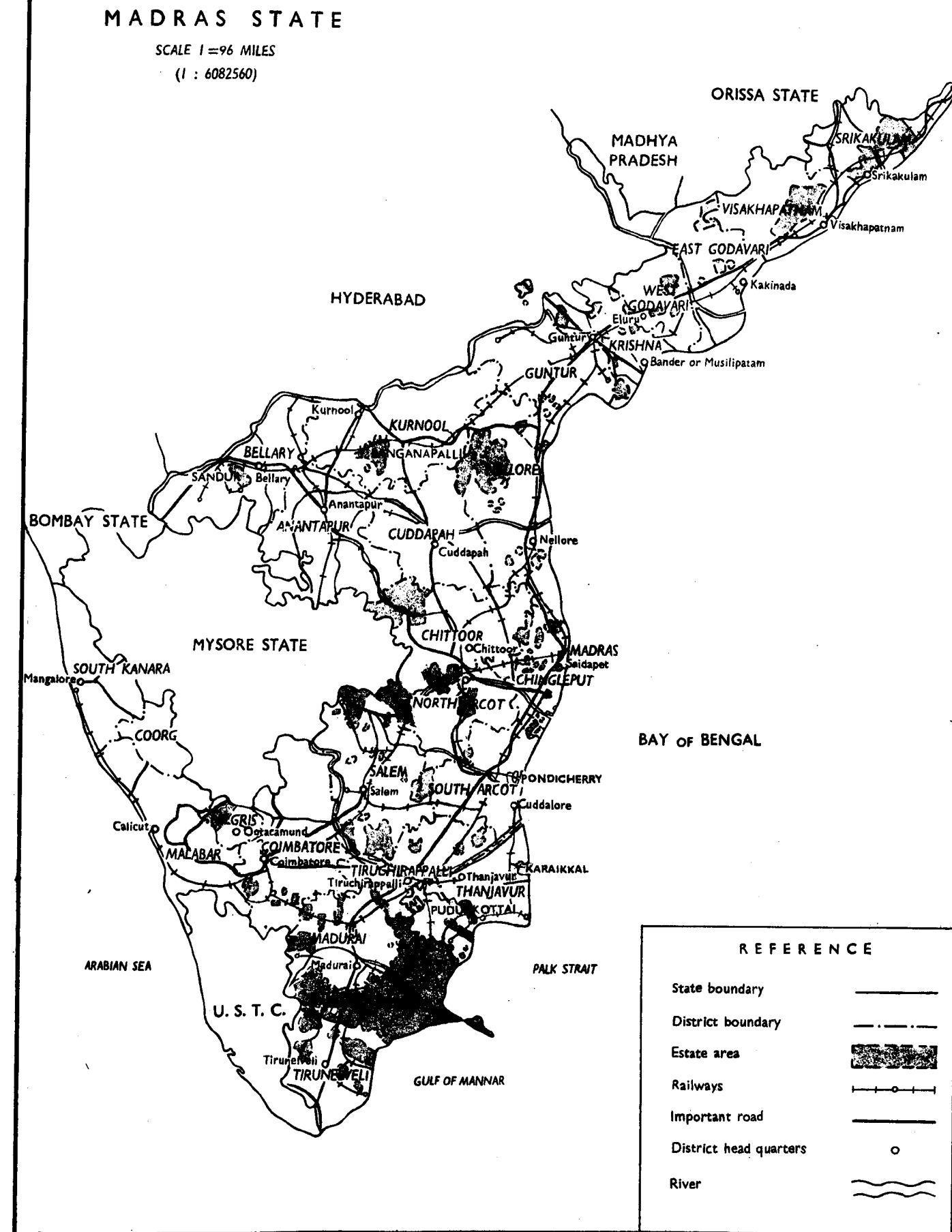
61. In February 1802, the Government decided to relieve the Board of Revenue of the work relating to the permanent settlement and to appoint a special Commission solely for that work with a view to hasten it. The Special Commission consisted of Mr. William Petrie, who was then Member of Council, Mr. Cockburn, who was then Member of the Board of Revenue, and Mr. Webbe, who had acquired experience of the Bengal settlement. Mr. Hodgson, Secretary to Government, Revenue Department, was appointed Secretary to the Special Commission. In the instructions issued to the Special Commission, the Government referred to the dispatch of the Governor-General in Council, dated 31st December 1799 as containing the fundamental principles of the system, and requested the Commission "to proceed to arrange the permanent assessment of the lands upon the principles already familiar to the members of the Commission".

Approval of permanent settlement and other regulations.

62. The Permanent Settlement Regulations were prepared by the Special Commission and were submitted to Government on 12th July 1802. There are, however, no records containing any discussion relating to these Regulations or explaining the provisions included in them except a bare statement in the Proceedings of the Special Commission, dated 8th July 1802 that "the Special Commission, having in conformity to the desire of the Right Hon'ble the Governor in Council prepared @ the Regulations, proceeded to take the same into consideration and submitted them to Government for their consideration and approval on 12th July 1802 and the Regulations were passed by the Governor-General of Fort St. George on 13th July 1802 without being submitted to the Supreme Government as desired in their despatch, dated 31st December 1799.

63. It is necessary to notice only four Regulations and their titles were as follows:—

(1) *Regulation XXV of 1802.*—"A Regulation for declaring the proprietary right of lands to be vested in certain individual persons and for defining the rights of such persons under a permanent assessment of the land revenue in the British territories subject to the presidency of Fort St. George". The preamble to this Regulation referred to the practice of Asiatic Governments whereby the public assessment of land revenue had never been fixed and had fluctuated without any fixed principles for the determination of the amount and the Zamindars had usually been deprived of their Zamindaries "thereby reserving to the ruling power the implied right and the actual exercise of the proprietary possession of all lands whatever", and proceeded to say that the British Government, impressed with a deep sense of the injuries arising therefrom, had resolved "to grant to Zamindars and other landholders their heirs and successors a permanent property in their land in all time to come, and to fix for ever a moderate assessment of public revenue on such lands, the amount of which shall never be liable to be increased under any circumstances," Section 11 of the Regulation laid down that "in consequence of such assessment, the proprietary right of the soil shall become vested in the Zamindars or other proprietors of land and in their heirs and lawful successors for ever." Section III stated that "a Sanad or deed of permanent property shall be granted on the part of the British Government to all persons being or constituted to the Zamindars or proprietors of India." Section IV explained how the permanent assessment should be fixed that is, exclusive of revenue under salt, saltpetre, sayer or duties by sea or land, abkari, taxes personal and professional, lakhiraj lands, etc., which were reserved to Government. Section V made provision for the resumption of all lands or rums appropriated to police establishments and for the maintenance of such establishments at the expense of Government. Section VI enjoined that landholders should regularly pay the amount of the permanent assessment fixed on their lands, without any remission, their property being answerable for the consequence of failure. Section VII laid down that if the landholders failed in their payment, their personal property and ultimately their lands shall be liable to be attached and sold. Sections VIII, IX and X gave liberty to the landholders to transfer their proprietary right in the whole or in any part of their Zamindaries subject to certain restrictions and provided for the determination of the public assessment on the separated portions of land. Section XI imposed an obligation on the Zamindars to appoint and



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transferred to 'native' landholders, who would be placed on the same position as Zamindars, by parcelling the lands out into lots bearing a fixed annual jumma of 1,000 to 10,000 pagodas and putting them up to public sale. The same regulations for the protection of the ryots were to be applied to such estates. In forming the lots and fixing the assessments, the extent of uncultivated lands and other local advantages such as water-supply, etc., were to be taken into account.

53. The construction and care of tanks and water courses was to be left entirely to the proprietors who were, however, to be encouraged to carry out improvements by the grant of loans from the treasury.

8. Government's Report to Court of Directors. ⁽¹⁾

54. Referring to the Board's report of 2nd September 1799, the Madras Government Stated in a Letter to the Court of Directors, dated 22nd January 1800:

"The Right Hon'ble the Governor-General informed us that it was his Lordship's intention to transmit from Bengal his resolutions in Council on this report and we shall take the earliest opportunity after the receipt of his Lordship's orders for carrying them into effect."

The orders of the Governor-General in Council were in the meanwhile under communication in a despatch to the Madras Government, dated 31st December 1799.

55. It was stated in that despatch that all the arguments which were adduced applied with equal force in favour of a similar declaration with respect to the Zamindars in the territories under the Government of Madras and that the Madras Government had the sanction of the Supreme Government, "to consider the acknowledgment of the proprietary rights of the Zamindars and other descriptions of independent landholders as the fundamental principle of the new settlement to be formed with them."

56. After dealing with various other matters dealt with in the Board's report of 2nd September 1799, the despatch requested the Madras Government to transmit to the Supreme Government the necessary Regulations for their approval and stated that the Regulations established in Bengal would furnish the details of most of the Regulations for this Presidency.

57. In the despatch, dated 31st December 1799, referred to above, the Governor-General in Council had given authority to the Madras Government to conclude a settlement for a term of years and to make it a condition of that settlement that it should be permanent provided that it met with the approbation of the Court of Directors.

58. In a subsequent despatch, dated 3rd March 1800, the Governor-General in Council removed this restriction and gave authority to the Madras Government to conclude the permanent settlement without any stipulation rendering the permanency of the settlement dependent on the approbation of the Court of Directors. These instructions were also approved by the Court of Directors in their Revenue letter, dated 11th February 1801.

59. In their consultations, dated 21st/22nd March 1800, the Madras Government resolved to proceed to carry into effect the orders of the Governor-General in Council, dated 31st December 1799 and instructed the Board of Revenue accordingly. They said that they would also furnish the Board with the Regulations under which the "Permanent settlement of the assessment of the lands" would be "secured to the proprietors".

9. Appointment Of Special Commission.

60. "Since March 1800, the Board had been assiduously employed" in preparing the Regulations for forming the permanent settlements and its first report related to the settlement of Guntur and it was submitted in January 1802.

to religious, charitable or other purposes so as to exempt such lands from bearing their portion of the public tax and from resuming or fixing a new assessment on lands allotted to religious or charitable purposes without the previous sanction of the Government, and under Section XIII, if such consent were obtained, the proprietor was to pay the assessment on such lands as fixed by the Collector. By Section XIV the Zamindars were required, under a penalty of suit for damages, to enter into engagements with their ryots for a rent either in money or in kind and to grant to each ryot a 'Pattah' defining the amount to be paid by him and explaining every condition of the engagement, and to grant receipts to the ryots for the discharges in money or in kind made by the ryots. Finally by section XV the Zamindars were required to assist the officers of Government in keeping the peace.

64. A perusal of the Regulation summarised above will make it clear that whatever may have been the position under the native Governments, it was definitely intended by the permanent settlement to confer property right in the soil on the Zamindars and that the permanent assessment which the Regulation intended to fix unalterably referred to the amount payable to the Government by the Zamindars and not to the amount payable to the Zamindars by the ryots. The latter was called "rent" in Section XIV and it was to be defined in the patta which the landholder was required to grant to each ryot. The Regulation did not lay down any rules for determining such rent, nor, did it say that the rent also was to be fixed unalterably for ever.

(2) *Regulation XXVIII of 1802*.—"A Regulation for empowering landholders and farmers of land to distrain and sell the personal property of underfarmers and ryots and in certain cases the personal property of their sureties for arrears of rent or revenue and for preventing landholders and farmers of land from confining or inflicting corporal punishment on their under farmers and ryots or their sureties in the British Territories subject to the Presidency of Fort St. George".

(3) *Regulation XXIX of 1802*.—"A Regulation for establishing the Office of Kurnum and defining the duties of the said Office in the British territories subject to the Presidency of Fort St. George."

(4) *Regulation XXX of 1802*.—"A Regulation prescribing pattas to be used between landholders and their under-farmers, tenants and ryots in the British Territories subject to the Presidency of Fort St. George."

11. Advantages that accrued from Permanent Settlement:

65. The permanent settlement ensured permanency of the precarious tenure of the Zamindars and other landholders. It gave the Zamindars, those that already existed as well as those created after 1802, a right to hold the Zamindari for ever on a fixed revenue, with heritability and transferability. No provision was made in this Regulation to safeguard the rights of the ryots and when this lacuna was felt Regulation IV of 1822 was passed at the instance of Sir Thomas Munroe, which declared that the former Regulation was not intended to define, limit, infringe or destroy the actual rights of any description of tenants. This and other successive regulations formed the evolution of the history of Zamindari in this State and defined the limits of rights of several interests in the estate and became the forerunner to the Madras Estates Land Act 1908 which declared and amended the law relating to the holding of land in the estates in this State. ("The right in perpetuity" created by the permanent settlement Regulation was the reason why compensation had to be provided to the landholders when the estates were abolished later under Act XXVI of 1948.)

to the families of chieftains, and to their dependants and followers. Up to 1866 there were settled of these classes no less than 254, 473. These inams included an area of 3,694,394 acres, assessed at Rs. 54,89,928, but only charged a jodi payable to Government of Rs. 6,06,844, which on confirmation of title, was raised to Rs. 12,97,197. For police service discontinued, there were in the Northern and Central districts 14,860 inams forming class VII, with an area of 304, 931 acres, assessed at Rs. 3,44,101, but charged with a jodi to Government of Rs. 40,780 which it is proposed to raise on enfranchisement to Rs. 1,75,824."

71. In Class VIII Mr. Blair placed the village revenue and police service inams, and in Class IX, the inams of the village artizans. No particulars of the extent and assessment of the inams of these two latter classes are given by Mr. Blair, though it appears that the grants were duly recorded by the Commission.

72. The provisions in the rules authorising the conversion of the absolute tenure on enfranchisement into a freehold by the redemption of quit-rent at twenty years' purchase was taken advantage of to a most trifling extent, only Rs. 664 of quit-rent having been so redeemed.

"No other result was to be expected as 12 per cent may be viewed as the ordinary rate of interest procurable among natives of the country for money lent on undoubted security. They should hardly therefore be likely to invest largely in redemption of quit-rent which would return but 5 per cent on the capital sunk."

Mr. Blair in summing up, observed in paragraph 73 of his report that—

"A long pending question, which was a source of perplexity to every successive Government, a cause of much irritation among a very influential section of the community, and an ever-increasing burden on the energies of the local officers, has been now set at rest. The just claims of Government have been peacefully vindicated, and the prescriptive right of the people in a vast mass of valuable property has been scrupulously respected and confirmed in perpetuity."

Procedure adopted by the Inam Commissioner: (1)

73. A proclamation was issued for the information of inamdars setting out the leading principles based on which the investigation into their titles was to be conducted and the various tenures to be settled by the Inam Commissioner. The rules were also republished and circulated in the local languages of the districts and general notice issued to the inamdars of every village requiring their attendance before the Deputy Commissioner by a certain date. The prior registers of Inams were checked with standard inam accounts, the duplicate of which was maintained by the village officers. The inamdar on appearing was required to give a statement showing the particulars of his inam and of his claim thereto duly attested by village officers and by two other independent witnesses, generally the other inamdars. The Collector also furnished the particulars available in his records about the inams to the Inam Commissioner before the Deputy Commissioner took up the enquiry. All the evidences were recorded in the English Register by the Deputy Commissioner himself from verbal enquiry. The sanads and other documents produced by the inamdars in support of their titles were inspected, noted in the English registers, attested and then returned to the parties. When the registry was thus completed, the inamdar was informed of the rate and amount of Government rent charged on the inam for enfranchisement and his consent or refusal to enfranchise was recorded in the register. Then it was submitted to the Inam Commissioner for review and for the issue of title deed. The ultimate object of the Inam Register was to determine whether or not the lands comprised therein were tax free. But the preparation of that Register was a great act of the State and the result of elaborate enquiries, and though the statement as to tenures set forth therein cannot displace actual and authentic evidence in individual cases, it is entitled in the absence of such evidence, to great weight.

Settlement of Personal Inams of over 50 years of possession.

74. The procedure for enfranchisement of Inams was adopted as follows:—

(a) *Personal Inams:*

(i) *50 years possession:*

(1) G.O. No. 905/R/8/7/1859.

G.O. No. 919/R/11/7/1859.

Report. No. 63/R/5/7/1856 by G.N. Taylor, I.C.S.

The practical position of the holders of 'service tenures' for services which are not likely to be required, therefore, would be that a three fold alternative would be presented to them.

- 1st They might retain their lands subject to the established conditions of service, if it should be required, and of lapse on failure of heirs without any power of alienation.
- 2nd They might, by consenting to the payment of a quit-rent calculated at a certain fixed annual rate, relieve themselves from the liability to service, and obtain the power of alienating the land by sale or otherwise, subject to the payment of the quit-rent; or
- 3rd They might, by consenting to the payment, once for all of a certain fixed sum calculated at so many years purchase, convert their service tenures into absolute freeholds, with the power of alienating them divested of every burden except such as might be with all other lands similarly held.

The same course should be followed in reference to inams of a personal nature. It should first be ascertained whether the title to the inams according to the existing tenure is good; and if this should be established by the production of a valid grant or by evidence of uninterrupted possession for fifty years, it should then be open to the holder either to retain the inam according to its actual tenure, subject to the liability of inams and without the power of alienation, or enfranchise it by payment of an annual quit-rent, or a single fixed sum equal to so many years purchase of the quit rent".

68. We find from the report of Mr. W.T. Blair, who succeeded Taylor as the Inam Commissioner that it was not until 1845 that active measures were adopted to assert the reversionary rights of the Government in property. Mr. Blair also refers to the earlier stringent policy to prevent diversion of inams from the purpose of the grants for which they were granted, and prevention of devolution of inam property by adoption unless due notice to Government had been given, and the proposal to limit the continuance of chartiable grants to the lives of the then holders as it was considered objectionable, in principle, that a portion of the land revenue should be set apart for the maintenance of a class of persons who had no legitimate claim on the State, and the later liberal policy prompted by the impolicy of disturbing long existing rights in vested property. The principles upon which the inam settlement proceeded have been summarised from Blair's completion report (recorded in G.O. No. 337, Revenue, dated February 21, 1871):

"The Principles on which the Government proposed to deal with those tenures were somewhat less favourable than those finally adopted by Home Government, which were formed into a definite scheme by Sir Charles Trevelyan on his assuming the Government of Madras. The basis of this scheme was that possession for fifty years was to give a good title, no matter what origin of the possession might have been. This being established, religious service inams were all to be confirmed on existing tenures and to be resumed only when the object for which they were held had ceased to exist; other service inams were to be continued on the same terms when such services were still required, but when they could not be made available for any useful public purposes, the value of the public claim upon the land was to be added to any existing quit-rent payable thereon, the owner being thus enfranchised from service, and other inams, held for personal benefit were either to be retained on existing tenure, subject to liability of lapse and without power of alienation, or, at the option of the holder, to be converted into an absolute property by the imposition of a quit-rent representing the annual value of the reversionary right of Government in the property. This reversionary right was estimated in terms most favourable.

70. In the said Government order recording Blair's report, the following further observation which throws light on the institution clearly may usefully be noted:

"Mr. Blair divided the inam tenures into nine general classes but he attaches to his report a very useful glossary containing the name and description of every kind of inam holding in the presidency. The first three classes are inams for religious and public service or convenience. These inams consisted of grants for the support of Pagodas, Muttums, Village Headmen, Mosques and Durgas, Kazzis, Christian Churches, Chuttrums, Water Pandals, topes, Tanks, Wells, Anicuts, Schools and Miscellaneous works of utility. Up to 1866 the Commission had recorded 91,734 cases of this description, with an area of 1,639,854 acres, assessed at Rs. 28,71,094, but taxed with a jodi of only Rs. 1,58,404. This jodi was raised to a quit-rent of Rs. 1,84,423 when the titles were confirmed. The fourth, fifth and sixth classes are inams for the personal benefit of the holders, and consisted chiefly of grants to the religious classes

When it was proved that land had been for fifty years in the possession of a person, or of those through whom he claims, without the payment of land tax, such length of possession was to be held as conveying a good title to that land as inam, what ever might have been its origin. In the absence of valid grant or other title deed, the entries in the village accounts of the earliest years of the British administration, in the permanent settlement accounts, in the registers prepared under Regulation XXXI of 1802, in the accounts of the earlier surveys, and in other authentic accounts of a date older than 50 years were to be considered sufficient evidence of such possession without the production of such proofs, and where the failure of proof of fifty years' possession was owing to lapse of time, the inamdar was to be allowed as if possession had been proved to the full term. But the 50 years possession was to be reckoned upto the date of the creation of Inam Commissioner. Where there was no proof either way, but an equal probability of the inam being old or recent existed, enfranchisement was effected by charging an intermediate rate of 1/4 assessment as quit-rent.

75. When the title of inams based on length of possession was established, the holders of personal inams, whether hereditary or conditional in their terms, such as those granted for Brahmins and other classes for personal benefit, were allowed to convert their restricted tenure into a permanent free hold with unrestricted powers of alienation and upon reasonable terms in commutation of reversionary right of Government. Inams held by the kinsmen, dependents and followers of former Poligars and Zamindars, were treated as Personal inams and dealt with as such; so also inams held by desayis, mattars, anakolas, matapatis, jeyas, etc., whose services had long since ceased. The terms of the commutation were the immediate and permanent charge of 1/8th of the full assessment on the inam if its holder had lineal or undivided brothers, or if from his age there was a reasonable presumption that he would have descendants, of 1/4 of the full assessment if the holder had a terminable heir, or the grant was limited to two or more lives and of 1/2 of the assessment if he had no heir or the grant was for one life only. The lowest rate was equivalent to the resumption of the inam after an exemption from land tax for 45 years, the second rate was equivalent to the reversion of the inam after 29 years; and the third after 15 years. If the holder of the inam refused to accept the terms of the compromise, the inam was simply confirmed and was subject to all the restrictions implied in its tenures. But no option was given to alienees who were bound to cure the original defect in their titles, and enfranchisement was compulsory in their cases. In other respects they were treated alike as the members of the original family. If the title of the original alienee was defective, 1/4th of the assessment was charged notwithstanding that the persons holding the inam at the time of settlement were existing heirs.

(ii) *Settlement of Inam with less than 50 years' possession:*

76. Inams held for a shorter period than 50 years, if held on competent authority were likewise to be recognised absolutely according to their terms or admitted to a compromise. The terms of the compromise were the immediate imposition of a Government rent equal to 1/2 or 1/3 of the full assessment according to the length of possession and the circumstances attending the grant of such inams. If they had been irregularly granted by subordinate revenue authorities, renters, etc., without sanction, they were confirmed upon 1/2 assessment, if not obtained by fraud. If acquired by fraud, but not that of the then actual holders, they were confirmed upon 2/3 assessment, and if the then holders were concerned in the fraud, the inams were resumed and full assessment imposed.

(b) *Religious and Charitable inams:*

77. Lands held for religious and charitable purposes for the performance of the services connected therewith were confirmed on their existing tenure so as to ensure only so long as the conditions of the grant were fulfilled, or the object for which they were held subsisted. At the time of Inam Settlement full assessment was levied in cases where the institutions or the services for which the grants were made ceased to exist or to be performed, and if the inams were of a semi personal character (i.e.) if they were held by individuals both for their own subsistence and for rendering services which had been discontinued, they were confirmed to such holders and enfranchised

upon half assessment. Recent and fraudulently acquired inams were treated in the same way. Inams held for charitable purposes were liable to resumption when they were not performed. But it was not every default in the performance of services of however a minor character that gave to Government a right of resumption. It can do so when the charity fails altogether or substantially or is entirely discontinued, but not when services are properly performed though on a smaller scale.

(c). *Village and Police Service Inams:*

78. The inams held for village revenue and police services were not dealt with under the Inam Settlement, but were simply recorded in separate registers pending finalisation of principles for revision and regulation of their emoluments. After the introduction of the revised scheme of village establishments, these service inams were enfranchised on 5/8th of the assessment. In the case of various types of artisan inams, they were confirmed on their present tenure at the time of inam settlement. In the case of Tirwamanyams the occupancy ryot or third person continued to pay the village servant, in whose favour the inam was enfranchised, the full assessment, and the inamdar paid to Government 5/8th of the assessment, keeping 3/8 to himself; the ryot neither loses nor gains in this bargain.

79. Inams granted by Zamindars and other landholders were held as inams granted without authority. Government resumed inams excluded from the assets at the time of permanent settlement on the same principle as other inams; and it did not resume inams granted by a landholder subsequent to permanent settlement, except in the case of the future reversion of the estate to it.

Redemption of Quit-rent:

80. In all cases an option was given to the inamdar to redeem the quit-rent at any time by the payment of twenty times the amount; and it was increased to 30 times the amount in the case of title deeds issued after 28th February 1895, but since the year 1896 redemption was no longer allowed. This provision was not however popular among the Inamdars. All excess found in inams beyond the allowance of 10 per cent were fully assessed unless such excess were proved to be comprised within the ordinary limits of the inam fields.

Inam Title Deeds:

81. On the validity of the inams being established on the foregoing principles, a title deed was issued by the Inam Commissioner specifying the terms of the future tenure either by way of enfranchisement or confirmation, which is to secure its holder and his successors from any future scrutiny by Government regarding the origin of the inam. It transpired later that the title deeds issued by the Inam Commissioner were invalid as they had been issued by him on behalf of the "Governor-in-Council" and not in accordance with the provision of statute 22nd, 23 Vic. Chap. 41 under which they should have been executed by or on behalf of the "Secretary of the State for India in Council". For the purpose of validating them and those that may thereafter be issued using the same form, statute 32 and 33 Vic. Chap. 29 was passed.

Enfranchisement:

82. Enfranchisement means the process of giving up the reversionary right of the Crown in lands previously held on inam tenure on payment of annual quit-rent and converting them into ordinary heritable and transferable property. When a personal inam is enfranchised by the imposition of quit-rent, the resumption consists of so much of the assessment or melwaram as is equivalent to quit-rent, neither the land nor the assessment in excess of the quit-rent being resumed in this process. In the case of service inams also, it is open to Government to substitute a money salary as remuneration for the service and resume the inam in its entirety, either the melwaram or both melwaram and kudiwaram. The enfranchisement in this case consists in disannexing the inam from the office and imposing instead of the full assessment, a quit-rent which is equivalent to 5/8 of the full assessment.

83. As the T.D. issued by the Inam Commissioner purports to confirm to the grantee the enfranchised land in free hold as his absolute property, and doubts arose what was the interest actually conveyed under it, Act VIII of 1869 was passed, which clarified that the inam T.D. was not meant to define, limit, infringe or destroy the rights of any description of holders or occupiers of land, or to affect the interest of any person other than the holder of the land. In *Cherukuri Venkanna (vs.) Lakshminarayan Sastrilu*, it was held that the inam T.D. issued by the Inam Commissioner was only evidence of the enfranchisement of land previously held as inam, and the only effect of enfranchisement was to remove from the claimant the disabilities to sue in the ordinary courts and it did not operate as a resumption or regrant, and the real owner of the inam could sue for recovery of the land from the person to whom the T.D. was issued. In *Subba Naidu (vs.) Nagayya*, it was held that when a personal inam was enfranchised, the reversionary rights of the Crown were not given up.

84. As a result of the proceedings of the Inam Commission Madras Act IV of 1862 was passed which exempted enfranchised personal inam from the operation of Regulation IV of 1831 and declared that the T.D. issued by the Inam Commissioner or an authenticated extract from his register or that of the Collector was to be deemed sufficient proof of such enfranchisement. Similarly with regard to Service Inams Act IV of 1866 was passed which exempted enfranchised service inam lands from the operation of Regulation VI of 1831 precluding civil courts from taking cognizance of suits relating to such lands.

85. The essential ingredients of an inam as evidenced from these proceedings are, (1) that it is a grant or gift, of the land or the revenue or both (2) that the holding is rent or tax free, in whole or in part, and (3) the reversionary right of the inam vests with the Government in exercise of which it could resume the grant on the occurrence of certain events.

86. The enfranchisement and inam settlement proceedings were prompted by two considerations (1) The sacrifice of a large amount of land revenue should be checked and compensated for by adding the value of the public claim upon the land to the existing quit-rent, if any payable thereon, and (2) in view of this, the title of the inamdar based on proof of grant, or of the requisite period of possession should be confirmed by the process of enfranchisement of service in the case of service tenures, and by retention of the existing tenure, in other cases subject to liability to lapse and without any power of alienation, or at the option of the holder, to be converted into an absolute property by the imposition of a quit-rent representing the annual value of the reversionary right of Government in the property.

87. The conversion by the process of enfranchisement into an absolute property by imposition of quit-rent representing the annual value of the reversionary right of the Government in the property did not imply conversion from 'inam' to some other tenure. Conversion into absolute property or freehold only meant the disannexation of the property from the service, and the relinquishment by the Government of its reversionary right in the property in consideration of payment of quit-rent, or additional quit-rent. The quit-rent is but a fraction of the full assessment of the land, the size of which depended on certain circumstances. The fact is that even after enfranchisement the inam held on payment of quit-rent continues to be an inam, only with this difference that where there was no quit-rent before, it is levied as a result of the inam settlement and enfranchisement, and where there was already an imposition of quit-rent, additional quit-rent is levied, depending on the value of the public claim upon the land, and that it is a freehold after enfranchisement in the sense that it is not subject to lapse or reversionary right of the Government. The inam even after enfranchisement continues to be a grant confirmed by an inam title deed with a liability to concessional levy in the form of quit-rent, which is, in consideration of the abolition of the reversionary right of the Government. In *PINGALA LAKSHMI-PATHI Vs. BOMMIREDDIPALLI CHALAMAYYA* (ILR 30 Madras 434) the Madras High Court has held that enfranchisement of a service inam did not involve a resumption by Government and a fresh grant in favour of the persons named in the title deed, and that it merely disannexed the inam from the office, converting it into ordinary property and released the reversionary rights of the Crown in the inam. The same view was expressed by the High Court in *Subbaraya Chetty Vs. Aiyaswami Ayyar* (I.L.R. 32 Madras 86). That was also a case of service inam. These two cases clearly show that the effect of enfranchisement is but to disannex the service from

the land and convert it into ordinary property, releasing the reversionary right of the Crown in the inam, making the property a freehold by the grant of inam title deed after enfranchisement. Ramanatha Iyer, in his Law Lexicon, says that "to enfranchise" means to render a holding free from some obligation, and that enfranchisement does not mean resumption and fresh grant. It implies that the title of the previous occupier continued unchanged". In *VENKATA JAGANNADHA Vs. VEERABHADRAYYA* (I.L.R. 44 Madras 643) the Privy Council approved the High Court's decision in *NARAYANA Vs. CHENGALAMMA* (1887 I.L.R. 10 Madras 1) in which it was held that the inam title deed which had been granted to the Palayagar in that case did not confer any new title, and the enfranchisement had no larger operation than as a release granted by the Crown in respect of the reversionary interest, and of the obligations for rendering service. But actually the case before the Judicial Committee was that of a Karnam inam which differed from the case of a Palayagar, in that unlike a personal inam, tax on the land follows the office, and therefore, there are no hereditary incidents attached to it. That being so, the Judicial Committee was of the view that the grant of title deed after enfranchisement was a source of new title in the inamdar. But the Privy Council did not have an occasion to consider and hold that a new title deed also meant a change in the tenure. In *RASA KOUNDAN Vs. JANAKI AMMAL* (I.L.R. 1951 Madras 342) *SATYANARAYANA RAO, J.*, held that enfranchisement of an inam did not always imply a resumption of the original grant and re-grant of the property, and that in order to determine in a given case the effect of an enfranchisement on the title to the property, one had to examine the tenure on which the land was previously held and if it was sought to be altered or substituted by a new tenure by the enfranchisement proceedings. In the case of service tenure, the title to the enjoyment of property rests not upon the independent title to the property, but upon the right to the office for the service. The learned Judge also pointed out that there may be other classes of cases where a person held property hereditarily, but with an obligation attached to it to render certain services. In that case, the title to the property would be regulated by the personal law of the parties and, wherefrom the property followed, the obligation which was attached to the property also followed so that the title in such a case to the property and the right to enjoyment did not depend upon right to the office or the duty to render service. The other learned Judge, Viswanatha Sastri J. more or less agreed with that view, and pointed out the difference in the effect of enfranchisement of personal inams and service inams. But in neither case, the character of the tenure as an inam was changed by the enfranchisement. That was the view expressed by a Division Bench of the Andhra Pradesh High Court in *JOGRAO Vs. SUB-COLLECTOR* [1964 (2) Andhra Weekly Report 320]. It was a case of a Karnam service inam which had been enfranchised. The Andhra Pradesh High Court repelled the contention that the effect of enfranchisement was to disannexe the inam from the conditions attached to it and convert it into a free hold in the sense, that the enfranchisement brought about a change in the tenure. The learned Judges pointed out that it was well known that the quit-rent was levied only in respect of inam lands, and if the inam tenure was converted, it could not be said to what kind of tenure the land belonged, while it certainly was not ryotwari land. Chapter III, Part I paragraph 53 of the Board's Standing orders (Volume II) deals with the effect of enfranchisement. It says that in the case of inams enfranchised by the Inam Commissioner, whatever be their previous tenure, there should be no interference on the part of the Collector and that these inams stood in the same position as ryotwari lands in respect of succession, transfer, sub-division and sale for arrears of quit-rent. An examination of the inam title deeds both in respect of service and personal inams, shows that as a result of the enfranchisement two things follow:—

(1) the inam which was tax free and hereditary, and which was not otherwise transferable and in the event of the failure of lineal heirs, it was liable to lapse to the State, would as a result of the enfranchisement be liable to pay annual quit rent; and

(2) In consideration of such payment, the inam tenure would be converted into a permanent freehold, in which case, the inam would be "your own absolute property to hold or dispose of as you think proper, subject only to the payment of the above mentioned quit rent." The payment of quit rent could of course, be redeemed. But this incidence of the title deed did not bring about a change in the character of the inam as such. The expressions that the property after the enfranchisement would be the absolute property of the title-holder and that it would be a permanent freehold, meant no more than release of the property from the obligations of service and from the reversionary right of the Government to resume the inam. A "freehold" did not mean change in the concessional character of the holdings, which is

(1) Collection of papers relating to Inam commission enquiry Madras Presidency.

(2) Chapter IX—Land tenures in Madras Presidency by Thiru Soundararaja Iyyangar.

88. The Inam Commission enquiry and the records prepared by it were the subject matter of great appreciation by the highest courts in the land. Recently in the decision in *Roman Catholic Mission (Vs.) the State of Madras* reported in 1967 I. M.L.J. 119, the Supreme Court has held:—

The Inam Fair Register did not mention the names of the original granted which it would have, if the grant was personal. Now in a series of cases the inam enquiry has been held by the Privy Council to be of land mark and utmost importance was attached to the I.F.R., the preparation of which is a great Act of State. The term "Act of State" does not always mean a sovereign act against an alien which is neither grounded in law nor does it pretend to be so. The term means more than that because it has many meanings. Here it indicates an act in respect of which there was an official declaration. The I.F.R. incorporated an official declaration which was the result of detailed enquiries. All evidence collected in respect of each inam was carefully sifted and considered before any conclusion was reached or declared. In the absence of positive and proper evidence to the contrary such declaration must possess supreme importance.

When Legislations were introduced for the abolition of these inams including free hold tenures for effecting ryotwari settlement later, the inamdars challenged the legislations on the ground that the effect of enfranchisement was to take away the inam tenure and there was no inam at all with such subsisting character for abolition. This was the main attack in respect of Inams in Pudukkottai district.

89. In *uSatyamurthy (Vs.) the State of Madras* (1) a Division Bench of the High Court has held:—

"Under rule 29, enfranchised inams would be exempt from future interference by the Sirkar, except as might be necessary for the punctual realisation of the quit rent charged. These rules make it abundantly clear that the result and effect of enfranchisement was not that the inam tenure was converted into some other tenure, but certain rights were added to the holders (viz) that the precarious nature of the tenure was set right by confirming the inam to the holder, disannexing the service from the land and putting an end to the reversionary right of the State, in consideration of the levy of quit-rent, which is a fraction of the full assessment.

In *Thiruvaduthurai Adheenam (Vs) the State of Madras* (1970-I. MLJ 523) *Alagiriawami, J.* thought that it would be meaningless to say after the inam proceedings, an inam land in respect of which a title was issued to the inamdar would continue to be an inam land. He was of the view that enfranchisement meant the commutation of the value of the Government's right of resumption and the land was free from the obligation of inam tenure. We are unable to agree with him. There is nothing in the Madras Enfranchised Inam Act 1862 or Madras Act IV of 1886 or in the forms of the T. Ds issued that the enfranchisement would justify the view that the effect of enfranchisement was to change the nature of the tenure of an inam as such.

..Alienation Of Inams.

90. As the enfranchisement of an inam does not operate as a resumption and regant, and its only effect is the imposition of an assessment from which it was antecedently free, a mortgage or sale was effective on an Inam Land as in respect of ryotwari land. Such encumbrances on a personal inam that existed before enfranchisement is deemed valid. An enfranchise personal inam can be sold in execution of a decree against the holder. Enfranchisement does not extinguish the right of the mortgager to redeem when lands are enfranchised while in the possession of the mortgagee. When the Government resumes a charitable grant of land for non-performance of services and grants a ryotwari patta to the inamdar, the resumption puts an end to the occupancy right acquired by ryots by grant or prescription prior to such resumption. This view has however, since been dissented from. But a mortgage or sale of a village service inam is declared invalid by Regulation VI of 1831 and Act II of 1895. The alienee cannot take advantage of the subsequent enfranchisement and claim the benefit of Section 43 of the Transfer of Property Act.

91. The holder of an enfranchised inam held his lands subject only to the payment of quit-rent fixed on his lands. In *Venkata Jagannatha Sarma (Vs.) Veerabhadrayya* it was pointed out that the T.D. issued by the Inam Commissioner provides for the revision of quit-rent at each periodical settlement; and unless, so provided for in the T.D. it cannot subsequently be raised.

PUDUKKOTTAI INAMS. (2)

92. The Settlement and enfranchisement of Pudukkottai Inams have a parallel history, though generally speaking, the nature of the Pudukkottai inams is of a piece with those of the inams Madras and there is peculiarity only in their details. The inam grants in Pudukkottai can be traced from the Pallava times downwards.

(1) A J R 1971 M S 386

(2) Report of Thiru R. Tirumalai I.A.S. dated 31st August 1956.

102. In a judgment, dated 26th November 1869 in S.A. 126/1869 (HCR. V. 120) —Venkatramier (Vs) Ananda Chetty, relating to a case which arose in one of the Mootahs in Salem, the High Court held that the established general law of the Presidency was that the tenancy of an ordinary pattadar, when properly created, entitled the tenant to the right of occupancy for the purpose of cultivation until default in payment of the stipulated rent at the time it became due, that it might be determined upon such default under Section 41 of Madras Act VIII of 1865 or at any time on the landholder's acceptance of a surrender by the tenant, which was required to be made in writing by Section 12 of the same Act, and that the right of the tenant was assignable as a mortgage security or otherwise like any other interest in land when there was no express agreement between the landlord and tenant to the contrary. This decision was doubted later in Chockalingam Pillai (Vs) Vaithilinga Pandarasanthi in S.A. 9 of 1870, dated 1st May 1871 (MHCR. VI. 164) in which it was held that the tenancy created by a patta enured only for the fasli for which it was in force, that neither the Regulations of 1802 or 1822, nor Act VIII of 1865 had the effect of extending it beyond that period and the ryot was liable to ejectment at the end of the fasli, unless he proved the existence of a custom to the contrary. The view enunciated in this case had not, however, been followed in subsequent cases. They proceeded on the view that under the Indian Common Law the right of the ryot to possession of land arose from occupancy, and that the relation of landlord and tenant which connoted the idea of the latter deriving possession from the former did not exist between the zamindar and the ryot. Government having never claimed a right to the possession of cultivated lands, its assignee, the zamindar, could not also claim it. It was, therefore, held that the presumption was that a ryot in a Zamindari was entitled to a right of occupancy and it was for the zamindar to establish the circumstances giving him a right to eject.

103. The principle of these decisions was extended in 'Chekkati Zamindar (Vs) Ramasooram' (2) Dhora to a case where the ryot obtained possession from the zamin and it was held that even then the former was entitled to a right of occupancy, unless the latter proved a custom of the estate or a contract to the contrary. Thus the right of occupancy was based on mere presumption and was liable to be rebutted in specific cases. In its proceedings No. 3876, dated 8th September 1871 the Board of Revenue brought the impact of the decisions to the notice of the Government and urged them to obtain an enactment affirming the right of occupancy of the tenantry in unmistakable terms. In their order No. 366, dated 13th March 1876, the Government requested the Board, before any steps were taken as suggested by it, to enquire and report whether the results anticipated by it had ensued and if so to what extent. In its proceedings No. 618, dated 7th March 1879 the Board after consulting Collectors sent a report and the Government of India with their letter No. 160, dated 24th February 1881 forwarded an extract of the report of the Indian Famine Commission which made similar recommendations thus:—(3)

"The General effect of the evidence received by it was that the effect of inadequate wording of Rent Recovery Act, 1865, coupled with the ruling of the Madras High Court in Chockalingam Pillai's case had been to alter the legal position of zamindari tenants and to render it precarious, exposing them to many forms of oppression and excluding them from all the benefits of the Regulation, which gave a legal status to zamindari system, and of the Rent Recovery Act to secure every class of tenants; and that the ill-consequences of this defect in law were likely to become more apparent as the new view became better known. The Famine Commission expressed the view that legislation was necessary and that its postponement could not fail to prove detrimental to the status of this large class of cultivators".

In G.O. Ms. No. 1437, Revenue, dated 29th April 1882, the Government appointed a committee to draft a Bill calculated to remove all the doubts as to the conditions of a ryot's tenure of land. But this committee however never sat. Subsequently Sir Philip Hutchair, Member of Council prepared a bill which was not also proceeded with further. In lieu thereof, a Bill dealing with the whole subject of landlord and tenant was prepared by Mr. Carmichael on the basis of the first Bengal Tenancy Bill of 1883 and this was referred in G.O. 569 (Revenue), dated 6th February 1884 to all Collectors and Board of Revenue for opinion. The proposal was condemned as unfavourable. In G.O. 527, Revenue, dated 15th July 1886, the Government referred the Bill with the criticism thereon to a committee for report, with a direction

(2) 21 MS 318

(3) Note permanent settlement by Rao Sahib P. K. Gnanasundara Mudaliar (Para 47—Page 113)

that the Bill should deal only with acknowledged evils avoiding unnecessary changes and holding the scales even between the landlord and the tenant. The Committee submitted its report on 13th August 1887 discarding Mr. Carmichael's bill and drafted a new bill adopting the new Bengal Act as its pattern. This bill was referred in G.O. No. 881, dated 7th September 1887 to the High Court, Board of Revenue, zamindars and others interested for their criticism. The Board's remarks were submitted in P. No. 470, dated 26th August 1892 with the views of the officers stating that the Bill had followed the Bengal Tenancy in-applicable to Madras. The Government disagreed with the Board's view and expressed their preference to the principle embodied in the committee's bill with certain modifications. The Bill was accordingly sent to the Government of India for previous sanction with Madras Government [Legislative Department] Letter No. 124, dated 11th November 1893. The Government of India added its comments in regard to the growth of occupancy rights in waste lands and vesting of jurisdiction in revenue courts instead of civil courts. In order to examine the views of the Madras Government and Government of India, the latter appointed Mr. Ross, I.C.S. then a District and Sessions Judge on special duty from 1892. Mr. Ross, I.C.S. prepared a fresh bill. With slight changes this Bill was submitted to the Government of India on 19th November 1897. On approval by the Government of India, the Bill was introduced in the Legislative Council on 13th June 1898. The Bill was referred to a select committee of official members which recast the bill with the title "The Madras Land Bill"—The matter was under correspondence with the Government of India which again referred the bill to a Select Committee which submitted its report on 10th April 1906 suitably revising the bill meeting out the criticisms and comments of the Government of India. In G.O. No. 34, Legislative Department, dated 22nd June 1906 this revised bill was forwarded to the Judges of the High Court, Madras for remarks. Messrs. Benson and Subramania Iyer—JJ—recorded the following further minutes on 21st September 1906 and 4th October 1906: (2)

"It is an acknowledged fact that under the Permanent Settlement of 1802, the zamindar had no right to enhance shists on the ground of rise in prices. While acknowledging that the amendments made by the Select Committee, exempting certain money shists from liability to enhancement on the ground of rise in prices, had gone some way to meet this basic demand, it is desirable to introduce a further exception in favour of shists that had been fixed in perpetuity by implied contract".

The bill, as amended by the Select Committee, was taken in the Legislative Council on 9th January 1908 after getting concurrence over it by the Government of India. The Bill was finally passed by the Legislative Council on 8th February 1908 after several days' detailed discussion of every part of it and it became the Madras Estates Land Act I of 1908. The objects and reasons of this bill are summarised below:

"The object of the Bill is in the first place to amend Madras Act VIII of 1865, which prescribes the procedure to be taken by landholders as therein defined, for recovery of rent from their tenants. The imperfections of the Act have long been noticed and the object of the present Bill is to remedy these imperfections. But as that enactment is a mere processual law, the second object of the Bill is to declare the substantive and relative rights of landholders and their tenants and ryots. These rights have as yet been nowhere defined by legal enactment and it is one of the main purposes of the bill to supply the deficiency in as much as the ryots' right, though preserved and protected generally by the provisions of Regulation IV of 1802, are in danger of being infringed and destroyed by reason of want of the specific definition of them by the Legislature".

However, within a year of the coming into force of this Act, some defects came to light and an amending Act (Madras Act IV of 1909) was passed. Under the original Act in the definition of 'Rent', was included quit rent, jodi poruppu and the like payable by the inamdar as such to the landholders. This amending Act deleted this portion of the definition, the object being that the landholder should not employ the machinery of the Act for the recovery of quit rents from intermediate landholders but seek his remedy only in Civil Courts.

104. Since then other difficulties and defects were disclosed in the working of the Act. In 1913 the Government introduced a Bill and in 1914 four other private bills, but before they could be passed, the Great War intervened and the bills died. After the war ended, the subject was again taken up. In 1922 and again in 1924, large and representative committees were constituted for considering amendments.

(2) The Madras Estate Land Act by V. Vedantachari.

CHAPTER—IV.

THE MADRAS IMPARTIBLE ESTATES ACT 1904 (ACT II OF 1904)

97. This declares certain estates as impartible. Consequently, those estates are inheritable by a single heir by the right of primogeniture and are subject to the other incidents of impartible estates in South India. The other heirs of the last holder will be entitled to maintenance only out of the income of the estate. The proprietors of such estates cannot exercise unrestricted powers of alienation in respect thereof. These estates were traditional houses of chieftains all of whom claimed to be nobles of feudal origin, if not royalties. In their anxiety to preserve the vestige of these ancient houses, the British Government enacted this legislation even before the Estates Land Act was created. In course of time, however, many of these estates got broken up due to sale for arrears of peshkush or under court's orders. Any portion carved out of these impartible estates went to the new owner with absolute right, losing the character of impartibility.

98. The following estates included in the Schedule to the Act are impartible estates:—

North Arcot: Arni Jagir and Vettavalam (portion).

South Arcot: Vettavalam (portion) and the Hill Jagirs of Kurumba Gounden Jagir, Jadaya Gounden Jagir and Ariya Gounden Jagir.

Chingleput: Kalahasti (now transferred to Andhra State).

Coimbatore: Uttukuli, Samattur, Kottampatti, Poravipalayam, Ramapatnam, Metratti, Tungavi, Jettampatti and Vedapatti.

Madurai: Ramnad, Sivaganga, Rettayambadi, Peraiyur, Saptur, Bodinayakanur, Gandamanayakkanur, Ayyakudi, Puliyanakulam, Jyotilanayakkanur, Idaiyagottai, Ammayanayakkanur, Uttappanayakkanur, Doddappanayakkanur, Nadukkottai, Melakkottai, Sandaiyur, Tevaram, Erasakkanayakkanur and Mambarai.

Salem: Shulagiri Palaiyapattu, Ankusagiri-Palaiyappattu, Peria Kalrayan Nad, Chinna Kalrayan Nad and Ariya Gounden Jagir.

Tirunelveli: Ettiyapuram, Sivagiri, Sattur, Urakkaddu, Singampatti, Uttumalai, Maniyachi, Kadambur, Attankarai, Naduvakurichi Minor Division, Talaivan-kottai, Alagapuri, Mannarkottai, Sennalkudi and Kadambankulam, Kollapatti, Kollankondan and Avudaiyapuram.

Tiruchirappalli: Marungapuri, Kadavur, Turaiyur and Udaiyarpalayam.

Thanjavur: Gandarvakottai, Kallakottai, Konur, Sillattur, Palayavanam, Pappanadu, Singavanam, Madukkur, Neduvasal, Sendangudi and Attivetti.

99. Section 1 (6) of the Estates Abolition Act defines 'impartible Estate' as an estate governed by the Madras Impartible Estates Act 1904 which stands repealed, *inter alia*, under Section 3(a) of the Act on the notification of the estate. All the estates except the 3 hill jagirs in South Arcot District were already notified and taken over under the Tamil Nadu Estates (Abolition and Conversion into Ryotwari) Act 1948 and ryotwari settlement introduced. The 3 hill jagirs in South Arcot were notified under Act 26/63 and the jagirdars filed suits and obtained stay orders against the State from the High Court deferring the take over till the disposal of the suits. They have however voluntarily withdrawn their suits consequent upon which the estates have been over an 25th August 1976.

In the matter of payment of compensation to the impartible estates, the Abolition Act provides for payment of compensation to the maintenance holders also, besides liquidating civil court decrees held by creditors.

CHAPTER—V.

EARLIER TENANCY LEGISLATION.

HISTORY OF TENANCY LEGISLATION SUBSEQUENT TO THE PERMANENT SETTLEMENT REGULATION LEADING TO THE ESTATES LAND ACT I OF 1908.

100. The Indian Common Law recognises two distinct interests in land, that of the sovereign and the cultivator, who hold the right to specified shares in the produce. At the time of Permanent Settlement in 1802, Government conferred proprietary rights on the Zamindars, ancient as well as those created thereafter. In directing the introduction of Permanent Settlement in Madras, Lord Cornwallis distinctly informed the Madras Government that the acknowledgment of proprietary rights of Zamindars was not to be allowed in any respect to affect the rights of others who had been subject to the authority of Zamindars or other landholders; nor was it to be construed to preclude Government from passing any Law or Regulation which might occasionally deem expedient for the protection of the rights of the ryots or of other persons, or for other purposes, which is essential to the good Government of the country. The Board of Revenue in issuing instructions to the Collectors for carrying out the Permanent Settlement stated:—

"Distinct from these claims, are the rights and privileges of the cultivating ryots who, though they have no positive property in the soil, have a right of occupancy so long as they cultivate to the extent of their usual means, and give the Sirkar/Proprietor, whether in money or in kind, the accustomed share of the produce".

In virtue of the right reserved, Government passed Regulations XXV, XXVIII and XXX of 1802 to regulate the mode of recovery of rent. Section 14 of Regulation XXV made it obligatory on the Zamindar to enter into engagements with the ryots, for rent either in money or in kind, and grant them pattas defining the amount and conditions of the engagement; and if he refused or neglected to comply with the demand for a patta, he might be cast in damages in a suit by the ryots. Regulation XXVIII empowered the zamindars to distrain and sell on account of arrears of rent only the crops, cattle and personal property of the defaulter, but not his land. But when the arrears are not realised within a year, he might proceed to sell the tenure of the defaulter, if saleable. The patta Regulation (Regulation XXX of 1802) provided by Section 7 barring the levy of a new assessment or tax under any name or pretence whatever, and laid down in Section 9 for determining the rate of rent either in cash or in kind when it was disputed. These Regulations proceeded on the footing that the ryot was entitled to possession of the land as long as he paid the accustomed rent; the zamindar could not dispossess him nor levy new rent over and above it. The Sudder Court held that the effect of Regulation XXV of 1802 was only to confer upon zamindars such proprietary right as belonged, or was exercised by Government, and that it could not convey more without infringing the rights of others. However, as a doubt was felt, Regulation IV of 1822 was passed which declared that the provisions of Regulations XXV, XXVIII and XXX of 1802 were not meant to define, limit, infringe or destroy the actual rights of ryots or landholders, but only to provide remedies for non-payment of rent, leaving them to recover their rights, if infringed, in the ordinary courts. There was still a lacuna in the Regulations of 1802 as they gave the zamindars a speedy and summary remedy to collect his rent, but left the ryot to seek protection in the Civil Court when his right was infringed. To remedy this, Regulation V of 1882 was passed. Under this Regulation primary cognizance of all suits was transferred to Collectors who were vested with jurisdiction to intervene before a zamindar could sell distrained property or eject a ryot for arrears. The Collector had to adjudicate whether the demand was justly due, and if the rate in the patta which the ryot refused to accept was the just one prescribed. If the Collector decided these points against the Zamindar, the ryot could not be ejected, nor the tenure sold.

101. These Regulations were repealed by, and their main provisions re-enacted with certain modifications and additions, in Act VIII of 1865. This Act was mainly a consolidating and processual measure without defining the rights of ryots and landholders.

1 Despatch of 31st December 1799 (pp 179-194) — Appendix X — Note on the permanent settlement
By Rao Sahib P. K. Gnanasundara Mudaliar.

Genesis of the Estates Abolition Act: (1)

113. The condition of estate ryots, in comparison to ryotwari holders, evoked public criticism that they were a harassed lot and deserved Government's indulgence to ameliorate their status and ensure them peaceful enjoyment of the land. By resolutions passed by both houses of the Madras Legislature in September 1937, a joint select committee was nominated under the chairmanship of Hon'ble Mr. T. Prakasam, then Minister for Revenue to enquire and report on the conditions prevailing in zamindari and other proprietary areas, with suggestion for suitable legislation, if considered desirable, in connection therewith, with particular reference to the following matters:

- (1) the juridical interests of the ryots in relation to the landholders;
- (2) Collection and remission of rent;
- (3) Survey, Record of Rights (including water rights) and settlement of fair rent;
- (4) Levies from ryots in addition to rent;
- (5) Utilisation of local natural facilities by tenants for their domestic and agricultural purposes; and
- (6) Maintenance of irrigation works.

114. This committee toured extensively and took evidence and submitted its report on 7th November 1938 enclosing a draft bill entitled "The Madras Estates Land Revenue Bill 1938" for declaring and amending the law relating to holding of land in the Presidency of Madras. The object of the bill was to declare that the land revenue assessment fixed at the time of the permanent settlement was fixed in perpetuity and that it is unalterable like the peshkush and that the ryot is the owner of the soil". The legislature endorsed this report in the year 1939 and requested Government to introduce the bill.

115. Even before the bill could be examined and introduced, the Legislature was prorogued due to declaration of the Second World War. When popular Government was ushered in later, after the termination of hostilities, steps were taken to abolish the zamindari system in pursuance of the declaration in the Congress election manifesto of the year 1945. As comprehensive legislation would take a long time, interim ad hoc measures of legislation were enacted to protect the interest of zamin ryots and other public interests in estates and it brought out a spate of enactments.

116. During the second world war, food problem assumed serious proportions and all out efforts were taken to Grow More Food. It was found that the irrigation works in the estate areas which served about 2/5th of the total cropped area, were generally in a neglected state and offered good potential for improvement. The Government assumed powers to deal with such works or to construct new works in the estate areas by the Madras Irrigation Works (Repairs, Improvement and Construction) Act, 1943 (Act XVIII of 1943), which provided for the repair or improvement of private irrigation works, the construction of new irrigation works on private lands and the supply of water from Government sources to private irrigation works in the province of Madras and to recover the cost of doing so in the cases aforesaid. This Act provided for the construction (or causing to be constructed) of a new irrigation work on land situated in an estate as defined in the Madras Estates Land Act 1908 besides any irrigation work in private ownership and to provide the supply of water from any Government irrigation work to any other irrigation work in private ownership. The cost of such works, to be met initially from Government's funds, was to be recovered from the estate owners in equitable instalments. Subsequently some amendments were made to this Act by the Madras Irrigation Works (Repairs, Improvements and Construction) Amendment Act, 1945 (Madras Act IV of 1945).

117. When the National Government was voted to power in the year 1946, the landholders feared imminent legislation to abolish intermediaries and with a view to grabbing to themselves as much land as possible they started harassing the tenants and

ryots and evicting them. With a view to beat them, the Madras Tenants and Ryots Protection Act, 1946 (Act XVII of 1946) was enacted which provided for the temporary protection against eviction of tenants to whom the Malabar Tenancy Act, 1929 applied and of tenants of private lands in estates governed by the Madras Estates Land Act, 1908; and against sale of holdings of such tenants or of ryots in such estates and to provide for the stay of suits and other proceedings relating to such eviction and sale.

118. As the landholders also resorted to indiscriminate clearing of forests and felling of trees in waste lands, with a view to getting quick gains as well as extending the ambit of their private lands, the Government was stung to the quick and brought the Madras Prevention of Private Forests Act, 1946—(Act XVIII of 1946), which provided for the prevention of indiscriminate destruction of private forests and interference with customary and prescriptive rights therein for certain other purposes. This was enacted to safeguard the private forests situated in the estates governed by the Madras Estates Land Act 1908, besides other similar forests in the province as then constituted.

119. The disposal of land in estates by the landholders was made illegal by the Madras Estates Communal, Forests and Private Lands (Prohibition of Alienation) Act, 1947 (Act XIV of 1947).

120. *The Madras Estates Land (Reduction of Rent) Act, 1947 (Madras Act XXX of 1947).*—The report of the Madras Estates Land Act Committee had disclosed that the rents paid by the ryots in estates as defined under Section 3 (2) of the said Act were in many cases, especially in those estates where grain rent was in vogue, substantially higher than the assessment levied on lands in ryotwari areas in the neighbourhood. The collection of rent by the landholders was by methods which involved avoidable harassment. Pending comprehensive legislation to abolish intermediaries, it was felt expedient to provide for the reduction of such rents approximately to the level of the ryotwari assessments prevailing in the neighbourhood and for the collection of such rents through the agency of the State Government. This resulted in the enactment of the Madras Estates Land (Reduction of Rent) Act, 1947 (Act XXX of 1947). The amount of reduced rents collected for each fasli by the Government including arrears, on behalf of the landholder, was paid to him after deducting 10 per cent towards collection charges. Regarding the estates owned by religious, educational or charitable institutions they were assured of the average income of the preceding five faslis and the resulting loss, if any, incurred by virtue of this legislation was made good by Government by paying the difference as compensation at the end of each fasli. This principal Act had undergone the following amendments in regard to procedural and other matters.

1. The Madras Estates Land (Reduction of Rent) Amendment Act, 1951 (Act VII of 1951). This related to the dismissal of pending rent recovery proceedings and modification of decrees and orders pending at the commencement of the Act. This was given retrospective effect.
2. The Madras Estates Land (Reduction of Rent) Second Amendment Act, 1951 (Act XXXIX of 1951).

This Act made provision for adjustment of rents paid in excess to the landholders other than religious, educational and charitable institutions. This was also given retrospective effect from Fasli 1357.

3. The Madras Estates Land (Reduction of Rent) Amendment Act, 1956 (Act XXIX of 1956).

(a) This Act made provision for adjustment of rent paid in excess to religious, educational or charitable institutions also.

(b) Sections 3A to 3E were inserted providing for determination of the question whether any land in an estate is or is not ryoti land with provision for an appeal to the Tribunal constituted under the Act.

A bill prepared by a sub-committee of one of these committees reached the Government in 1928 and an amending Bill, very largely based upon that Bill, was introduced in 1931, which eventually became Madras Act VII of 1934. This Act introduced various improvements but it is unnecessary to go into them as they did not affect the fundamental principles relating to occupancy rights and rents embodied in the parent Act of 1908, as evidenced by Sir Archibald Campbell, who while introducing the Bill, said:—

"The Bill only aims at removing certain difficulties, which have been found in the working of the existing Act. It does not aim at conferring any new rights or other powers upon either the Zamindar or the ryots. It does not aim at placing any disability on either party but the aim is rather to facilitate the carrying out of the various principles on which the Act of 1908 is based".

105. The Select Committee which sat on this bill also kept in view the consideration that, as far as possible, the main principles on which the Act of 1908 was based should not be departed from. This Amending Act came into force with effect from 30th June 1934.

106. The next Amending Act was Madras Act VI of 1934, which introduced Section 39-A to make provision for temporary reduction of rent proportionate to the fall in prices of foodstuffs in the wake of the world recession which overtook India in the year 1929 and sent the market prices of the agricultural commodities, tumbling down and rendered the commuted value of the prevailing rent too uneconomical to keep the ryot on the land.

Subsequent amending Acts (1) Madras Act 1 of 1936:

107. This Amending Act substituted "1st day of May 1936" for "1st day of November 1935" in Section 127 (2) of the parent act, by way of protection to tenants against eviction, pending comprehensive legislation.

(2) The Madras Estates Land (Second Amendment) Act XIII of 1936:

108. After passing Act I of 1936, the Governor-General withheld his assent to the provisions in the Madras Estates Land Amendment Bill of 1934 under which occupancy rights were to be conferred on tenants in Inam villages even though kudiwaram interest might have been granted to the inamdars. The Governor-General stated that the Act was expropriatory in nature in that it involved the loss of the kudiwaram lands included in the inam grant and that the grantees under the existing law would be in a position to establish their ownership of the kudiwaram and that a measure producing a different result with no provision for payment of compensation to persons adversely affected should not be allowed to become law. As it was not likely that such a Bill would be passed into law before 1st May 1936, it was considered necessary to extend the protection given to tenants by Section 127 (2) by Amendment Act of 1934 for a further period of six months. Accordingly this was passed substituting 1st day of November 1936 for "1st day of May 1936" in Section 127 (2) with retrospective effect.

(3) The Madras Estates Land (Third Amendment) Act 1936 (XVIII of 1936):

109. A select committee was appointed to consider the Bill that was drafted to give effect to the suggestions of the Governor-General referred to above Bill—No. 11 of 1936. This Bill with some modification was passed by the Council and was assented to on 27th October, 1936.

The important amendments made by this Act are:—

(a) The definition of 'Estate' in section 3 (2) (d) of the parent act was amended so as to bring within its scope any inam village of which the grant had been made, confirmed or recognised by the British Government.

(b) Under the new section 23, a rule of presumption was laid down that an inam village was an estate even before the commencement of the Madras Estates Land (Third Amendment) Act, 1936.

1 Note on the Permanent settlement by Rao Sahib. Gnanasundara Mudaliar paragraph 567 page 122

(c) Right of occupancy was conferred on persons in possession of ryoti land on 30th June 1934 besides persons admitted to possession of ryoti land thereafter. Explanation (2) that was added to Section 6 had this effect.

(d) Where, however, before 30th November 1939 the landholder would have obtained a final decree or order of a competent court in respect of any land in an estate, or which has now become an estate, that a tenant had no occupancy rights therein and no right of occupancy was conferred subsequently, the landholder was given the right to admit persons to possession of such lands on such terms as may be agreed upon for a period of 12 years from the commencement of the Third Amendment Act, 1936.

(e) The sections relating to private lands were recast.

(f) The rules of evidence contained in Section 185 of the Act for proving that any land is private land were also altered and recast and a separate set of rules was laid down for proving that any land in estates coming under section 3 (2) (d) of the Act is private land.

(g) Provision was made for giving compensation to landholders wherever it was proved that he had the kudiwaram interest in ryoti land other than private land as defined by section 3 (10) (b) of the Act or other lands referred to in sections 8 (4) and 8 (5) in respect of which freedom of contract is allowed to the holder for a period of 12 years.

(h) Section 127(2) of Madras Act VIII of 1935 was again amended and in the place of the words "1st day of November 1936" the words, figures and brackets "the date of the commencement of the Madras Estates Land (3rd Amendment) Act 1936" were substituted.

This Amending Act came into force with effect from 31st October 1936.

(4) The Madras Estates Land (Amendment) Act, 1942 (Act XXVI of 1942):

110. Section 185-A of the Principal Act was amended to the effect that a retired Judicial Officer who immediately before his retirement was eligible to hold the appointment as Judge of the High Court and an experienced Revenue Officer (whether in active service or retired) also became eligible for appointment as members of the Tribunal.

(5) The Madras Estates Land (Temporary Amendment) Act 1944 (Act I of 1944):

This was an emergency legislation during the war for the purpose of increasing the production of food. Under this Amending Act during the period of war and within one year from the termination thereafter, a landholder might admit any person to temporary possession of unoccupied ryoti land subject to the condition that the occupant could be in possession for not less than 3 years and not more than 5 years, only notified crops should be raised, the entire land should be cultivated within 2 years of admission, the ryot should not alienate his interest in the land except with the written consent of the landholder and that the ryot shall pay the rent as agreed upon between the parties. The further continuance of tenancy was left to the option of the landholder subject to receipt of premium.

111. (6) *The Madras Estates Land (Amendment Act) 1945 Act II of 1945.*—By this amending Act an "Explanation" was added to Section 3(2) (d) of the principal Act to provide that where a grant as an inam is expressed to be of a named village, the area of which forms the subject matter of the grant shall be deemed to be an estate notwithstanding that it did not include certain lands in the village of that name which have already been granted on service or other tenure or been reserved for communal purposes. This was given retrospective effect from the date of commencement of the IIIrd Amendment Act 1936.

112. By another amendment, Section 185-A of the Principal Act was amended providing for extension of the time for filing applications for declaration that a landholder had occupancy rights in lands which became estates under the new legislation. By a separate section it was also provided that nothing contained in this Act shall be deemed to invalidate any decree or order of court which became final before the passing of the Act.

By subsequent enactment of the Madras Estates (Abolition and Conversion into Ryotwari) Act, 1948 (Act XXVI of 1948) and Inams Abolition Act (Act 26 of 1963) this Act was repealed and by that time the object of the said enactment had been fully achieved.

121. *The Malabar Tenancy Act 1929 (Madras Act XIV of 1930).*—The landholding in Malabar, though ryotwari in tenure, had its own characteristic feature of an intermediary between the Government and tiller. Questions connected with the relationship of landlord (Jenmi) and tenant (kudiyan) in Malabar had been agitating the public mind for many years. The demands of Kanamdars and cultivating tenants for securing fixity of tenure had long been the subject of anxious consideration by the Government. Several special enquiries had been directed and held with a view to ascertain how far the claims to ownership of land put forward by and on behalf of the tenants were reasonable and what legislation was necessary to remedy disabilities which they suffered from. Attempts were also made from time to time to deal with their demands. Madras Act I of 1887 was passed for awarding compensation for improvements to the tenants. This Act was repealed and re-enacted with additions and modifications by Madras Act I of 1900.

122. In 1924, Diwan Bahadur (later Hon'ble) Krishnan Nayar introduced a Bill which focussed on the several claims made on behalf of the tenants. The main remedy suggested by that Bill was the grant of permanent occupancy rights to nearly all the tenants in Malabar subject to certain reservations. This aroused considerable opposition on the part of the Jenmies. The Government, in pursuance of their settled policy in the matter, afforded every facility to the tenants to put forward their case before the Legislative Council and they further tried to improve those portions of the Bill, which were opposed to what the Government considered was just and equitable, by moving amendments. This attempt of the Government met with little success. The Bill as finally passed could not be accepted as a just and proper solution of the problem and His Excellency the Governor felt bound to withhold his assent under Section 81 (1) of the Government of India Act. While doing so, His Excellency stated "that he intended to ask his Government to re-examine the whole question and to take such steps as in their opinion were most likely to result in further legislative proposals being framed with due regard to the considerations" which induced His Excellency to withhold the assent. To give effect to this intention, a Committee under the presidency of Rao Bahadur Raghavayya Panthulu, C.B.E. and consisting of prominent representatives of the landlords and tenants of Malabar was constituted in 1927, with instructions to re-examine the whole question and submit such proposals as they deemed necessary to improve the relationship between landlords and tenants in Malabar. In the order laying down the terms of reference to the Committee, the Government expressed themselves as follows:—

The Government's position on this question, as clearly indicated during the course of the discussion on Mr. Krishnan Nair's Bill, has been that it is not profitable, nor just, to go behind decisions of courts ranging over three quarters of a century which have recognised the full proprietary rights of the Jenmi. The Government are, therefore, of opinion that any future attempt at legislation should see that right as settled fact and proceed on the basis thereon. As a corollary to that proposition, they think that any attempt to take away the rights of Jenmis in any substantial way, whether it be the grant of permanent occupancy rights or otherwise, should be accompanied by adequate provision for reasonable compensation being paid to the Jenmi. While this has to be conceded to the Jenmi, the Government are also of the opinion that in the case of homesteads at least, there is urgent necessity for creating security of tenure, that the claim of the actual cultivator of the soil for fixity of tenure and security from arbitrary evictions must be viewed with considerable sympathy and that every possible attempt should be made to secure this to him in so far as it can be reasonably done without injustice to the Jenmis".

123. The Raghavayya Committee submitted its report in the middle of 1928. The principal recommendations of the committee were:— (1)

(1) that any legislation undertaken to remedy the grievance of the tenants should be optional;

(2) that cultivating Varampattamdars should be enabled to obtain fixity of tenure on certain conditions;

(3) that customary Varampattamdars (both cultivating and non-cultivating), cultivating Kuzhikanamdars and intermediaries in Kuzhikanam should be entitled to obtain renewals in certain circumstances;

(4) that the landlords should have the right to take the land back for cultivation by them or by any members of their families subject to the safeguards to prevent abuse of the rights;

(5) that the tenants should have the right to purchase the landlord's rights in Kudiyruppus in the event of a suit for eviction; and

(6) that melchathu should be valid only under certain conditions.

The Committee was against the grant of permanent occupancy rights.

124. In the beginning of that year, the Government convened a conference of representatives of Jenmies and tenants of Malabar and discussed the recommendations of the Raghavayya Committee. The Government again carefully examined the question and gave their best consideration to the views put forward by the members of the Conference on behalf of the landlords and tenants of Malabar. They accepted the recommendations of the Raghavayya Committee with some variations and a Bill, which embodied the conclusions arrived at by them to materially improve the condition of the tenants without prejudicing the inherent rights of the landlords and bring about better relationship between them, was introduced which later became the Malabar Tenancy Act of 1929.

125. Thus this Act provided the Law defining the relationship between landlord and tenant in the erstwhile Malabar District including Gudalur taluk of The Nilgiris District. This Jenmam tenure thus recognised is in the process of abolition.

The Gudalur Compensation for Tenants Improvements Act, 1931 (Act XII of 1931.)

126. This Act provides for the extension of the Malabar compensation for Tenants Improvements Act, 1899 with certain modifications to the Gudalur Taluk of The Nilgiris District.

THE MADRAS ESTATES LAND ACT, 1908—IMPORTANT JUDICIAL DECISIONS.

Communal Lands.

127. While dealing with the Madras Estates Land Act, 1908, we have already referred to that the Amendment Act, 1934 made some important changes in the principal Act. Some of the amendments were necessitated due to judicial decisions. The more important of these decisions are discussed below under the relevant headings—

In regard to ownership of communal lands in an estate covered by the Estates Land Act, there were divergent judicial views. This is discussed below:—

128. The sections dealing with communal lands in the Act are silent about the rights of ownership of communal lands. There has been divergence of views on this question. Prior to the amendment of 1934, the explanation to the old Section 20 provided that any land which has been set apart as communal land by the landholder subsequent to the Permanent Settlement shall revert to the landholder when in the opinion of the Collector, it is no longer required for any communal purposes. But the explanation was quite silent as to the relative rights of the Zamindar and the Government in communal lands within the Zamindari set apart before the Permanent Settlement.

129. The main part of old Section 20 (or the present Section 20-A) imposes certain restrictions over the power of the Zamindar to assign or use for any other purpose, threshing-floors, cattle-stands, etc., which are set apart for the common use of the villagers. The Estates Land Act does not however deal with the question of rights of ownership in communal lands. The Act left the question open.

130. Many theories have been propounded in regard to these communal lands. One view was that the lands so set apart were the property of the village community and did not belong either to the landholder or to the State and that neither of them had reversionary rights to them. The second view was that communal lands were Lakhiraj lands which were excluded from the scope of the Permanent Settlement under Section 4 of Regulation XXV of 1802. The Zamindar had no reversion in them and the reversion belonged to the Government. The third view was that they were not Lakhiraj lands, because Lakhiraj were lands which were yielding an income but which were exempted for any particular reason from the payment of public revenue that was due on them, whereas communal lands were unproductive and uncultivable lands from which no income was derived. Zamindars having been declared to be proprietors of every land except Lakhiraj lands by Regulation XXV of 1802 and communal lands, not being Lakhiraj lands, they became the Zamindar's property (see Ramdoss on Estate Land Act, pages 27 to 48). It is the second view that appealed to the farmers of the Act of 1908.

131. The explanation to Section 20 of the Act prior to its amendment in 1934 was evidently based on this view. The explanation was as follows: "Any land which has been so set apart by the landholder subsequent to the Permanent Settlement shall revert to the landholder when, in the opinion of the collector, it is no longer required for any communal purpose."

132. The view that communal lands were Lakhiraj lands was also adopted by the Estates Land Act Enquiry Committee (Prakasam Committee) of 1938. This view however is not in consonance with Judicial decisions. The High Court did not accept the view that communal lands were Lakhiraj lands. It is also now established by more recent decisions of the High Court that Government have no title to communal lands and that their rights are limited to restricting the diversion of communal lands for purposes other than those for which they are intended. The first view that these lands belonged to the village community appealed to Justice Spencer in a case reported in 'Venkatarama Sivan vs. Secretary of State'. The substantial question to be decided in the above case was whether upon the construction of the Inam grant, the portions of Sudra Rudrabhumi (cremation ground for members of the Sudra community) alleged to have been encroached upon passed to the grantee under the words "besides porambokes" in the Inam title deed which acknowledged the landholder's title to dry, wet and garden lands besides porambokes. Justice Spencer took the view that notwithstanding the grant of a whole village including poramboke, as a Sarvamanyam inam, the ownership of certain kinds of porambokes i.e., burning grounds, temple sites, public roads, etc., does not pass to the grantee but continues to vest in the Government as legal owner in trust for communal purposes. Justice Sadasiva Iyer who was the other judge constituting the Bench, while agreeing with Justice Spencer so far as the legal ownership of the Government based on the above theory was concerned, would not however extend the same principle to river porambokes and channel porambokes in respect of which the Privy Council had acknowledged the landholder as the owner in the Urulam case.

133. The above decision was referred to in a later decision in 'Kannayiram Pillai vs. Virudupatti Gins Limited,' and distinction was sought to be made between the different classes of porambokes. The decision related to a Pon—Vannan-Oorani alleged to have been dedicated for certain communal purposes. The Bench pointed out that though in burial grounds, threshing floors, etc., the right of the community may be regarded as vested in the Government, so long as the character of the site does not change, where however the rights of the public amount to a bare easement, there is no

reason to hold that the Inamdar has no title to the soil over which the easement operates. The burden of proving that a land is communal land is on the person who contends that it is a communal land.

134. After the decision in 'Rajah of Pittapuram Vs. Secretary of State,' (3) the view that came to be entertained in regard to the title to communal lands was in favour of the landholder.

135. In Jagannatharaju Vs. Rajahmundry Taluk Board a division bench consisting of Curgenvin and King JJ, had to consider the right to trees standing on puntas in a zamindari village. It was common ground that the puntas in question were "public roads" within the meaning of Section 60 of the Local Boards Act and that therefore, they vested in the Taluk Board under the provisions of the section. Though a claim was not separately made on behalf of the Government under the provision of the Madras Land Encroachment Act (Act III of 1905), properties vested in the local boards are deemed to be properties of the Government for the purposes of the latter Act.

136. The Taluk Board claimed ownership of the trees and their usufruct. The Zamindar who was the owner of the villages, claiming title to the trees himself, sued to recover damages from the Taluk Board. It was assumed that the trees in question were planted by neither party but were of spontaneous growth. It was held by the Bench that the full ownership of the trees and of their usufruct did not vest in the Taluk Board and that they could not sell the trees or their usufruct. The property that vested in the Taluk Board was "such property and such property only as is necessary for the control, protection and maintenance of the street as a highway for public use". It was further held that the right to these trees lay in the Zamindar.

137. The next year after the above decision, the same question came up before Varadachariar J. in 'Surya Row vs. Cocanada Municipal Council'. There was a putha or public highways in Suryarowpeta, a part of the plaintiff's zamindari (Pithapore). The point for decision was in respect of the rights of the plaintiff zamindar and the defendant Municipal Council in respect of palmyrah trees growing on a bit of land within the limits of the municipality which in turn was within the ambit of the zamindari. The case proceeded on the assumption that the trees were of spontaneous growth. Justice Varadachariar said that if it became a puntha only after the Permanent Settlement, it was difficult to see why the zamindar should not be held entitled to the land subject to the rights of the public. His Lordship then dealt with the alternative assumption viz. that the land was used as a public pathway even prior to the Permanent Settlement and in doing so drew attention to the distinction to be noticed between the pathway as such and the ownership of the land and the basis on which the ownership of the soil under the highway rests. Reference was made to the decisions in 'Papala Narayanasami Naidu vs. Secretary of State, Venkatarama Sivan vs. Secretary of State, Rajah of Pittapuram vs. Secretary of State', and the said decisions were all distinguished. In all these decisions the claim of a zamindar or inamdar related to ownership of what was actually used by the public, not of the soil subject to the rights of the public.

138. His Lordship pointed out that there is no question of public use, or trust for public use, so far as rights in the soil of a highway are concerned, when there is no denial of the rights of the public. His Lordship then referred to the principle that the proprietor of the adjoining land is also owner of the bed of the river 'Ad Medium Filem' which has been recognised in several Indian decisions (55 Mad. 268 = 62 M.L.J. 213 = 59 I.A. 56 = 35 L.W. 238 1922 P.C. 46: 'Secretary of State vs. Subbarayudu'). It was pointed out that a public right of way stands on the same footing as a public right of navigation over a river and that in respect of a river as well as a highway, the bed or soil is presumed to belong to the proprietor of the adjacent land. It was therefore held that where a public pathway is passing through zamindari land, whether

2 1919 MS 769

3 (1924) 47 MLJ 784

4 42 L. W. 417

42-32-10A

the public pathway was in existence prior to the Permanent Settlement or came into existence after it, the zamindar as general principal and as owner of the adjoining land, will also be owner of the soil and the pathway. Even if the pathway is vested in the Municipality, the zamindar will continue to be the owner of the soil of the pathway and of the trees spontaneously growing on it.

139. In '*Chinnathambi Goundan vs. Venkatasubramania Iyer*' (1939 Mad. 409/49 L.W. 326 = 1939 M.W.N. 207) the question of the shrotriendars' right to village site in a shrotriem village came up for consideration before Justice Wadsworth. The case arose out of a suit filed by certain shrotriendars to eject some villagers who had without the permission of the shrotriendars occupied part of the village-site in the shrotriem village. The village was held under an Inam title-deed of 1865, in which the Government acknowledged the shrotriendars' title to ascertained extents of dry land, garden land and wet land "besides porambokes". It was found that the village was not an estate under the Madras Estates Land Act, as it then was prior to the later amendment. The occupant of the village-site contended that the shrotriendars have no title in land which is part of the village-site or gramanatham and could not therefore maintain the suit in ejectment. It was held that by the recognised practice of the Presidency, the control of unoccupied village-site land vests in the proprietor whoever he may be. In ryotwari areas the control is exercised by the Government in the Revenue Department by means of the grant of house-site pattas without which occupation by an individual villager would be unauthorised. In zamindari areas that control is exercised by the zamindari. In a shrotriem village not falling under the Estates Land Act, the control of such unoccupied village-site vests in the shrotriemdar. His Lordship observed as follows: "So far as I am aware, in those districts, with which I have acquaintance there is no practice for the Government to control the assignment of vacant house sites situated within zamindari or inam villages. The practice is that such control is exercised by the proprietor. Though under the Estates Land Act the Government presumably would have power to prevent the diversion of village-site poramboke from the purpose for which it has been reserved, I doubt very much whether that power would make these village-sites actually vest in the Government except for the specific purpose of preventing their diversion." His Lordship held that villagers have no rights, in unoccupied village-sites except to apply for the grant of house-sites to the controlling authority. That control must be exercised by the Inamdar and those unoccupied house-sites must vest in the Inamdar for the purpose. His Lordship held that it was unnecessary for the purpose of the case to consider whether the shrotriemdar has or has not an absolute title in the land now in suit, but the Inamdar has such a title as is sufficient to enable him to maintain the suit in ejectment.

140. Having regard to the decisions cited above, the position of the law relating to the rights in communal lands in estates may be summarised thus;

1. The right to soil in communal lands in an estate belongs to the proprietor of the village, be he a zamindar or inamdar.
2. This right of the proprietor is subject to the rights of the community to use the lands for communal purpose.
3. The Government have no right of ownership in communal lands in private estates. The right of the Government is only the right to prevent the diversion of communal land from the purposes for which they have been intended.
4. Communal lands are not Lakhiraj lands. The right of the zamindar to the communal lands does not depend upon the existence of the land as communal land prior to or subsequent to the Permanent Settlement, but on the ownership of adjacent lands.
5. In regard to village-sites though the villagers may have a right to have the same retained as village-sites, the villagers have no right in unoccupied village-sites except to apply for the grant of house-sites to the controlling authority, viz., the proprietor, be he the Zamindar or the inamdar.
6. In regard to public pathways which vest in local Boards under the Local Boards Act, or Municipalities Act the property vested in the Local Board or Municipality is only such property, only as is necessary for the control, protection

and maintenance of the streets, or pathways for public use and all other rights in the soil vest in the proprietor and he alone has the right to trees, etc., on such lands.

141. *Tank Beds*.—Tank beds are not defined in the Act. Tank beds must be taken to literally mean lands actually used for storage of water. The lands within the water-spread of a tank are tank bed lands. The mere fact that portions of the tank bed may occasionally be cultivated such as when the water recedes in the tank, does not make it any the less tank bed land. Where certain plots of land in the higher portion of a tank bed situated in a zamindari were submerged in normal times after rainfall every year but were brought under cultivation in other seasons, it was held that the lands did not cease to be tank bed merely because cultivation was so carried on (1933-66 MLJ. 338 = 57 Mad. 593 = 39 L.W. 334 = 1934 Mad. 221: *Meeralli Ambalam vs. Shanmuga Rajeswari Sethupathi*). Tank-bed lands are not ryoti lands as the definition of "ryoti land" in Section 3 (16) of the Act excludes the terms tank-beds. A certain land is either ryoti or tank-bed, and unless it ceases to possess the character of tank-bed, it cannot be ryoti.

142. It is not correct to assume that when the Act referred to "tank-beds" the legislature was dealing with the bed of a tank which is full of water and land which could not be cultivated at all. On the other hand, what the legislature was alluding to was such class of tank beds as are cultivable, that is to say, as are capable of being cultivated when the tank has become dry or when there was no water in the tank in certain years. Tank-bed lands did not become ryoti lands merely by reason of their assignment for cultivation. A certain land cannot at the same time be both tank bed and ryoti. Though any specified land may be within the ambit of a tank-bed, it may on account of abandonment cease to possess that character (S.A. No. 1283 to 1292 of 1929), but there must be acts from which the abandonment can be inferred. In a case where tank bed lands began to be cultivated just about 25 or 30 years ago, but the cultivation was carried on subject to the condition that the lands are liable to be submerged, it was held that no abandonment was proved. Where, however, a tank-bed land ceased to be used for the storage of water long ago and had been abandoned from being used for any such purpose before the memory of man, and the landholder had previously sold publicly the kudiwaram right in the land and where the existence of the tank served no useful purpose except for washermen to wash their clothes, it was held that the land ceased to be a tank-bed land and that it lost its character as such. It therefore became ryoti land (1919-51 IC. 318 = 1920 Mad. 893 *Narayanaswami vs. Kannan*). It did not become the private land of the landholder.

143. *Rights in tank-bed lands*.—Tank beds are not communal porambokes. The true position in regard to tanks is that they did not belong to the community as such, the rights of irrigation appertaining as they do to the lands irrigated, such rights as the owners of these lands possess are in the nature of easements [1938 Mad. 198 = 47 L.W. 438 = 1938 (2) MLJ. 434 *Appa Rao Vs. Secretary of State*] The proprietary right of the zamindars in the beds of tanks lying within their estates has been recognised by the Privy Council in the *Madras Railway Co. Vs. Zamindar of Karvetinaearam* (11A. 364 at 385 Madras) and in *Prasad Rao Vs. Secretary of State for India* (1917 40 Mad. 886 P.C. 1917 P.C. 42) popularly known as the 'Urulam case'.

144. There can be no doubt at present that the effect of the Permanent Settlement was to vest the channels with their head sluices and branch channels, and the tanks and reservoirs in the zamindars through or within whose zamindaries the same respectively passed or were situate. The Government have no rights in the same. The principle of the Urulam decision has been applied to whole inam villages where there was nothing to show that the Inam grant was only of the melwaram. The right of the Inamdar to the beds of channels, tanks etc., was recognised notwithstanding the absence of the words, "besides porambokes", which are usually found in Inam grants [1942 (2) MLJ. 367 = 55 L.W. 356 = 1912 M.W.N. 509 = 1942 M.W.N. 509 = 1942 P.C. 21: *Secretary of State Vs. Varada Thirtha Swamigal*]. The same principle would seem to apply even to a

case where the Inam grant is only of the melwaram (1046 (2) MLJ. 382 = 56 L.W. 669 = 1942 M.W.N. 760: *Secretary of State vs. Thenappa Chettiar* and 1945 (2) M.L.J. 352 P.C. over-ruling 24 M.L.J. 36. This question however had not been decided by the Privy Council. The zamindar, however had no power to do away with tanks in the maintenance of which large number of people are interested, but as a landholder he is bound to maintain it as such and could not convert it to any other purpose. Where, however, the maintenance of a storage tank is unnecessary and the ryots under the ayacut get their accustomed supply from other sources, and no damage is caused to them by the tank-bed being used for cultivation or for purposes other than the storage of water the zamindar is under no obligation to preserve the tank for storage of water. The landholder is then entitled to assign the lands for cultivation or for other purposes (1918) 51 I.C. 899-1919 Mad. 506: *Samayam Servai vs. Kadir Moideen* (1924) 46 MLJ. Short Notes page 7 (Krishnan J) S.A. No. 566 of 1922. Even when the tank-bed retains its character as tank bed and is used for the storage of water, if the tank bed is capable of being cultivated or used in any other manner, the landholder has a right to use the same in that manner (1917) 47 L.C. 594 1) *Bolusamy vs. Venkatadri Appa Rao*. Prior to the amendment of 1934, Section 20 of the Act which provided that lands "set apart for the common use of the villagers" such as thrashing floor shall not be assigned for any other purposes except under certain conditions, contained a proviso as follows: "Nothing in this section shall apply to the tank beds in any estate or affect the rights of the landholder over them."

145. In *Meerali Ambalam vs. Shanmugha Rajeswara Sethupati* (1933 MLJ. 338 = 57 Mad. 593 = 30 L.W. 334 = 1934 Mad. 221), it was held that the above proviso reserves the right of the landholder to assign tank-beds for cultivation but that does not mean that tank-beds by being so assigned become converted into ryoti land.

146. The rights of landholders in tank-beds have been very clearly stated in the later decision in *Ramaswamy Gounder vs. Ramaswami Gounder* (1942 (2) MLJ. 595 = 55 L.W. 641 = 1942 M.W.N. 618 = 1943 Mad. 59), by the learned Chief Justice Leach. The tenants of certain mittadars of a mitta in Salem District applied to the Deputy Collector under Section 20 of the Act for an order declaring that they possessed the following rights viz., (1) to graze their cattle on the land forming the bed of the tank (2) to cut for the purposes of fuel shrubs growing and (3) to remove silt. They also applied for an order restraining the landholder from cultivating the land. The Deputy Collector held that the tenants had none of the rights claimed by them but he accepted their contention that the mittadar landholders were not entitled to cultivate the land, although they possessed the right to use it for grazing. The tenants acquiesced in the order, but the landholders filed a suit in the Civil Court to establish their right to cultivate the bed of the tank in the village when the tank becomes dry in the hot weather. The landholders claimed this right on two grounds viz., (1) as owners of the bed of the tank and (2) by custom. The claim under the second head was, however, given up. It is only the claim that they advanced on the footing of the ownership of the bed of the tank that came to be considered by the High Court. It was held that when a person owns land, he is entitled to use it for any legitimate purpose and no provision is found in the Estates Land Act which deprives the landholders of the right to utilise the bed of the tank vested in him so long as by so doing he does not interfere with the rights of others. Section 21 of the Act is not intended to derogate from the rights of the landholder in the land. The earlier cases in *Meerali Ambalam vs. Shanmuga Rajeswara Sethupati* (1938) 66 MLJ. 338 = 57 Mad. 593 = 39 L.W. 334 = 1934 Mad. 221 and *Boluswamy Vs. Venkatadri Appa Rao* (1917-47 I.C. 594 (1) were referred to with approval. His Lordship then referred to the amendment of the Section in 1934, omitting the proviso stating "nothing in it should apply to tank beds in an estate or affect the rights of the landholder over them", and held that the amendment does not affect the rights of the landholder as proprietor. His Lordship summed up the position as follows: "The tenants in the village have no interest in these lands apart from the right to use, for the purpose of cultivating their holdings, the water contained in the land. The proprietary rights of the landholders can only be cut down by a statutory provision expressed in unambiguous language, and there is no such provision. Therefore, they are entitled to cultivate such parts of the bed of the

tank as became exposed when the water recedes in the dry season, provided that the cultivation does not prevent the water spreading when the rains come 1942 (2) MLJ. 595 = 55 L.W. 641 = 941 M.W.N. 618 = 1943 Mad. 59 *Ramaswami Gounder vs. Ramaswami Gounder*.

147. In two earlier decisions, the claim of ryots to rights in tank beds came to be considered. In *Samayan Servai vs. Kadir Mohiden* (1918 51 I.C. 899 = 1919 Mad. 506), the tenants owning lands under a tank sued the owner of the tank-bed and the assignees of land in the tank bed alleging various acts which had deprived them of their water facilities. It was found that the channel joining the main sources of supply to the tank was obliterated and converted into nanja lands. It was however found that as an alternative mode of irrigation was provided to the tenants, they suffered no actual damage. It was held that the rights of a tenant in a zamindari tank-bed and tank bunds are no higher than those of grazing, cutting fuel and fishing arising either by grant or custom and that it cannot be seriously argued that the ryots have any proprietary rights to the bed of the tank or its bunds. In *Vanangamudi Thevan vs. Alagianatha Annavi* (1937) M.W.N. 1265), Justice Venkataramana Rao held that though it is the duty of an Inamdar to preserve and maintain the tank in an Inam village as a tank for the purpose for which it is intended so long as the tank subserves the purposes of an irrigation tank, he ought not to do anything which might in any way interfere with the right of irrigation which the ryots owning lands in the tank ayacut have. The right of the kudiwaram tenants in an Inam village is more in the nature of a proprietary right annexed to the ownership of the land rather than in the nature of an easement. But it cannot be said that the ryots in the Inam village have any proprietary interest in the tank-bed, their only right being to receive the accustomed supply of water from the tank. It is doubtful whether a mere assignment by the Inamdar of any portion of the tank-bed or water spread of the tank would furnish a cause of action to the ryots. The latter would have to prove that by such assignment damage is likely to accrue and necessarily will accrue to them atleast in the near future. All the ayacutdars under the tank should properly join and file a representative suit. If any individual ryot chooses to file a suit, he must establish special damage. In *Arunachalam Chettiar Vs. Mangalam* (1915 40 Mad. 640 = 31 MLJ. 168 = 4 L.W. 37 = 1917, Mad. 693), it was held that in the absence of any custom by the tenants to put up ridges the landlord has got the right to prevent tenants from putting up ridges on the lands in the tank-bed so as to prevent the tanks having the full benefit of the rain water flowing into them.

148. *Scope of Sections 20, 20-A and 20-B.*—Prior to the amendment of 1934, the old Section 20 merely provided that communal lands such as thrashing floors, cattle stands, village-sites and other lands which are set apart for the common use of the villagers shall not be assigned or used for any other purposes without the written order of the Collector. The proviso to the section made this provision inapplicable to tank-beds. The provisions relating to communal lands were however completely recast by Section 14 of the Amending Act VIII of 1934. The law relating to communal lands are now embodied in Sections 20, 20-A, 20-B and 21 and the provisions of these sections also comprise even lands which are not strictly communal lands, viz., beds and bunds of tanks and of supply, drainage surplus or irrigation channels or service Inam lands.

149. Thus the provisions relating to communal lands in Section 3 (16) (a) and (b) vis-avis in Sections 20, 20-A and 20-B and 21 were completely recast to bring out the intention of the legislature in explicit terms to curtail and put down the right of the estate owner in these lands so as to preserve the lands for the use of the community at large. The Amendment Act, 1934 came into force with effect from 30th June 1934. While dealing with the scope of Section 3 (16) (a) in a case as Commissioner of Settlement of estates the late Thiru U. Venkateswaran, I.C.S. observed:—

"It was next argued that, as the provision in Section 3 (16) (a) of the Estates Land Act came into force on 1st July 1908, it cannot be given any retrospective effect so as to disturb rights already established. Apart from my finding that the petitioner's predecessors-in-title had not established, before 1st July 1908, any right to hold the bed and bund of this tank as ryoti land, I think it is clear that Section 3 (16) (a) has retrospective effect. As stated in the preamble of the Estates Land Act (Madras Act 1 of 1908), the Act was enacted in order to amend and declare the law relating to the holding of land in estates, and the distinction made between ryoti and non ryoti lands was deliberate and is fundamental. of the Estates Land Act originally enacted referred Land Act only to tank beds and it was the Amendment Act of 1934 which added "bunds of tanks supply, drainage supply irrigation channels". Section 3(16)(a) as originally enacted and as it now stands after the Amendment Act of 1934, must be given retrospective effect to implement the law as declared by the Legislature, which evidently enacted this provision in order to maintain in-tact beds and bunds of tanks and supply, drainage, surplus or irrigation channels, which are vital to the economy of the country and the welfare of the people. The paramount importance of maintaining intact irrigation sources was stressed in the decision of the Privy Council in *Madras Railway Company Vs. the Zamindar of Karvetnagar* (I.L.A. Privy Council 364 at page 385 paragraph 3) which laid down also that the landholder is legally under an obligation to preserve the irrigation tanks in his estate.

It is well established that tank bed land will not become ryoti land even if it is assigned by the landholder for cultivation—*vide* 57 Madras 593.

Even the decisions in 57—Madras 593 and *Ramaswami Gounder Vs. Ramaswami Gounder* (1942) 11. MLJ. 595 which recognises the landholder's right, subject to certain conditions, to assign, for cultivation lands in the beds of irrigation tanks, proceed on the basis that Section 3(16)(a), 20, 20-A and 21 of the Estates Land Act have retrospective effect, i.e. they will apply even to assignments made prior to 1st July 1908."

The decision was upheld by the Madras High Court in W.P. 286/55 and W.A. 98/55—(unreported).

150. *Private Lands*.—Sections 3 (10) and Section 185 of the Estates Land Act, deal with the private lands in an estate. Sections 185 deals with the nature of the proof required to decide whether a particular plot of land is landholder's private land. It also lays down that the land shall be presumed not to be private land until the contrary is shown. This section was amended in 1934. Both under the old section and the new section, in determining whether any land is the private land of the landholder, regard should be had to local custom and to the question whether the land was, before the 1st day of July, 1898, specifically let as private land and to any other evidence that may be produced. Prior to the amendment there was a proviso to the section, under which all land which was proved to have been cultivated as private land of the landholder himself by his own servants or by hired labour with his own or hired stock for twelve years immediately before the commencement of the Act should be deemed to be the landholder's private land. Section 3 (10) contains the definition of private land, and under the definition as it stood prior to its amendment, if a particular land was shown to be the domain or home farm land of the landholder known as kambattam, khas, sir, or pannai, it was at the absolute disposal of the landholder. In addition to these provisions, in the case of an estate falling under Section 3 (2) (d) (an inam village as defined in that section) there was the further provision embodied in the exception to Section 8 that where the Inamdar acquired the kudivaram interest whether before or after the commencement of the Act, he was the absolute owner of these lands; in fact those lands ceased to form part of the estate.

151. When the Act was amended piecemeal between 1934 and 1936, a more rational re-grouping of the various sections was adopted and in the Act as it now stands, different kinds of cultivated lands in which the tenants do not have occupancy rights are all brought in under Section 3 clause (10). Section 3 clause (10) consists of two clauses (a) and (b). Clause (a) deals with estates which fall under Sections 3 (2) (a), (b) or (c), i.e., estates which are not covered by Section 3 (2) (d). In the case of these estates private land is defined to mean the domain, or home-farm land of the landholder by whatever designation known such as kambattam, khas, sir, or pannai and to include all land which is proved to have been cultivated as private land of the landholder himself or by his own servants or by hired labour with his own or hired stock for a continuous period of 12 years immediately before the commencement of this Act, thus bringing a portion of the old Section 185 into Section 3 (10). Section 3 (10) (b) defines private land in the case of an estate falling within Section 3 (2) (d), (i.e.) inam village. Here there are four sub-clauses defining different categories of private lands in such villages. The sub-clause (1) states that "private land" means the domain or home-farm land of the landholder, by whatever designation known, such as [kambattam, khas, sir or pannai]. The second sub-clause relates to lands which are

proved to have been cultivated as private land by the landholder himself for a continuous period of twelve years prior to the 1st July 1908. There is a proviso added to this clause "provided that the landholder has retained the kudivaram ever since and has not converted the land into ryoti land". The third clause provides that private land also includes land which is proved to have been cultivated by the landholder or by his own servants or by hired labour with his own or hired stock for a continuous period of twelve years immediately before the 1st November 1933 provided that the landholder has retained the kudivaram ever since and has not converted the land into ryoti land. The fourth sub-clause includes in the definition of private land those lands in which the kudivaram was acquired by the landholder prior to the first day of November 1933 for valuable consideration provided the landholder retained the kudivaram and did not convert it into ryoti land and provided further that where the kudivaram was acquired at a sale for arrears of rent, the land shall not be deemed to be private land unless it was proved that it was cultivated by the landholder himself, by his own servants, or by hired labour for a period of twelve years before the commencement of the Third Amendment Act of 1936. This expanded definition is an attempt to save some of the rights of the holders of whole inam villages which were not estates prior to the Amending Act but which became estates by reason of the Amending Act of 1936 [1945 (2) MLJ. 148 = 58 L.W. 397: *Rajayya Nandiar vs. Lakshmana Ayyar*.]

152. Even in the Amended Act as it now stands, the rule of evidence embodied in the old Act is retained and some further rules of evidence are embodied in relation to estates falling under Section 3 (2) (d). Under these special rules of evidence the mere recital expressly or by implication of absence of occupancy rights, in leases executed after 1st July 1918 are inadmissible, whereas such recital in leases executed prior to that date shall not by itself be sufficient evidence that the land is private land.

153. The essence of 'private land' and its determination as such was subjected to judicial scrutiny and there were controversial views among the judges. The question came up for consideration in *Periannan and others vs. Ammankail* reported in 1952-1. MLJ. 71 on appeals before the High Court. The appeals originally came up before the Honorable Judges Sri Satyanarayana Rao and Raghava Rao. They considered that this involved considerable importance and should be heard by a Bench of three judges. Accordingly this was heard by a Bench consisting of three judges including Justice Thiru Viswanatha Sastri. This is an elaborate judgment. The three judges delivered independent judgments after a detailed discussion of the various prior decisions on the subject vis-a-vis, the provisions of Section 3 (10) and Section 185 as they stood prior to and after the amendment made in 1934. This Bench decision is a "Stare decisis" on the determination of private land in an estate and has settled the law thereof. The Hon'ble Judges have established the various propositions and tests to be applied in the determination of the tenure as private land. They are:

'Per: Satyanarayana Rao and Viswanatha Sastri, JJ—"The following propositions are established by the decisions:—

1) If the land is known to be ryoti at its inception, the only mode by which it could be converted into private land is by proof of continuous cultivation for a period of 12 years prior to the commencement of the Estates Land Act.

(2) Even if the nature of the land is not known, continuous cultivation for the required period of 12 years before the commencement of the Act would conclusively establish that the land is private land.

(3) If there is no proof of cultivation for a continuous period of 12 years before the commencement of the Act, the land may be proved to be private land by other methods, provided the land was not shown to be once ryoti.

(4) Cultivation of the lands or leasing of the lands under short-terms may be one mode of proof.

S.D. VM. V. (1972) 1. MLJ. 71 F.B.]

(5) An intention to cultivate or resume for cultivation, is also a test to decide that the land is private land and such intention may be established by any other means, not necessarily by cultivation and by cultivation alone.

(6) The essence of private land is continuous course of conduct on the part of the landholder asserting and acting on the footing that he is the absolute owner thereof and recognition and acceptance by the tenants that the landholder has absolute right in the land.

(7) Mere proof that the landholder is the owner of both the warams is not sufficient to prove that the land is private land."

(Case-law discussed and conflict of decisions considered).

Concurrent findings of the Courts below that the lands are "private lands" of the (temple) landholder affirmed.

Per. Raghava Rao, J.—“(1) Domain land which is one category of private land is land about the dwelling house of the landholder and in his immediate occupancy.

(2) There must be proof that at some time or other and for some time or other there was direct cultivation by the landholder before cultivable land in an estate can be claimed to be 'home-farm' land and hence, 'private land', within the definition of 'private land' in the statute.

(3) The evidence may be direct and positive or indirect and circumstantial.

(4) The mere existence in the landholder of both the warams in a land in an inam estate does not *per-se* make it private land.

(5) Where there is any letting of any private land, as there may well be, the letting must be on terms and conditions consistent with an intention on the part of the landholder to resume direct cultivation or personal use.

(6) Local custom may well define and demarcate land in an estate in accordance with customary notions of people of the locality although in a manner different sometimes to what the statutory definition of private land may justify.

(7) Otherwise, any evidence admissible under Section 185 of the Madras Estates Land Act must be such as satisfies the requirements of the definition of private land'.

(8) Cultivable land in an estate must be presumed to be ryoti, unless the contrary is shown, and the contrary is not shown by the circumstances of the existence of both warams in the landholder.

Section 3 (2) (d) and the Explanation (1) thereunder.

154. *Inam estates*.—Under the original Act as passed in 1908, where the grant of a village as inam was of the land revenue alone to a person not owning the kudiwaram then the village was an 'estate'. The intention of the Legislature in 1908 was only to safeguard the rights of the tenants in inam villages wherever they already possessed occupancy rights, and apply the provisions of the Estates Land Act to regulate the relations between the inamdars and their occupancy tenants. The Legislature then did not intend to confer occupancy rights on tenants in inam villages if they did not already possess the same before. In cases that went before the High Court prior to the passing of the Estate Land Act (in *Venkatamahalakshmi Ammal vs. Rangogi* (1892) 16 MS. 271, *Venkatanarasimha Naidu vs. Dandamadi Kollayyay* (1897) 20 MS. 299 and *Cheekatti Zamindar vs. Ramasorra Dora*—23 MS. 318) it was held that the tenants in zamindaries were not mere tenants in the ordinary sense of the term but the owners of the kudiwaram rights in the lands which they cultivated. The Estates Land Act adopted the exposition of the law contained in these decisions as applicable to permanently settled estates and other estates which had to be treated

likewise. In respect of these estates, the Act recognised that all ryots then in possession or might thereafter be admitted to possession of ryoti land were entitled to rights of occupancy. In regard to inam villages, however, the position of tenants was not clearly laid down initially. There were cases in which the tenants were held not to possess such rights; there were also other cases again in which tenants were held to possess occupancy rights. Further there was strong opposition to the inclusion of this class of inams in the category of 'estates' when the Act was passed. It was under those circumstances that only such inams, wherein the grant was made of the melwaram alone, were brought under the provisions of the Act.

155. After the passing of the Estates Land Act, the question whether in any particular village the tenants already possessed occupancy rights was left to be determined by courts of common law. By 1918 it became almost a settled rule of court that there was a presumption to the effect that all inams were grants of the melwaram or revenue only. But this was upset by Privy Council in 1918 when it held that the fact that rulers in India generally collected their land revenue by taking a share of the produce is not by itself evidence that the soil of lands in India was not owned by them and could not be granted by them, that on the contrary, the fact would support the contrary assumption that the soil was vested in the rulers who drew their land revenue from the soil, which was not a fixed and invariable share, but dependent on the will of the rulers—*Suryanarayana vs. Potama* 1918 P.C. 169. Following this decision the Privy Council held in another case *Venkatasastri vs. Sitaramadu*—43 MS. 166 P.C. that there was no presumption that the grant in inam of a village was *prima facie* a grant of the melwaram only and did not include the kudiwaram interest. A Full Bench of the Madras High Court in *Muthu Goundan vs. Perumal Iyan*—44 MS. 588 understood the above two decisions as inferentially establishing a presumption that an inam grant *prima facie* conveyed both the kudiwaram and melwaram interests. This view was later over-ruled in 1922 by the Privy Council, which in *Sivaprakasa Pandarasannathi vs. Veeravareddi* (1922) 45 MS. 586, declared that there is no presumption one may or the other and that it is the duty of the court to decide each case on its own facts, independently of presumptions. In that case in view of the long standing holdings held by the tenants, the exchange of holdings, etc., the Privy Council held that the tenants had established their right to occupancy as existing even prior to the Estates Land Act, 1908. However, in a later decision the Privy Council in *Naina Pillai Maracayar vs. Ramanathan Chettiar* (1923) 47 MS. 337 again introduced an uncertainty which the above decision seemed to have resolved. In that decision the Privy Council held that "it cannot now be doubted that when a tenant of lands in India, in a suit by his landlord to eject him from them, sets up a defence that he has a right of permanent tenancy in the lands the onus of proving that he has such a right is upon the tenant". In the cases which came up before the High Court later, the High Court though inclined to take a different view, held that the decision of the Privy Council in *Naina Pillai Maracayar vs. Ramanathan Chettiar* being the latest in point of time was binding on them. The position became more uncertain when the Privy Council in *Seethya vs. Subramania Somayajulu* (1929) 62 MS. 453 held that there was no presumption that a shrotrium grant includes both melwaram and kudiwaram. It was in this uncertainty of the law that the Legislature in 1933 attempted to bring all the inams under the category of estates so as to recognise the occupancy rights of the tenants. This resulted in the Amendment Act 18 of 1936. By Section 2 (1) of this Amendment Act the original section 3(2)(d) was substituted by the existing provision to cover all the inams. The status of an Inam grant which excluded a pre-existing minor inam was then the subject matter of doubt, as technically, a village minus a few lands therein cannot be construed as a whole village. In *Ademma vs. Satyadhyana Thirtha Swamigal* 1943 (2) MLJ. 289 and in *Suriredii vs. Kolachina Agnikothvedu* 1943 MS. 764, the High Court held that the grant in those respective proceedings was not an entire village within the meaning of Section 3(2) (d), but only a part of the village and hence not attracted by the Estates Land Act. This resulted in introducing the "Explanation (1)" under Section 3(2)(d) renumbering the earlier Explanations 1 and 2 as Explanations 2 and 3 thereunder, respectively.

156. The validity of these amendments, etc., came for adjudication before the High Court in *Bavanarayana vs. Venkatachalu* in L.P. Appeal Nos. 61 and 62

of 1949 and CRP 66 of 1946. The then Chief Justice and Justice Venkatarama Iyer who originally heard these appeals placed it before a Bench for an authoritative ruling. The dispute arose in suits whether the lands in the ambit of the village Chettichinthala in Krishna district were situated in an estate as defined in section 3 (2) (d) of the Estates Land Act. The main contention was that in as much as some poramboke extent had been deducted and there existed a minor inam, the grant was not a named village. After adverting to the recitals in the Inam Fair Register and a large number of decisions, the Bench held that the deduction of poramboke lands and the existence of post settlement minor inams will not vitiate the whole inam character of the village from being an estate under section 3 (2) (d) of the Estates Land Act. In essence, it was held that confirmation of an inam in a plurality of T.Ds. could not detract from the whole inam character of the grant. The full Bench held:—

"We are inclined to agree with the view taken by Subba Rao Justice what has to be found out is the extent and nature of confirmation. What the section posits is that the grant should be confirmed or recognised and not the area or the extent in existence at the time of the inam settlement. When the Inam Commissioner after taking into consideration all the information placed before him regarding the original grant, issues a title deed with regard to a portion of the acreage of the original inam, by that process he should be deemed that he has recognised the original grant. It does not matter that at the time of settlement portions of the original grant happened to be in the possession of different individuals. But if the total quantum of the original grant was recognised by the issuing of separate title deeds, even then it must be said that the original grant has been recognised or confirmed. The crucial factor is that the Inam Commissioner should recognise or confirm the entire area of the grant as an inam though the result of such confirmation might be the grant of title deeds separately to different individuals. It is not the multiplicity of title deeds that matters; but it is the fact that the entire area originally granted retains its character as inam. Viewed in that light it does not matter whether for the minor inams created subsequently separate title deeds have been issued at the time of the confirmation. In our reasoning, the approach to the question by Subba Rao Justice in 1945 I.M.L.J. 247 is the proper view to be accepted."

Thereafter this decision was held to operate (on the principle of stare-decis) when such issues were raised.

RENT: SECTION 3 (11) OF THE ESTATES LAND ACT 1908.

(The Original Sub-section which defined rent was substituted by Section 4 (5) of the Amending Act 1934.)

157. Charges for water which are consolidated are usually levied in addition to rent for use of land when water is supplied or taken to irrigate dry land, or for raising superior crops (viz.) Thirvajasti and Faslijasti. Originally these incidents second crop on irrigated lands which are entitled to water only for a single crop. Sometimes when lands are entitled to only such quantity of water as is required for raising inferior crops, additional water rate is charged for the excess use of water for raising superior crops (viz.) Thirvajasti and faslijasti. Originally these incidents were not included in the definition of rent. Prior to the amendment, the High Court in *Venkatappa vs. Kistappa*—1928 MS. 340 held that 'Rent' under Section 3 (11) had reference to something payable not as compensation or damages but under or by virtue of contract. The way in which the definition is framed implied that *prima facie* a payment for water would not be included in the conception of 'rent', but for the purpose of facilitating the recovery of the same by the landlord, and also with a view to encourage such user instead of regarding it as an illegal or prohibited act, the legislature had given an extended definition to the term 'Rent'. Claims which may even be regarded as claims for damages on the ground of unlawful use of water were equally within the terms of the section, the legislature having preferred to treat even such claims as claims for 'rent' instead of claims for damages, it being to the interest of both the landlord and the tenant that such user should not be prohibited as tortuous—*vide Venkatarajayaru vs. Surya Rao Bahadur* 1938—I. M.L.J. 256 Full Bench.

158. The sub-section, as amended, contemplated a payment for the use of water even when it was taken without the landholder's permission. Where by arrangement between the Government and the landholder, the Government agreed to localise the lands to which the Government as per terms of the grant was bound to supply water free of charge (the lands benefited being previously dry and the ryots were paying separate

water tax to the Government) and thereby the landholder became entitled to the water rate paid till then by the ryots to Government for taking Government water, the payment to which the landholder became entitled was 'rent' within the meaning of Section 3 (11) and it was held so in *Appanna (Vs.) Venkataramalingamma* (1917) 33—M.L.J. 355. In *Madura Kallalagar Devasthanam (Vs.) Subbiah* 1940—Ms. 455 it was held that payment of water cess to Government for project water supplied to ayacut lands did not affect the liability to pay for the water to the landholder if otherwise payable, as under the Estates Land Act, water rate can be levied by the landholder for water supplied or taken from the estate source.

159. The Courts have laid down in their various decisions the category of payments lawfully payable by ryots which should be deemed as Rent.

(1) *Swamibogam*: Representing the landholder's perquisites as owner of the land (7 annas per kottah of land collected in addition to the fixed grain rent, was held valid—1919 Ms. 990—*Swamipadai Thevar (Vs.) Zamindar of Urkad*).

(2) *Sadalwar*: (Charges for stationery) and Mathiri Kasuri (Straw rent)—Customarily payable with rent was legal [*Venkataperumal (Vs.) Ramdu* 1915 Ms. 1022].

(3) *Kanganam fee*: Contribution by a tenant to reimburse the landlord's charge for supervision of harvest site for land on which melwaram is payable to landholder in kind, [held] valid as rent so long as waram system prevailed—*Arunachalam Chettiar (Vs.) Mangalam*—1917 Ms. 693.

(4) *Kudiwaram Urai and Melwaram Urai*: Cess paid for measurement of the grain for sharing kudiwaram and melwaram, respectively—[Valid so long as waram system prevailed].

(5) *Urai, Alava, Attakottu* are also similar payments for measurement of crops and hence valid as rents—1919 Ms. 236.

(6) *Kaval fees*—Valid—1916 Ms. 1147.

(7) *Levy of ground rent for use of thrashing floor* valid unless the tenant uses his own ground—1919 Ms. 236.

(8) *Kulavettu and Venadari*—*Amanji* are cesses connected with maintenance of irrigation works, and being beneficial to the tenure held valid—1919—Ms. 236—Charges for landholder's water such as *Thirvajasti* and *faslijasti* *Sarasari*—valid.

160. The Courts have further held that the following types of collections, though customary, are not rents:—

(1) Cesses paid for maintenance of temples or deities, *Thiruppani*, *Iswarankoil Swami Mera*, etc—1940—Ms. 175.

(2) The levy of *Chatram* cess for the maintenance of a choultry at the headquarters of a Zamindari held invalid as having no relation or proximity to tenancy—*Ramaswami Karya (Vs.) Irulappa* 1935—Ms. 995.

(3) Other payments in the nature of presents to Zamindar, *Sankaranthi Mamool*, etc. held as not valid—28 M.L.J. 75.

(4) Payments to the purohit of Zamindar, *Panchanathi*, *Grama Pichai*, etc. held invalid—4 M.L.J. 438, 31 M.L.J. 68—25 M.L.J. 205.

Ryot: [The 'Explanation' to section 3 (15) of the Estates Land Act added by section 4 (6) of the Estates Land Amendment Act, 1934.]

161. Section 3 (15): 'Ryot' means a person who holds for the purpose of agriculture ryoti land in an estate on condition of paying to the landholder the rent which is legally due upon it.

Explanation: A person who has occupied ryoti land for a continuous period of twelve years shall be deemed to be a ryot for all the purposes of the Act.

The background for inserting this 'Explanation' is given below:

162. Questions often arose in regard to the status of persons who continuously occupied ryoti land for a period over 12 years without payment of rent. Contentions used to be put forth that by virtue of law of adverse possession, such persons acquire a rent free title. It was even held in *Adhilakshmiddevamma (Vs.) Appa Rao—1938-2—M.L.J. 934* that the occupant could continue to hold it rent free. However this was not the view taken in other cases. In *Srinivasa Raghava Iyengar (Vs.) Muthusami Padayachi—1896—20—Ms. 6*—it was held that the omission to collect rent does not render the possession of the tenant hostile to the owner and that the right to collect rent will not abate if the landholder failed to collect rent for over 12 years. In *Prasanna Kumar (Vs.) Srikantha (1912) 40—Cal. 173* it was held that even discontinuance of payment of rent would not start adverse possession. This decision was upheld by the Privy Council in *Jagdeo Narin (Vs.) Baldev (1922) 2 Patna 38 P.C.* which held mere non payment or discontinuance of payment of rent would not create adverse possession. In *Ramachandra Rao Deo (Vs.) Balajee 1940—M.W.N.—433*, it was held that mere non-payment of rent for any length of time cannot constitute adverse possession and that such non-payment does amount to a notice to the landholder that the occupier claims to have acquired the status of proprietor himself. This has to be viewed in the background of the history relating to creation of estates where the right to collect the Government's share of the produce was given to the intermediary and what was payable by the occupier was the Government's share of the produce, though through an intermediary. The Government's right to collect tax can never abate. It is to bring out this intention clearly that this provision was made both in the interests of the landholder and the ryots. On the one hand the landholder should not be deprived of his right to recover rent merely because a person occupied ryoti land for over 12 years and does not pay rent for 12 years. At the same time, the ryot who has occupied land for such a long time should not be deprived of his possession. The 'Explanation' therefore secures to the person who continuously occupied ryoti land for over 12 years the status of a 'ryot'.

MERGER OF RIGHTS—MELWARAM AND KUDIWARA

Section 8 Vis-A-Vis Section 6A of Estates Land Act.

163. As we know, two distinct interests subsist in Land viz (i) that of the cultivator which is known as the 'Kudiwaram' and (ii) that of the State or the overlord which is known as the 'Melwaram'. In estate villages it is possible that the merger of these two distinct rights in the same owner takes place under certain circumstances (viz) purchase, inheritance etc. The Estate Land Act provides a different treatment in cases where the landholder acquires the ryots' interest, as distinguished from that where the ryot acquires the melwaram interest, based on the dictum "once ryoti always ryoti". The intention is not to encourage the landholders to acquire the ryots' interest in the land, by using all the power in their means and thus dispossess the ryots of their means of livelihood.

Section 8 of the Estate Land Act deals with the case of a ryoti land which comes into possession of the landholder. The effect of merger of the two interests in this case is not to convert the ryoti land into private, but the ryoti interest is kept in abeyance as long as the land is held by the landholder, unless it qualifies to become private land by proof of personal cultivation for the prescribed period as provided by Section 3 (10) of the Estates Land Act. Bought-in land which falls in this category cannot become private in a Zamin Estate, whereas it can be converted into private land in an Inam Estate by proof of personal cultivation for the given periods. When any ryoti land comes into possession of the landholder, he can continue to hold and cultivate it as landholder only and if he lets it subsequently, the person so admitted into occupation will become

the ryot of the land. This was the subject matter of a full bench decision of the Madras High Court in *Munuswami (Vs.) Narasappa* reported in 1941-12 M.L.J. 79 in which Leach Chief Justice, who delivered the judgment observed:—

"If a landholder buys his tenant's interest, that is, the kudiwaram right, his purchase does not change the character of the land from ryoti to non-ryoti. The landholder in such circumstances may cultivate the holding himself, but if he lets it to a tenant for the purposes of cultivation, except in the exceptional cases provided for in the Act, the tenant acquires the right of permanent occupancy."

164. The Act, however, protects the kudiwaram interest of the ryot if he happens to acquire the melwaram on the land subsequently. This is provided by section 6A of the Estate Land Act which states that a person having a right of occupancy in a ryoti land does not lose it by subsequently becoming interested in the land as a landholder or by subsequently holding the land as "Izaradar or Farmer of Rent".

165. These distinctions have been kept in view in framing sections 11 to 14 of the Estates Abolition Act, 1948: whereas ryots can get patta on proof of ownership of kudiwaram interest, the landholders will have to prove personal cultivation for prescribed periods unless the land is private in character. In respect of bought in lands in the possession of the landholder, the landholder of a Zamin or Under Tenure estate cannot get patta whereas the landholder of an Inam Estate can get patta for bought in lands also if the proof of personal cultivation for prescribed periods could be adduced by him.

The Tanjore Palace Estates Mokasa villages—Tenure.

166. The Tanjore Palace Estate is a typical instance of the category of (Inam) estates falling under Explanation 2 to Section 3 (2) (d) of the Estates Land Act. The point for consideration in regard to them was whether they can be said to have been granted in inam or the grant in inam was confirmed or recognised by the British Government. The history of the Tanjore Palace Estates is traced in *Sundaram Iyer (Vs.) Ramachandra Iyer—40 Madras 389* thus:—

"In the year 1799, Raja Serfoji, the then reigning king of Tanjore unable to discharge the debts due to the East India Company and to carry on the administration of the country entered into a treaty with the East India Company by which he ceded the collection of revenues and administration of justice throughout his territories with the exception of the fortress of Tanjore to the East India Company in consideration of the latter paying him a fifth of the net revenues and a lakh of star pagodas annually. By an agreement come to at the time of the cession aforesaid, the Raja was allowed to retain certain extensive and highly cultivated villages under the plea that they were gardens and pleasure grounds accessory to his ease and comfort. After Serfoji's death his son Sivaji continued in possession of the villages until 1855, when he died leaving a large number of widows, but without a male issue. The Raj was thereupon declared extinct by the Board of Directors of the East India Company in 1856, and a Commissioner appointed for this purpose took charge of all the properties, real and personal of the Raja on 18th October 1856 Subsequently the Government Officers acting with the directions of the higher authorities resolved by their proceedings No. 336, dated 21st August 1862 to 'relinquish' the whole of the lands aforesaid in favour of the heirs of the late Raja. The lands originally retained by Raja Serfoji at the time of the cession of 1799 and subsequently restored to the widows of Sivaji by the order of the Government form what is generally called "The Palace Estate" or the "Mokasha Palace Estate". Thus a specific act of state has made these villages 'grants' so as to bring them within the proviso of Section 3 (2) (d) of the Estates Land Act, Minor Inams or Part villages excepting".

167. In *Sundaram Iyer (Vs.) Ramachandra Iyer—40 (Ms.) 339 (Full Bench)* it was held in relation to Tanjore Palace Estate that the word 'Inam' includes grants in which the Government has retained no reversionary interests and which are irrevocable. It was also held that Tanjore Palace Estate must be deemed to be 'granted' in inam, the kudiwaram being all along with the tenants. The same view was held in 1928—Ms. 375. The latest decision that arose under the Abolition Act, 1948 was with reference to

Karunthutangudi village (comprising five more units) in Tanjore which is a Tanjore Palace Estate. The notification under the Act was challenged by the landholder. In C.A. 124/60, the Supreme Court dealt with the landholder's appeal. In the judgment, dated 24th April 1962, the Supreme Court held:—

"In this appeal the only point which was urged was that none of the suit villages was or could be described as grant of land revenue in inam, made, confirmed or recognised by the British Government.

The Government Order No. 336 of 1862, to the terms of which we have made ample reference in Bhavani Shankar Joshi's case, was according to the appellants a mere restoration or 'relinquishment' of the private properties of the Rajah in favour of his legal heirs and was neither a grant nor a grant in inam. It was also contended that the rulings of the Madras High Court particularly that in Trijoyamba Bai (Vs.) Kamakshi Bai that the Government order was a grant of grace and favour, were not correct. Reliance was placed in this connection on some observations of Spencer C. J. in Maharaja of Kolhapur (Vs.) Sundaram Iyer where a doubt was cast on the earlier view. We have pointed out in Bhavani Shankar Joshi's case that the Government order was treated consistently in the Madras High Court as a grant of grace and favour. We have also shown that the Privy Council in the subsequent case, referred to it as a grant and to the widows of the Raja as grantees. In view of this consistent course of decisions, it is too late now to contend that the Government order was not a grant in inam. We have further shown that the Privy Council decided in the Secretary of State in Council (Vs.) Kamakshi Boyee that the seizure of the properties of the Raja was an act of State, which was not open to question in Municipal Courts. It was argued that in the despatch of Mr. Forbes there was assurance that the private properties of the Raja would be respected and returned and that any claim to such properties of the Raja would be enquired into carefully. We have shown in the connected appeal that the enquiry was to be made in respect of properties of third parties in the possession of Rajah. No doubt the private properties were to be returned, but till they were returned, the heirs of the Raja had forfeited all the rights and interests in the properties seized by the act of the State and could not look to the bounty of the Government and not enforce any claim. If this was the true position in respect of the properties involved in this appeal, then our decisions in Bhavani Shankar Joshi's case applies equally here and these properties must be considered to have been held after their return to the widows of the Raja under a grant in inam by the Government and not by way of continuation of any title which they might have had previously. We have also held that there was no continuing act of State while properties were being sorted out because the Privy Council stated quite clearly that the act of State had materialised not only against the Raj properties but also against the private properties of the Rajah".

168. The summon bonum of the decision is to the effect that the regrant of 1862 by the Government is the root of the title and being an act of State, the grants constituted an 'inam' and consequently the villages covered by the grants were 'estates' within the meaning of the Estates Land Act, 1908.

169. All the 199 Mokasa villages have been taken over, mostly under the Abolition Act, 1948 and in the few excepted cases where the grant was found to be of both warams they have been taken over under Act 26 of 1963.

(1) S. D. Vol. VIII (P-15-19) (BD's B.P. 1588 dated 21-11-62)

The history and tenure of these villages were subjected to various decisions such as those in Tri Joyiamba Bai (Vs) Kamakshi = 3 M.H.C.R.424
Maharaja of Kolhapur (Vs) Sundaram Iyer — 1925-W-497
Raja Sahib Mohabai (V) Sundaram Iyer — 1936 P-C 131-
Secretary of State (V) Thenappa Chittiar — 1943 P-C-136

CHAPTER VI.

RYOTWARI SETTLEMENT AND THE PRINCIPLE ADOPTED THEREFOR.

1. Genesis.

170. In the year 1802 A.D. (Fasli 1212), the systematic survey and settlement of the ceded districts, a step which was rendered absolutely essential in the prevailing confusion in the tenures and assessments of the land, was taken up. According to the custom of the country, from early days the Government was entitled to a share of the produce of the land and the commuted value of such share or the assessment proper was the major source of State Revenue. It was conducted by Major Munro and his assistants and was completed in the year 1806. With the exception of hills and rocks, all land of whatever kind was measured; cultivated land was surveyed by fields and was registered under the local name by which it was known to the ryots and numbered. The method of fixation of an assessment may be best described in Munro's own words:—

"The business was begun by fixing the sum which was to be the total revenue of the district. This was usually effected by the Commissioner, in a few days by comparing the collections under the native princes, under the Company's Government from its commencement, cursory estimates of the ordinary and head assessors and the opinions of most intelligent natives; and after a due consideration of the whole, adopting such a sum as it was thought fit to be a fair assessment of the district in the present stage. After fixing a certain sum for the district, it next remained to determine what share of this sum was to be imposed on each village, and this was effected by causing the lands of such villagers as objected to their assessment to be examined by ryots of other villages, and each claim was admitted or modified according to the terms finally agreed upon between both parties. As the whole district was present at the discussion, and every man ready to prevent another from obtaining an advantage in which he did not himself share, no fraudulent assessment of any consequence could possibly be concealed".

171. In 1820, Sir Thomas Munro assumed office as Governor of Madras and he issued orders for the final establishment of ryotwari system throughout the Presidency. The early ryotwari system had various defects. Restrictions were placed upon relinquishment of land and heavy assessments were imposed on garden lands (i.e) lands cultivated with special crops and irrigated from wells sunk by the ryot's own capital and labour. The survey and settlement was conducted earlier so rapidly, that there were great inequalities. The assessments were largely dependent not so much on the estimates of produce as on former assessments which had been run up to a high pitch under the Mysore Government or Nabobs, as the case might be. Such rates had become unbearable when the prices of food grains went down as they did for a number of years and various devices were resorted to mitigate the burden.

172. In 1855, a quarter of a century after the final adoption of ryotwari as the standard revenue system of Madras, less than a fifth of the area of the Presidency was cultivated, while more than half of the area recorded as arable was left waste. Though population had considerably increased by then and though there had been uninterrupted peace, there had been in all these years no material increase either in the revenue or in the area of cultivation. The incidence of assessment was everywhere unequal, while a succession of years of low prices had the practical effect of raising the rates of assessment which were admittedly already too high. It was calculated that on an average, Government at that time took as its share 50 per cent of the gross produce of irrigated lands and 35 per cent of that of the unirrigated land, while to give the ryot any real proprietary interest in the land and to induce an extension of cultivation, a share ranging from 25 per cent to 30 per cent of the gross produce was believed to be the utmost that the Government could claim. The Presidency of Madras was the only province in which no regular scientific and methodical survey had been instituted. The early surveys, even the best of them, were defective in the sense there were no maps of districts, taluks, or villages, and no permanent boundaries, and the records of the surveys, had been imperfectly preserved. These early surveys were extended only to a few districts and there were other districts in which the only records of the area

liable to assessment were the unchecked entries in the accounts prepared by the village officers. The Government therefore, determined in 1855 to carry out a general revision of the assessments of the presidency which appeared the only right basis of a land revenue settlement (viz.) the accurate survey and more or less exact classification of soils. The Government of India and the Home Government concurred in the necessity of the measure and the Revenue Settlement Department was constituted in 1858 with Mr. NEWILL, as the first Director. The department first undertook to demarcate the village and field boundaries which was a tedious process involving much arbitration and the investigation of many disputes. The marks erected in many areas were temporary and destructible and had frequently to be replaced by others of a more permanent nature. This work occupied much time until the year, 1864, when the fixation of boundaries was made over to the survey Department.

173. In the proceedings of the Government dated 1st August 1855 No. 951, the advantage of an accurate survey and careful settlement of the land revenue was given as follows:—

“An accurate survey and careful settlement of the land revenue will remove the evils.

Each man's payment will be certain; as a general rule, there will be no remissions to be intrigued for or purchased; and thus no scope for cringing and bribing, on the one part, and of corruption on the other and there is no doubt that, under such a system, a larger revenue may be obtained than at present, with less inconvenience to the people. Not only will the greater proportion of the payments now made to the Government Officers be saved to the ryot, but by an equal distribution of taxation, those who now pay exorbitantly will be relieved from such extra exaction and the burden will be laid on those who now unfairly evade it. Nor is this all; it is normally certain that, with a moderate and fixed assessment, the occupation of land will rapidly increase. At present, cultivation is undoubtedly repressed by the heavy burdens on the land, direct and indirect, but when these are lightened not only will the proper agricultural classes extend their holdings, but numbers of the trading classes will apply their acquisitions to agriculture”.

“Further, it is certain that the high assessments and the absence of accurate records result in the concealment of cultivation. Occasionally, instances of this kind are brought to light on a large scale so as to prove its existence; and it is well known to all revenue officers that it exists largely, but is concealed through the purchased connivance of the subordinate officials. With reduced assessments, there would be less of this fraudulent evasion, because there would be less inducement to pay for such connivance; and with an accurate survey and clear and simple accounts, such fraud would become difficult and dangerous”.

“There seems no room for doubt that, with a vast extent of unoccupied land, with a being led to cross the sea in search of employment, though peculiarly averse to leaving home, with roads and other means of communication being every year improved and extended; under all these circumstance, it seems clear that such a reduction of assessment as would make agriculture profitable would speedily be followed by a vast extension of cultivation. To these expectation are to be added the more partial causes which will make it practicable to enforce now evading them; and lastly, it must be noticed that the measures proposed must by necessity occupy a very considerable length of time. It can hardly be expected that the Survey and Settlement of this extensive Presidency can be accomplished in less than fifteen or twenty years, and thus only one-fifteenth, or one-twentieth of the revenue will have to be dealt with in each year and there will be full time for the restorative agencies called into existence by the new measures to come into operation. On the whole, considering the present depressed condition of this Presidency, it seems fair to anticipate, with confidence, that the result of these measures, instead of falling off will be an accession to

(1) Manual of the Revenue Settlement Department (1952) P. 11.

(1) Ibid.

the revenue, whilst, as respects the payers and the public, the gain will be enormous; the revenue will be derived from resources double or treble those upon which it is levied now and will be paid with corresponding ease and absence of privation”.

2. Principles and Methods of Settlement.

174. The Broad principles enunciated by the Madras Government for fixing the assessment are:—

I. That, though exact accuracy is unattainable in the classification of lands, the classes should be few and based on real and distinguishable differences of soil, and that both the surface soil and the sub-soil should be carefully considered:

II. That an estimate of the productive power of the land should be stated in quantities of some one of the ordinary grain crops as approximately as possible; paddy being taken for irrigated lands, and cumbu, cholam or some other staple grain of the district or tract to be settled, for the unirrigated. These estimates are called “grain outturns”.

III. That the valuation of the land should be effected in consideration of its nearness to the village site and consequent facilities for manuring, cultivating and guarding the crop; proximity to a road or market; facilities for irrigation and other accidental rather than inherent, conditions, whether affecting the value of the crop or its quantity; the field or the village, as the case may be, being placed in a higher or lower class of assessment, according to the aggregate of the circumstances mentioned above.

IV. That the share of the produce, to be taken as the Government demand should be half of the net produce.

V. That the said share should be paid in money, the money value being calculated at the average price of the standard crop and such average being calculated from the recorded prices of twenty years or such number of years as Government may from time to time determine, omitting years of famine and great scarcity. This average price is called “the commutation price”.

VI. “That the assessment thus arrived at should remain unaltered for such period as the Government may, in respect of each district or portion of a district, notify.

VII. That the introduction of a settlement on this basis should not be carried out pedantically nor with any pretence to mathematical accuracy, but with due regard to practical fairness in the rates and modes of assessment.

3. Essential processes of Settlement.

175. Following the main principles indicated above, the operations of the Settlement Department cover the sub-joined processes:—

- (1) The classification of soils.
- (2) The determination of grains to be adopted as standards.
- (3) The gradation of soils, in standard grains, or as they are technically termed, “grain outturns”.
- (4) The determination of commutation prices and the conversion of grain outturns into money.
- (5) The determination of the allowance to be made for vicissitudes of season and unprofitable areas.
- (6) The calculation of the expenses of cultivation.
- (7) The determination of money rates.

- (8) The grouping of villages in respect of dry lands.
- (9) The grouping of sources of irrigation, as judged by the certainty and efficiency of water-supply for wet lands.
- (10) The merging of soils into tarams.
- (11) The preparation and submission to Government, through the Board of Revenue, of a scheme report containing proposals for the fixation or revision of assessments.
- (12) The introduction of Settlement.
- (13) The compilation of settlement registers in English and the principal language of the district hence called the Diglott Registers.

4. Classification of Soils.

176. In the Course of 1858, Mr. NEWILL, who was then Director of Revenue Settlement, prepared a manual of classification for the purpose of determining the productive powers of the soil in terms of grain. He divided the soils into five great series:—

- I. The alluvial and exceptional, comprising rich island soils as well as garden and other permanently improved soils of more than ordinary productiveness.
- II. The regar or black-cotton soil with all its varieties of "masab", etc.
- III. The red ferruginous soil, originating from sandstone, laterite, etc.
- IV. The calcareous soil, originating from underlying strata of chalk or lime. This soil is of very rare occurrence in the State.
- V. The arenaceous soil, consisting of more or less pure sand and lying, as a rule, on the sea coast.

These series were adopted as answering the requirements of being few, simple well defined, and responding to the varieties already in use among the people themselves.

Mr. Newill said: "The origin or characters of the soils, as particularized in the above series have a very decided influence upon their fertility; but as the soil of each series varies in quality, it is necessary next to consider what other circumstances mainly affect the productive powers. These may be resolved into first, their MECHANICAL composition of clay, sand, lime and organic matter, and secondly their chemical composition, in which is to be taken into account the minute quantities of salts, acids and other mineral ingredients, the presence of which is essential to the nourishment of plants. To these might be added the physical properties of the soils, but these again depend mostly upon the mechanical composition. The mechanical composition is easily resolved and brought under arbitrary rules, but the resolution of the chemical composition is a difficult task, beyond the comprehension of the ordinary agency and is only attainable, at best, on a limited scale. The determination of the mechanical composition of clay, sand, etc., is found of great practical use, as it often distinguishes the soils according to the particular texture, suited for the several crops, and also according to the relative cost of cultivation. For instance a stiff clay regar is found to grow cholam well, and is unfit for cumbu and some other grains, while a mixed or sandy regar will grow cholam scantily but produce good crops of Cumbu, Ragi and Varagu while the expenses of cultivation differ in the stiff clay and the light loose soils. Some of the loamy soils also will grow indigo and other choice products, which cannot be obtained in the clay lands. These are very important considerations in arriving at the proper assessment and are thus, in the system pursued, placed in tangible form.

"It follows, then, that, with the agency at command, soils may be advantageously classified under arbitrary rules according to their mechanical composition, and that chemical and physical properties must be taken into account discretionally with other circumstances affecting their fertility. This plan obviously affords the means of an important check by re-examination which would be wanting, were the whole left to the

discretion of the classifier. The proportions of clay and sand fall under an arbitrary rule, while the first and second sorts allotted to each grade provide for the discretionary application of other circumstances in determining the relative grain value."

5. Basis of Classification.

177. An intelligible and systematic classification of soils is an essential preliminary in framing an assessment on the land, based on its productive powers, and such classification to be correct and generally useful, must be founded upon a consideration of the nature, composition and properties of the several soils.

178. The ordinary terms applied to soils in this country such as regar, masab, lal or red earth, etc., though useful in representing certain characteristic features connected with the origin of the soils, do not convey so definite an idea of their constituent parts and properties as is needed for the purpose; for instance, regar may sometimes be a stiff clayey soil, at others a light loam; lal or red earth, may be either a sandy soil, a clayey soil, or a light loam; and all these may have different productive powers.

6. Division of soils into classes and sorts.

179. The following system has been devised so as first to range the soils according to their origin or general characteristics and then to further classify them according to their principal ingredients. In most districts the soils will probably be found to resolve themselves into the five distinctive series enumerated above, which have different origins or bases for their formation.

Each series of soil is divided into "classes" and each class into "sorts". Generally the series of a soil is decided by its colour, the class by the proportion of sand and clay in it, and the sorts chiefly by the quantity of organic matter or the presence of other valuable or deleterious ingredients, such as salt, etc. The nearness of the land to the village site and the irrigation sources, the facility of manuring, irrigating and guarding the crop should also be considered in deciding the "sorts". In the early stage of the settlement operations, there were only two sorts in each class; but subsequently the number of sorts was raised to three and still later to five (best, good, ordinary, inferior and worst), and these five are now in force. In some of the settled districts, such as Tanjore, and Godavari, an additional sort has been introduced under the "alluvial series" to provide for the exceptionally fertile delta soils.

7. Description of soils.

180. Each series of soil can be grouped as 1. Alluvial, 2. The regar, 3. The red ferruginous, 4. The white and grey calcarious, 5. The arenaceous.

8. Component parts of soil.

181. After determining the general classes to which the soils belong, the component parts of the same are to be considered. The principal ingredient of all soils are clay, sand, lime and vegetable, or other organic matter, and it is upon the proportions of these that the settlement department bases its general classification of soils.

182. The smaller but not less important ingredients, such as potash, soda, magnesia, phosphoric acid, oxide of iron, sulphuric acid, chlorine, etc., cannot be brought to account in the process of estimating generally the component parts of soils, owing to their existence in such minute quantities that chemical tests would be necessary to ascertain their presence. They will not, however, be lost sight of, should an appropriate agency come into being hereafter for thus examining them for settlement purposes.

found at the depth of a few inches below a more fertile surface. Accordingly, in classifying the surface soil with reference to its constituent parts and quality, its depth also should be noted when it is less than one yard.

196.

17. *Designation of subsoils.*

1. River alluvium
2. Regar Soil.
3. Lal or red ferruginous earth.
4. Calcareous earth or beds.
5. Sand.
6. Clay beds.
7. Laterite rock.
8. Limestone rock.
9. Limestone rock in large nodules.
10. Sandstone rock.
11. Slate rock.
12. Granite rock etc., etc.

There are various methods for testing the composition of soils of various ingredients taking into consideration also the physical properties therein.

18. *Standard grain.*

197. The next step is the determination of standard grains; the principles governing this process are:—

First.—Limitation of standards, or in other words, the subordination of merely local production to general distribution, when this can be done without injustice, as for example, when a product, generally grown throughout the tract under examination, is substituted for one of a more local character, because their prices are the same, or nearly so.

Second.—The preference of ordinary to special products and of food products to those which are not.

This is founded on the following reasons:—

- (a) The soil produces both indifferently.
- (b) Food products are the ultimate standards of value, and other products must, themselves, be finally commuted into them.
- (c) It is often, as in the case of cotton, for example, difficult or rather impossible, to ascertain by actual experiment the produce of a given extent of land. In cotton, kyles or actual experiments by the Officers of Government are simply impracticable. There are said to be three great pickings, but the fact is that the cotton is picked as it ripens. All the information available has had, hitherto, to be gathered from the ryots, whose interests, or ignorance, are sufficient to throw doubts upon its accuracy.

198. Paddy is of course generally cultivated on all wet lands throughout the State and may, therefore, be invariably assumed to be standard for irrigated land. But on dry or unirrigated land the staple varies in different districts and not infrequently in different portions of the same district, and therefore the same dry crops cannot be assumed as standards for all districts.

199. But as it is necessary to assume as a standard one of the Chief food-grains and as, of all the food grains, cholum is most extensively cultivated and as a very large area is cropped with horsegram which on that account cannot be ignored, both cholum and

horsegram were adopted as standards, the proportion of each being fixed with reference to the relative total areas cropped respectively with cereals to which class cholum belongs and with pulses to which class horsegram belongs. In the Dharmapuri district bordering on the Mysore Plateau, the chief foodgrain is, as is the case in Mysore, ragi and not cholum, and there is a great difference between the prices of these two grains. In these tracts also, horsegram is very extensively grown on inferior soils, and as on this account it cannot be omitted from consideration, ragi and horsegram are adopted as standards in the proportions described above. In the South Arcot district, it was found that both cumbu and Varagu are extensively cultivated and as their prices differed inter se, both were adopted as standards. Hence the standard crops to be adopted for each district or portion of a district to be settled, should be carefully selected after an examination of the cultivation accounts in the Collector's and taluk Offices. For this purpose, a statement should be prepared showing the extent cultivated with each crop during the five years immediately preceding the commencement of settlement operations and average struck, with reference to which the crops to be adopted as standards should be determined.

19. *Determination of grain outturns.*

200. To arrive at an accurate estimate of the outturn of grain under each of the standard crops, the following conditions are necessary, viz:—

(1) Numerous examinations of the actual outturn of each of the staple products should be made in irrigated and unirrigated lands, the extent tested being about one-fourth acre, selected so as fairly to represent the whole field.

(2) The quantity of a full, ordinary and indifferent crop should be ascertained.

(3) The opinion of experienced officials, non-officials and agriculturists, as regards the outturn of each standard in each description of soil should invariably be obtained.

20. *Tarams.*

201. Soils having the same grain outturn are placed in one farm or grade, the chief object of the arrangement under tarams or grades being to render the classifications more intelligible to the ryots than it would be if it were exhibited in the more complicated forms of "series", "classes", and "sorts", and also to avoid multiplication of rates.

202. The redistribution of soils into tarams (Grades) is a matter of some difficulty, owing to the fact that the same soil possesses relatively different productive powers according as it is irrigated or dry. Different dry soils rise differently in value when irrigated, that is, a higher dry soil when irrigated may be susceptible of less relative, or absolute increase, of value than a lower soil similarly irrigated. The difficulty is obviated in practice by having two tables of soils and of tarams, one showing the correspondence between soils and tarams in dry lands and the other their correspondence to wet lands.

21. *Grain outturns.*

203. That the grading of grain outturns from soils under irrigation should not follow the order of outturns from unirrigated soils, is explained by the natural fact that the water makes up for the want of retention of moisture, which is a defect of sandy soils in their unirrigated state, while on the other hand, the supply of it from outside reduces the clay soils to such a degree of softness as to put them at a disadvantage when compared with those to which an admixture of sand imparts a firmer texture. The water seems also, in combination with salts or acids to be the means of converting certain hard sandy ingredients into soluble matter so as readily to supply nourishment to vegetation.

204. The elaborate process of arriving at grain outturns after numerous actual experiments on different classes of soils was in vogue in the early settlements, but sufficient experience having been gained in this respect in the long course of subsequent years

183. The Chief ingredients of soils are derived from minerals and rocks which are gradually dissolved or rather reduced to powder or grains like potash and other small but powerful, ingredients such as those above described, as well as by the action of the air and moisture. In some cases, also, decayed vegetable deposit combines with the earth; a portion of the soil is thus in a state of fine impalpable powder whilst the remainder consisting of sand, pebbles, etc., is hard and insoluble.

184. It is only from the fine portion or powder that the crops derive their nourishment, and, as a rule, the greater the proportion of it CETERIS PARIBUS that a soil contains, the greater will be its fertility. Some of the richest regar soils are almost entirely composed of this impalpable powder.

In the language of the settlement department this impalpable powder is called clay, though it includes vegetable matter, and the remainder is termed sand.

9. Classes of soil how determined.

185. The different classes of soils in each series are, determined by the proportion of sand and clay, as shown below:—

- | | | | |
|-----------------------|----|----|---------------------------------------|
| 1. Clayey | .. | .. | Containing more than 2/3 of clay. |
| 2. Mixed or loamy | .. | .. | Containing from 1/3 to 2/3 clay. |
| 3. Sandy, or gravelly | .. | .. | Containing not more than 1/3 of clay. |

10. SORTS.

186. Each of these classes is then divided into five sorts on the basis of proportion of organic matter, and the presence of valuable or deleterious ingredients and also with reference to the proximity or otherwise of the lands to the village-site, the nature of the irrigation sources and the facility of manuring and guarding the crop, etc.

11. Classification by fields and blocks.

187. The system of classification originally adopted was field war, i.e., each field had a separate class and sort assigned to it and was assessed at a separate rate. Subsequently it was thought that field classification might be altogether abandoned and that classification by tracts to be made by the Settlement Officers at the head of Field Parties, might be substituted for it. This course was considered to be both more expeditious and more equitable than that under which the classifiers, besides distinguishing black soil from red and clay from sand, were required to assign each individual field to one of the five sorts under each soil without any reference to surrounding circumstances and existing rates of assessment.

188. The proposed change having, after due consideration, been held to be impracticable, the Government resolved to continue the existing method of fieldwar classification and then to block together fields of similar quality, each block being distinguished by a letter of the alphabet, A, B, C, etc. If isolated fields of different soils were found in a block, it was ordered that they should be merged with the rest of the block as regards class and sort, unless the area of the detached fields was large enough, say, at least 5 acres, to form a separate block.

12. Eye-sketches.

189. A plan showing the classification of soils in blocks is called an eye-sketch.

13. Classification.

190. A few of the important points to be observed and considered in the work of classification are indicated below:—

(i) It is an established fact, as shown in Johnson's works on "Agricultural Chemistry", that where two soils of different constituents meet, their fertility is greatly

increased and is often greater than that of either soil taken individually; where two series intermingle, therefore, special care is necessary in determining the class to be assigned to the composite field. In this process the nature and depth of the subsoil and those of the upper soil, as well as the character of the vegetation, should be taken into consideration. Should doubt still exist, the grain outturns should guide the decision.

(ii) Classification should, as a rule, depend upon the upper soil. If the depth of the latter is not less than nine inches, as will generally be found to be the case, it may be considered sufficient for the roots of plants; but where it is less, it may be inferred that vegetation derives its nourishment from the subsoil, and the latter should then guide the classifiers.

(iii) Sandy soils on the margin of rivers should not be confounded with the arenaceous series of soils on the sea coast. The former should be classified under the "alluvial" loam (Class II) or under "regar sand" (Class V) or "red sand" (Class VIII), according as they are alluvial, black or red.

(iv) The classes of soils for each village should not be more numerous than is absolutely necessary.

14. Subsoils.

191. *Definition of subsoil.*—The Sub-soil is that which immediately underlies the culturable surface soil. About one yard may be considered as the normal depth of the proper surface soil. This is ample for the roots of all kinds of crops; and below it, is the subsoil.

15. Characteristics of soils and subsoils.

192. The subsoils may consist of the same earthy substance as the surface soil, or it may be of similar character to the latter, but different in degree or in kind, or again it may be of quite an opposite character; or lastly it may not be soil at all but a bed of hard rock. Both soils and subsoils sometimes, but not invariably, take their character from the underlying rocks of the country. Thus red soils are sometimes extensively met with over ferruginous sandstone and laterite, and may consist of the same elements as these. The regar soil may be found sometimes over large tracts of country of which the volcanic, the gneiss and other primeaval rocks are the characteristic basis; at others it is found over-lying large tracts of limestone, chalk etc.

NOTE.—The term soil without any qualification will be understood to mean the surface soil.

16. Influence of subsoils on irrigation.

193. The subsoil has generally a great influence on the irrigability of the soil above it. If it is clay, it will be impervious to water, and will tend to keep the upper soil wet or moist; on the other hand, a sandy, gravelly, or calcareous subsoil will, from its porous nature, allow the moisture of the surface soil to drain through it. A porous soil on a porous subsoil will rarely suffer from excess of water, except during a period of long submergence. A tenacious soil, such as clay, upon a similar subsoil will require comparatively less water, and will suffer comparatively more from inundation or from excess of moisture than soil differently constituted or situated.

194. It is evident that soils lying between these extremes will require water in very different quantities according to the tenacious or retentive character of the surface soil as modified by that of the subsoil in each case. It has to be remembered in this connection that a rocky subsoil may be either retentive or porous according as it is solid structure or such as to admit of water percolating through it.

195. The soil may not always be of the same kind to the depth of the one yard prescribed for the proper surface soil since gravel, sand, rock, or other substances may be

during which several districts were settled, it was ordered in G.O. No. 944, dated 6th September 1882, that these crop experiments should be dispensed with and that the average of the outturn adopted in the immediately adjoining districts already settled should be adopted. "Kyles" or crop experiments are not, therefore, now made.

22. Commutation prices.

205. The next step is the determination of commutation prices which may be defined to be the money value in terms of which the grain outturns arrived at in the manner described in the previous section, are expressed.

23. Basis.

206. The commutation rates are fixed on an average struck on the prices of a long series of years so as to ensure that the advantages of good and the losses of bad years may be balanced and to preclude any supposition that the Government share of the produce is sold by the ryot at a price which he cannot always command.

24. Period for which prices are reckoned.

207. For all the earlier settlements, the average was struck on the prices of twenty years from 1845 to 1864. But since 1865 the abnormal prices prevailing in years of famine or distress are excluded, and the average is now, calculated with reference to the recorded prices of twenty non-famine years (or such number of years as Government may from time to time determine) immediately preceding the commencement of settlement operations in any district or tract.

25. Deductions for Cartage and Merchants' Profits.

208. The prices so adopted are those prevailing at the headquarters of the district or the taluk or its subdivision. It is not supposed that these are the prices at which the ryots actually sell their grain, for if they dispose of it in their own village, the price will be less than at taluk headquarters, and if they cart it to markets, they will have to pay the cart hire which will be a set off against the higher market price. To compensate for this, a deduction of 15 per cent is generally made from the market prices to meet cartage or merchants' profits. It should be remembered, however, that with the progress of the country and the improvement of communications, this allowance must gradually become less and less. What remains after this deduction is made, is the commutation price which if applied to the grain outturns will give the money value of the gross produce.

26. Nature of other deductions required.

209. The Government share of the produce is taken to be one-half. But it would be a great hardship to the ryot to take as the Government demand one half of the gross produce, omitting out of consideration (1) the unprofitable areas such as field banks, etc., included in his holding and the variations in the season and (2) the cultivation expenses. Hence further deductions from the gross value of the produce are to be made and they are described in the following paragraphs.

27. Allowance to be made for vicissitudes of season and unprofitable area.

210. A deduction of 25 per cent (but this is variable with reference to the average climatic conditions of the tract under settlement, 25 per cent being the maximum hitherto allowed in any district hitherto settled) is generally made on account of unprofitable areas such as small field banks, minor distributary channels, rocks, etc., included in the ryoti holdings and for vicissitudes of season. Though at the Revenue Jamabandi remissions of assessment are allowed on wet lands on account of loss of crop due to circumstances beyond the ryots' control they are not generally

allowed in the case of dry lands, except in years when the rains totally fail. In the other years, the season may not be uniform. One may be a year of plenty, the next, of scanty and unseasonable, rainfall. In the case of wet lands also, the produce may, for various reasons, such as insufficient supply of water in the irrigation sources in some years blight, etc. be below the average. In such cases, though there may not be a total failure of the crop, such as to entitle the ryots to a remission of assessment, yet the yield may be much below the normal. This factor is known as the seasonal vicissitude. It will be impossible to calculate such partial losses over a vast extent of country and grant remissions in proportion. An allowance is, therefore, made to compensate for such cases. In fixing the rate of the allowance, the general run of the seasons, good and bad, and the average climatic conditions of the tract to be settled, should be taken into consideration.

28. Cultivation expenses.

Expenses dependent on the nature of the soils.

211. The actual cost of cultivation is a matter very difficult to determine, and is one of the most conjectural of the various steps connected with a settlement. The Composition of soils affords a tolerable clue as to the expenses of cultivation, the clayey soils, being more difficult to work than the sandy soils, therefore require more costly manuring, while, on the other hand, the latter (the sandy soils) require more frequent manuring.

29. Items of cultivation expenses.

212. The items usually included in the estimate of the cost of cultivation are:—

1. Ploughing cattle.
2. Agricultural implements.
3. Seed.
4. Manure.
5. Labour required for ploughing, sowing, seeding, reaping, threshing, etc.

213. In some districts, the wages of labour are paid in grain, in others in money, and in some both in grain and money. The payments in grain are converted into money, at the commutation price adopted for the settlement.

214. The cost of bullocks and implements of husbandry is distributed over the number of years for which they are expected to be serviceable and the other items are calculated for each year. Calculations should be made for the area which could be cultivated with one plough and one pair of cattle and then reduced to the terms of an acre or hectare.

30. Method of Cultivation.

215. It is impossible to lay down with any pretension to accuracy the actual expense of cultivating each "sort" of soil. The practice, therefore, is to work out separately for wet and dry lands the expenses for the best soil, and then proportionately diminish this standard in the case of the lower sorts.

216. This method of discounting the cultivation expenses in the case of the sorts lower down in the scale is open to the objection that the cost of cultivating poor soils is relatively greater than that required for superior soils. But it has to be borne in mind that the cultivator, being content with a smaller relative outturn from inferior soils, does not pay the same attention to them as he does to the superior lands. For instance, he does not plough the inferior soils as often as he would plough a superior plot or land, nor does he so highly manure them. Weeding and hoeing too are less frequent.

217. The straw is usually taken as a set-off against the item "feed of bullocks", and no separate provision is, therefore, made for it; nor does it find place in the matter of ryots' assets. Where, however, the cattle are fed on grain and the allowance of straw is not considered sufficient to meet the charge, the item may be specially provided for.

218. All these elaborate processes were observed in calculating the cultivation expenses in the early settlements but in the light of the experience gained at the settlement of several districts the Government in their order No. 944, dated the 6th September, 1882, directed that the cultivation expenses need no longer be calculated in this elaborate manner, but that the average of the cultivation expenses of the adjoining or similar districts already settled should be adopted, and this rule had been followed since the said date. Detailed calculations may, however, be made, when they are considered necessary and so ordered in special cases.

31. MONEY RATES.

Calculation of Money Rates.

219. The next step is the calculation of money rates. The grain outturns are sometimes given in local measures by experimenting officers. As the capacity of these local measures varies in different districts and in different taluks of the same district, they should be converted into Madras measures, the capacity of which is 120 tolas (or into kilograms since the inception of the weights and measures Act). The commutation rates arrived at in the manner described earlier are then applied to the grain outturns. From the money value thus obtained the allowances for vicissitudes of season and unprofitable areas as well as the cultivation expenses are deducted, and what remains is the net value of the produce, one-half of which is the share due to Government.

220. In the earlier settlements, i.e., those in vogue before the constitution of the department in 1858 the rates of assessment were based generally on 50 per cent of the gross produce for wet and 33 per cent for dry land. When the revision began, the maximum was reduced to 30 per cent, the average being about 25 per cent. But in the course of time a gross produce percentage was not considered sufficiently accurate and the net produce was ordered to be ascertained by deducting the cost of cultivation, etc. and in 1864 the Government share of the revenue was fixed at one-half of the ascertained net produce. In fixing the actual rates of assessment, it is usual to round off the half net so as to produce an even gradation from one rate to another. Each separate money rate as finally fixed is called a 'taram'.

32. GROUPING.

Need for Grouping.

221. If the various processes by which money rates are determined are carefully analysed, it will be seen that each money rate corresponds not so much to a class and sort of soil as to a definite net outturn from an acre of land. It is now necessary, if the basic principle of settlement is to be carried out, that a definite relation should be established between classes and sorts of soil and the net outturn upon which money rates are based. A little reflection will show that it is not possible to equate directly a particular class and sort of soil and a particular net outturn of grain. To take concrete instances, a III-1 dry soil or a IV-2 wet soil may be the best of its kind, but such a soil would not under all circumstances, even apart from the personal equation of the ryot's labour, yield invariably the same net outturn. The village where the III-1 soil under consideration is situated may be remote from grain markets, railway stations and sea-ports, it may have no proper roads in or near itself, it may be unhealthy, and its crops may be exposed to destruction by wild beasts. A ryot possessing such a soil would derive a very different money value from his net outturn per acre from one possessing a similar soil in a healthy village, in a well-peopled tract, where there was a railway station or a sea-port, besides good roads

all round. Taking next the owner of a IV-2 wet soil, no argument is needed to show that it will make a very great difference in his gross as well as his net outturn whether the source of irrigation on which he depends is a perennial river with a never failing supply or a precarious tank depending upon monsoons for its supply and dry for the greater part of the year.

222. Given particular class and sort of soil and given also, in the case of dry lands, the circumstances in point of facilities of communication, or wet lands, the capacity of the irrigation sources on which it depends, it is possible to predicate with some approach to accuracy the net outturn which a ryot of average industry in a normal season may expect to derive from its cultivation. This variable factor which connects the class and sort of soil with its net outturn per acre is called 'grouping' and is a most important element in the process of settlement.

33. (A) Grouping of villages for dry lands : old and new methods of grouping.

223. In the early settlements grouping of villages of dry lands was based entirely on the quality of soils, villages containing superior lands being placed in a higher group than those containing inferior lands. This grouping with reference to the merits of soils was in those days, to some extent, necessary, because the system of soil classification was inadequate. Each class of soil then contained only two sorts in some cases and three in others. With only three gradation of assessment corresponding to as many sorts under each class of soil, it is obvious that lands otherwise very unequal were liable, unless they were further differentiated, to be equally assessed. This anomaly was rectified to some extent by placing villages containing inferior lands in a lower group and assessing them more lightly than the others, and in some districts villages had to be arranged in as many as three groups and in some others in four groups. But now the quality of the soils is liberally discounted in the soil classification, which provides for five sorts best, good, ordinary, inferior and worst and grouping as regards dry lands is resorted to in order to make up for inequalities in the following respects:—

- (a) Communications, i.e., roads, railways and navigable canals, which facilitate the transport of grain.
- (b) Proximity to sea-ports and markets which facilitate the disposal of grain.
- (c) Healthiness of the locality.
- (d) Immunity from damages to crops by wild animals.

224. Villages which are more advantageously placed than others in the above respects are placed in the first group and the remainder in the second group, no more than two being generally allowed for dry lands. Where an additional group is found necessary, the matter should be specially brought to the notice of the Board and Government.

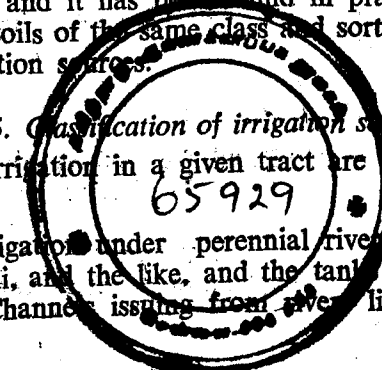
(B) Classification of irrigation sources for wet lands : basis of grouping.

225. As regards wet lands, the grouping is made not by villages with reference to the points noted in sub-section, (A) but with reference to the condition and capacity of the irrigation sources in each village. It may be urged that wet grains grown at a distance from markets and roads are in no better position as regards facilities for transport and sale than dry grains. As a matter of fact, however, irrigated areas necessarily attract markets and it has been found in practice that the best method of discriminating among wet soils of the same class and sort is to grade them according to the capacity of their irrigation sources.

35. Classification of irrigation sources.

226. The sources of irrigation in a given tract are generally divided into the following classes:—

First Class.—All irrigation under perennial rivers such as the Cauvery, the Periyar, the Tambaraparani, and the like, and the tanks fed by such rivers. In grouping under this class the Channels issuing from rivers like the above, the advantages



of irrigation and drainage should be carefully considered. Channels fully possessing these advantages should be placed in the first class, the others being grouped in the lower classes, which may be raised when the defects are removed. (The facility of moving up wet lands from a lower to a higher group, without which irrigation schemes might prove failures from a financial point of view, is an important consideration in adopting this method of discrimination. The right to do this should always be reserved in settlement notifications).

Second class.—Rainfed tanks containing a supply of not less than eight months.

Third class.—Minor river channels; spring channels of the same capacity as river channels placed in the first class; and rainfed tanks containing from five to eight months' supply.

Fourth class.—Spring head and other channels yielding a good supply of water but requiring much labour in clearing; and rain-fed tanks of from three to five months' capacity.

Fifth class.—All irrigation under small jungle streams with a precarious water-supply as well as under rain-fed tanks of less than three months' capacity.

36. Classification of Drainage Sources.

227. Drainage from any source, when utilised for irrigation should be graded one class lower than the source itself, the modification in the lowest class being effected by a lower classification of soil.

37. Merging of soil.

228. It will be obvious, from the remarks made, that different classes and sorts of soil may have the same productive power, in other words, may rank under the same taram. Similarly it will be found that the higher soils in lower group villages and under inferior irrigation sources may come under the same tarams as the lower soils in higher group villages or under superior irrigation sources. The grading, under the same taram of soils differing in class and sort, but possessing the same productive power is called the 'merging of soils'. The gradation among the different tarams produced by these combined processes is usually one rupee in the higher and half a rupee in the lower tarams; the taram of the first group in the second line of figures in a money rate table is the same as the taram of the second group, in the first line, the taram of the second group in a lower line being the taram of the third group in the next higher line, and so forth. There are up to three groups (ordinarily two) in dry lands and five groups called classes in wet lands. The latter classes should not be confounded with classes of soil.

38. Preparation of Statements of Financial Result and of Scheme Report.

229. (a) *Statement of Financial result.*—The next step in the settlement operations is the preparation of statements showing the financial result of the application of the proposed rates as compared with the revenue of the year on the basis of the accounts of which the classification was conducted. These statements should embody particulars of the cultivated areas, the demand, average rate of assessment, and also the available resources of revenue derivable from the assessment of the whole of the arable lands of the district settled. A general statement should be drawn up for each taluk, exhibiting the particulars of each group; the results should be tabulated for dry and wet lands separately.

39. Variations in assessment.

230. The fluctuations of the demand and the cultivated area must be carefully compared, in order to see how far any increase in the former may have led to decrease in the latter, or vice versa, and also how far the new assessment appears to accommodate itself to these circumstances. Any striking contrasts between the old and new rates must be carefully examined and explanations, where necessary, furnished.

40. Incidence of assessment.

231. Another statement should also be prepared for dry and wet separately showing the incidence of the proposed assessments, i.e., the area under each of the proposed money rates.

41. (b) Scheme Report.

232. The Deputy Commissioner Settlement Officer will draw up a detailed scheme report, embodying the financial results, giving full particulars of the political and revenue history of the tract under consideration, the physical features of the country, its resources and economic condition and discussing in detail the several processes adopted by him in arriving at the results indicated in the scheme and the fairness of the proposals made by him and the causes which influenced the enhancement or decrease in assessment involved in his proposals. This scheme will be submitted for the orders of Government through the Board of Revenue.

A departure from this procedure is, however, made in the process of ryotwari settlement of estate villages where the existing money rates prevailing in a district have to be adopted without working out the money rates afresh. The estate taken over is perambulated to find out the similarity of the tract with the adjoining ryotwari area with a view to fixing the appropriate money rates to be adopted from the prevailing resettlement notifications and the ryotwari principles that should be followed in effecting the settlement. These proposals are embodied in a perambulation report and submitted for approval of Government. This procedure dispenses with the need to submit a scheme report.

42. C. Introduction of settlement.

233. When the proposals made in the scheme report have been sanctioned by Government, the Deputy Commissioner/Settlement Officer should carry out the introduction of the settlement. The various processes connected with this operation are described below:—

(a) The Deputy Commissioner/Settlement Officer should prepare a notification containing a brief and intelligent summary of the general principles of the settlement, the data on which the net rates were determined and other important points and submit it to the Board, with whose approval it should be published in the District Gazette.

(b) He should get the area under each source of irrigation finally revised by having the wet ayacut account carefully examined.

(c) He should get the miscellaneous accounts already prepared by the classifiers during the progress of the classification, such as the account relating to transfer from dry to wet and vice versa, transfers from single crop to double crop and vice versa, Bagar-ayacut sources, lands in the water-spread of tanks, evasion of assessment, i.e., concealed cultivation and water-rate, baling remission, etc., carefully checked.

(d) He should get the fasli changes noted in the classification registers in accordance with the Revenue accounts of the fasli immediately preceeding that in which he introduces the settlement. These fasli changes will be necessary only where there is an interval of one or more years between the dates of classification and the introduction of settlement, because in this interval especially when it extends over four or five years as it frequently happens, several changes would have occurred in the holdings owing to relinquishments, darkhasts, transfers between ryots, etc. These fasli changes will not be necessary when the classification and the introduction of settlement take place in the same year.

(e) He should cause all interstitial holdings in survey fields not already measured by the Survey Department to be measured in accordance with the rules.

(f) The Samudayam or common lands should be divided wherever practicable.

(g) On receipt in the office of the records of the measurements of interstitial holdings and the miscellaneous accounts referred to above, averjas and abstracts in the prescribed forms should be prepared. When these latter have been scrutinized and approved by the Deputy Commissioner/Settlement Officer rough pattas should be prepared and sent out for distribution to the ryots.

(h) Every opportunity will be given to the ryots to prefer objections and to make representations to the Settlement Officer. For each village a suitable time and place will be fixed, at which objections from the pattadars of that village will be heard. Notice of the said time and place will, not less than ten days previously, be stuck up in the village chavadi and also published in the village by beat of tom-tom, and entered in the rough pattas which will be handed over to the karnam for delivery to the pattadar concerned.

Every endeavour will be made to secure prompt delivery of the rough pattas to the pattadars concerned, but non-resident and absentee pattadars must make their own arrangements for obtaining their rough pattas from the karnam.

No objections to rates of assessment will be received by the Settlement Officer after the time fixed above, unless an explanation of the delay is furnished to his satisfaction.

An appeal against the order of the Settlement Officer lies to the Commissioner/Director of Revenue Settlement. Neither the petition to the Settlement Officer nor the appeal petition to the Director or Board need be stamped.

(i) Errors in survey numbers, areas, the names of pattadars, the registration of land as dry, wet, poramboke, Government, Inam, and the like, may be brought to notice by ryots for correction at any time after the settlement.

(j) The rules contained in (h) and (i) above should be published in the District Gazette as a standing advertisement during the period when the introduction of revised settlement rates into a district is in progress. In passing orders on petitions preferred by ryots at the time of hearing objections, the Deputy Commissioner Settlement Officer should intimate distinctly that an appeal against the order of the Settlement Officer lies to the Commissioner of Revenue Settlement and should be preferred not later than one to three months from the date of such order as may be prescribed exclusive of the time required for obtaining a copy thereof.

(k) The Deputy Commissioner/Settlement Officer should hear the objections of the ryots on the dates and at the places notified and afford relief, wherever necessary, in cases of excessive increase in assessment in individual pattas.

(l) He should also, on the application of the ryots at the time of the hearing of objections, order transfer of lands from dry to wet or vice versa according to rules and after making the necessary enquiries. In all doubtful cases a regular inspection of the locality by the Supervisor or head classifier should be made before such transfers are effected, and the Tahsildars also should be consulted when necessary.

(m) He should receive applications for the transfer of lands from one pattadar to another and order the transfer of pattas in all unobjectionable cases. Where such transfers involve portions of survey fields they should first be measured and subdivided and the transfers should then be effected. These deeds of transfer should be executed in the presence of and accepted by the Deputy Commissioner/Settlement Officer, Assistant Commissioners or unconvenanted Assistant Supervisors. No officer below the grade of Supervisor should be entrusted with this duty.

(n) Pouthi-patta, i.e., pattas standing in the name of deceased persons should be transferred to the names of the direct heirs (sons) of the deceased. In cases where the deceased pattadars left no such direct heirs, and the question of succession is in doubt or dispute, the Deputy Commissioner/Settlement Officer should not alter the patta but refer the applicants for transfer to the Revenue authorities.

(o) The Deputy Commissioner/Settlement Officer should, when necessary, and upon application being made to him, assign lands for public purposes, such as building sites, village common threshing floor, public latrines, burial-grounds, etc.

(p) He should allow composition for the second crop assessment, whenever permitted under the rules.

(q) When the objections of the ryots of a village are disposed of, the Deputy Commissioner/Settlement Officer should have a diary prepared in the prescribed form and containing all the orders passed by him in respect of that village (in regard to the reduction of the assessment, assignment of lands for public purposes, transfer of pattas, etc.).

(r) The accounts of the village should be corrected with reference to the above diary, and a chitta prepared and sent to the Tahsildar for purposes of the Revenue Jamabandi.

(s) When the settlement of a taluk is introduced so late in the fasli year as not to allow the ryots sufficient time for the relinquishment to Government of lands which, owing to changes due to the settlement, they may not wish to retain (for instance, if the date of relinquishment of lands fixed for a particular district is the 15th July, and the introduction of settlement is commenced in June or subsequent to that date, the ryots will not have, before the 15th July, sufficient time to decide which lands they should retain in their pattas and which they should give up), the Deputy Commissioner/Settlement Officer should, with the sanction of the Board, extend the time for the relinquishment of lands to such date as may be considered necessary to suit the ryots' convenience. The settlement notification to be published in the District Gazette and referred to in clause (a) supra should contain a paragraph to the above effect.

43. Increment remissions.

234. Definition owing to the great inequalities in the incidence of the prevailing revenue rates (by which expression is meant the rates in force before settlement), it happens that when the settlement pattas are issued, large increases in assessment are sometimes found to have been imposed. To enable the ryots to prefer their objections in this and other respects, convenient centres in each taluk are fixed and notified to them with the dates on which they would be heard. When the ryots assemble and prefer their complaints, the Settlement Officer, having referred to the plan and other records, grants them relief where necessary and if possible by lowering the classification of the fields on which such large increases have occurred but of course not deviating from the principles. Even then there will be increases in several cases which cannot be helped being as stated above, due to the great inequalities of the old rates. To levy these enhanced assessments all at once and suddenly in the first year of settlement will be a great hardship to the ryots, and the Government have therefore ordered that they should be gradually brought into force by levying a certain minimum proportion of the increase in the first year and remitting the remainder for that year. In the second year a greater proportion will be added to the demand and the balance remitted and so on until the whole amount of the increase is reached spread over a period not exceeding twelve years in all. The remissions thus allowed are called 'increment remissions' which should be calculated as stated below.

44. Mode of calculation.

235. If the increase of assessment in individual cases exceeds 25 per cent of the old assessment, a sum equal to 25 per cent of such assessment, will be levied at once and the remainder by annual instalments of $12\frac{1}{2}$ per cent of the old assessment. Where, however, such instalments will not admit of the full revised rate being reached by the twelfth year, the remainder (i.e., the increase over 25 per cent) shall be levied spread over in eleven equal instalments.

(1) B.Ps. 290, dated 13th July 1893
56, dated 30th January 1883

114, dated 2nd March 1894.
229, dated 6th June 1894.

45. Cases where increment remission is not allowed.

236. It is, however, to be clearly understood that, if the whole or a portion of the lands held by a pattadar at settlement disappears from his holding by relinquishment or transfer, full settlement assessment will be charged for the lands remaining in his patta and for those which have passed therefrom. This rule, however, will not apply to cases in which the change in the holding may be due to causes beyond the ryots' control, e.g. when, a portion of his land has been washed away by a river and he is obliged to relinquish it, or where a piece of land is taken up for public purposes. In such cases the excess assessment upon the remainder of the holding will be levied in the same number of instalments as that fixed for the entire holding. Similarly, when one of the joint holders of a patta transfers his interest therein either to the co-pattadars or to a stranger, the increment remission will be continued because the patta remains intact, the change involved being only in the names of pattadars.

46. Preparation of diglott register or settlement A register.

237. After all the necessary corrections have been made in the accounts in accordance with the Deputy Commissioner's/S.O's order on the objections of ryots, a register known as the 'diglott register' should be prepared in the prescribed form. This register is the basis on which the whole revenue administration rests. It contains a complete record of information regarding every separate holding, whether large or small. The area is given in acres and cents or hundredths of an acre (since noted in hectares and ares) and the assessment thereon is exhibited in parallel columns. A single field on the survey map may actually be divided amongst 20 ryots. In such cases, there will be 20 sub-divisions or letters and each sub-division will have a separate line in the register, giving full particulars of the holding, even though its extent (as sometimes happens) is very meagre.

47. Descriptive memoirs and eye-sketches.

238. A descriptive memoir giving full details of each village and its settlement and an account of all lands held tax free or on favourable tenure is also printed. An eye-sketch of the village showing the tanks and channels and all similarly assessed fields, laid out into blocks, where the block classification system has been adopted, used to be attached to the Settlement Register but it has since been given up. The descriptive memoirs of all the villages in each taluk consecutively numbered are bound into a single volume (with their respective eye-sketches if prepared), which thus supplies complete information regarding every village in the taluk.

For areas other than town survey, 45 copies of the A register and descriptive memoirs and seven more copies of the descriptive memoirs alone are printed and supplied to Collectors so as to meet official needs and for sale to the public. In town survey areas, the requirement of the Municipalities that contribute a share of the cost of survey is taken into account and 50 copies of the A register and descriptive memoirs, besides 10 spare copies of the descriptive memoirs are printed and supplied to the Collector.

48. Resettlement.

239. Based on a settlement notification issued adopting the above principles, settlement of the ryowari lands is made with a reservation for resettlement after the expiry of a term of 30 years. Such periodical revisions by which the assessments are redetermined are called "Resettlements".

240. The revision of assessment made at a settlement (and fixed on the half net theory and commuted at average current prices) is necessitated by variations in the market prices of the staple grains on the basis of which the assessment was originally fixed.

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It does not however involve the reassessment of the produce of the land but takes merely the form of revision of the commuted money value of Government's share of the produce upto a maximum percentage. Thus resettlement is not a fresh settlement of the Government's share of produce but only its recommutation with reference to the variations in prices which have taken place subsequent to the introduction of the previous settlement. Except for special reasons no general reclassification of soils, nor a fresh calculation of grain outturns, cultivation expenses, or allowances for vicissitudes of seasons, etc., will be made at a resettlement. As resettlement is based on the variations in price levels over a period of years, it is necessary to determine the extent to which such variations have occurred subsequent to the introduction of the expiring settlement.

241. The following are the principles in brief for a resettlement:—

(1) Comparison of the commutation rates adopted for the staple grains at the expiring settlement with the value calculated for such of them as continue as the staple grains from the average of recorded prices during the 20 non-famine years immediately preceding the expiry of the period of currency of the settlement with the appropriate deduction for cartage and merchant's profits.

(2) The proposals for revision of assessment framed by the Special Settlement Officer should justify that there is a substantial change in price levels warranting a revision of assessment; the rates cannot however be revised to the full measure to neutralise the rise in prices because sufficient allowance should be made for increased cost of living and of labour, stock and implements, as well as for promoting productivity conducive to a higher standard of comfort to the tiller, taking also care to see that increased yields resulting from the ryots' efforts do not go to boost the tax.

(3) When the revision takes the form of a percentage enhancement of the previous rates, such enhancement shall not normally exceed 18½ per cent of those rates.

(4) The proposal should also satisfy that the existing graded structure of rates has proved reasonable in practice and equitable in its incidence during the currency of the expiring settlement and modifications if needed, proposed as for special reasons considered necessary.

(5) Examination of the economic conditions of the holders of agricultural land in the tract for a comparison between their conditions in the opening and closing years of the settlement period.

(6) How far the existing rates so compared have or have not impeded economic development and to what extent they have proved relatively equitable in the various parts of the tract covered by the proposal.

(7) Other factors which throw light on the economic development of the tract in its relation to land revenue, increase or decrease of population, the extension or contraction of cultivation, the spread of irrigation, the increase or decrease in area under the several crops, tendency to cultivate valuable commercial crops in lieu of food crops, the general character of recent seasons, the extent to which it has been necessary to resort to sale of land for collection of land revenue, the increase or decrease in the export and import trade and the incidence of the population on the land.

(8) General evidence bearing on the increase or decrease in the wealth of the population such as deposit in Co-operative Societies and other similar institutions, the amount of agricultural indebtedness, the role of public sector institutions in affording relief to indebtedness, the number of agricultural stock and the rise in the general standard of living.

(9) To cause the publication of presence of the Settlement Officer in the tract, receive representations, inspect as much as possible of the tract, to enquire the economic condition of a few selected families and to send typical family budgets.

(10) Report on revision of water cess prevailing in the tract.

(11) Submission of a draft notification based on which the resettlement is proposed to be carried out.

242. As a preliminary to resettlement, the registry is brought up-to-date effecting sub-divisions wherever needed, and opportunity is also taken to assign occupied waste lands and unobjectionable cases of occupation in poramboke lands. Particular attention is paid to the condition of the irrigation sources and their classification with a view to taking cognisance of the changes that have occurred since the last settlement or resettlement and have a bearing on the productivity of wet lands and resort to delimitation of ayacuts, if needed. At every resettlement, the notification provides for a review at the expiration of a period of 30 years, though resettlement as a policy has been given up since the year 1937 in an effort to ameliorating the living condition of agriculturists, who form the back bone of our economy, and also to make the incidence of the tax structure broad based so that "the lancet may be directed to such parts where the blood is congested, or at least sufficient, not to those which are already feable from want of it".

243. The Tamil Nadu Government have even gone a step further in waiving collection of Land Revenue on dry lands and the equivalent of the dry assessment on wet lands, upto 5 acres in each holding consistent with the trend of modern thinking of (1) imposing an agricultural income-tax on income beyond certain limit or on holdings above a certain level and (2) the levy of a betterment tax on ayacuts newly developed and (3) the restructuring of the water rate with reference to the cost of maintenance of the sources or the economic value of water supplied as an input for various crops raised with its aid.

In implementation of the last mentioned theory, the Parliament which passed the Tamil Nadu Budget for the year 1976-77 has approved of the Central Governments' proposal to levy additional water rate on lands (both wet and dry) irrigated from I and II class sources at Rs. 12 and Rs. 10 per acre respectively and Presidential enactment in pursuance of the decision has been issued.

CHAPTER VII.

1. LAND REVENUE SYSTEM IN MADRAS CITY.

244. We have already dealt with the various settlements tried by the British Government in the areas that came under their control from time to time. Madras City, however, formed an exception where there was a vast area of assessable lands besides blocks of vacant lands that belonged to the Government. The principle of crop sharing applicable to agricultural lands was not suitable to Madras which predominated with habitations. The prevailing rate of assessment was not known in most cases and there were no details to show whether they were assessed at all. The growth of the city became phenomenal after the company's servants started settling down in the city. In a way, we can say that the British settlers were responsible for the planned growth of the city with its monumental land marks of buildings with flourishing architecture. They encouraged more natives to settle down in Madras to provide them company and services. Native settlers were encouraged by free grant of house sites and those that had to pay an assessment were permitted to pay its capitalised value and enjoy it thereafter in freehold for ever. With the growth of habitations on its fringes, the city limits were extended from time to time. In course of time, the land revenue system in the city became haphazard and needed to be streamlined. In order to regulate the levy of assessment on occupied lands, the Madras City Land Revenue Act (Central Act XII of 1951) was enacted. It may be mentioned here that this Act may be considered, in a way, to be the forerunner for the levy of Land Revenue by legislation. [When it was felt expedient to give a statutory backing to the land revenue system prevalent in other tracts also, it was achieved by section 53 of the Madras Revenue Recovery Act (Madras Act II of 1864) which placed beyond the cognizance of civil courts the rate of Land Revenue payable to Government.] All lands held unassessed at the commencement of the Act came to be assessed at the rates customarily charged upon lands of a similar description in the neighbourhood according as they were situated respectively within or without the presidency town of Madras but within the ordinary original civil jurisdiction of the High Court of Judicature at Madras. Government took powers to ascertain the Land Revenue accruing due to the Government and to collect it in as summary a manner as in other parts of the territories of the State. Lakiraj tenures of land in Madras City held under alleged grants exempt or partially exempt from assessment, and kept in uninterrupted possession for 60 years were held to be valid, while other Lakiraj lands were held invalid unless they were held under an unexpired grant from the British Government. The Act empowered the Collector to measure the lands and determine the amount of assessment to be imposed, including that due on any survey excess. Ground rent or quit-rent payable to the Government under this Act was declared as "revenue" within the meaning of the Act of Parliament "21-Cdo-III-Cap. 70" and was taken outside the purview of civil court.

245. The survey for this purpose was done by the Public Works Department with a 100 feet chain and extents were recorded in cawnies grounds and square feet—2,400 square feet making a ground and 24 grounds making a cawnie. The localities were divided into blocks in this survey and a town survey land register was prepared which forms the basic survey record even to-day. There has been no attempt to re-survey Madras City adopting modern methods and instruments.

246. This Act made a departure from the established custom that the land itself including the buildings thereon will be the security for the Revenue, and shall be liable to be sold for discharge of arrears. It only stated that the claim of Government for Land Revenue had priority over all other claims, though a tenant had the option to pay it to avoid distraint, and deduct it from his dues to the owner. This lacuna was sought to be plugged by the Madras City Land Revenue Amendment Act, 1867 (Madras Act No. VI of 1867) which *inter alia*, provided for the procedure for sale of land also for Land Revenue dues. These proceedings were, however, made liable for revision by the Civil Court.

continuance of the then existing practice of charging an uniform rate of Rs. 10 per acre for all towns and Rs. 20 per acre in towns where sites were specially valuable and pointed out that the sale of sites by auction would ensure that the full value of the site was realised at the sale. The Government of Madras did not accept this proposal, as they considered that auction prices would not be uniform and could not be depended on, since there would be combination in such sales. They, therefore, considered that the greater portion of the full letting value should be realised in the shape of ground rent in towns where there was keen demand for sites and that in small country towns 1/3rd of the letting value might be fixed. After further correspondence, the Government ordered:—

(1) that the ground rent might be fixed on the basis of full letting value for each individual plot;

(2) that the rate should be one or other of a standard scale ranging from Rs. 12.50 to Rs. 500 per acre.

(3) that the ground rent should be fixed as high as possible in each case so as to leave the margin to be covered in the shape of auction price as small as possible; and

(4) That no distinction might be made in fixing the rent as between towns where the ground rent should represent the full letting value and small country towns where 1/3rd of that rent should be prescribed.

256. It was thus that varying rates of ground rent differing from plot to plot came to be levied in the several towns of Madras Province including Madras City. On the basis of these orders, rules for the levy of ground rent in mufasil towns were laid down in B.S.O. 21-12.

At first in Madras City 1/25th of the free hold value was adopted as the ground rent, whatever it was, without reducing it to the nearest lower rate in the standard scale. As this practice resulted in difficulties regarding the collection of value of occupancy right, in the case of private sales, the mufasil practice was adopted in Madras City also and the standard scale of rates was recast in G.O. 2968, Revenue, dated 21st September 1917 to suit the needs of Madras City providing for the highest rate upto Rs. 2,000 per acre. These rules were in force till 1927, when the Government decided in G.O. 436 Revenue, dated 18th March 1927 to effect a change in the levy of ground rent intowns other than Madras City. The rules for the levy of ground rent were revised providing for the charge of an assumed agricultural assessment of Rs. 6-4-0 per acre on town sites. The balance of the full value of the site was left to be collected in a lump sum by way of market value at the time of public auction at site. The ground rent was revisable at the time of resettlement of the ryotwari assessment of the taluk.

257. The question of reducing the prevailing high rates of ground rent was the subject matter of enquiry by Thiru Raghavendra Rao. He was of the view that the reduction of higher rates of ground rent to the level of agricultural assessment would result in the loss of revenue to the Government and that the intention of the Government in ordering ground rent to be limited to Rs. 6-4-0 per acre was that the unearned increment in land values should be left as a source of taxation for the municipalities.

Thiru Raghavendra Rao finally stated:—

“Incidentally I may point out that ground rent as such is charged only in a limited number of cases and that the whole question of taxation of land put to non-agricultural use should be reviewed with the object of making all such lands bear their due share of the tax burden. As this stands at present, ground rents are levied only on Government sites granted to private individuals. Town sites which have been under occupation from a long time are not subject to any taxation at all. Such lands are those which were building sites even before the advent of the British Rule and which therefore continued to enjoy freedom

In Madras City all occupied lands are treated as building sites and permanent non-revisable manai rates called quit-rent rates are levied by Government as per rules framed in G.O. No. 486 (R), dated 19th December 1908. Rule 25-B of the rules prescribes the scale of manai rates for occupied building sites. Building sites are charged at Rupee one per annum for the first ground or fraction thereof and Rs. 0.50 np. per annum for every additional whole ground. The fraction of a ground in excess of the first ground is charged as follows:—

				Per annum	
				Rs.	P.
For $\frac{1}{4}$ ground or less	...	...	...	0	12
For $\frac{1}{2}$ ground or less but exceeding $\frac{1}{4}$ ground	...	...	...	0	25
For $\frac{3}{4}$ ground or less but exceeding $\frac{1}{2}$ ground	...	...	...	0	37
For any fraction exceeding $\frac{3}{4}$ ground	...	...	...	0	50

247. Ground rent is charged on all unoccupied lands assigned for non-agricultural purposes including sites of buildings, irrespective of whether the lands are built upon or not. Though there is provision to review the ground-rent from time to time it has not been resorted to systematically as Madras City has never been subject to settlement or re-settlement.

248. The levy of ground rent in Madras City secured originally as freehold came up for consideration in Ahamed Mohammed Vs. The State of Madras in W.P. 2822/1965. By order, dated 25th July 1972 Justice Ramaprasad Rao held "that the levy of ground rent on lands secured as freehold from the State in the first instance, but later on subjected to revenue such as ground rent, is authorised not only by custom but also under the various enactments such as Act of 1851, Act of 1864 and Act of 1867".

249. The limit of the city was extended from time to time to embrace T. Nagar, Ayyanavaram and Adayar in the year 1927 and more areas were recently added in the year 1947 in the out-skirts encompassing Perambur, Aminjikkarai, Kodambakkam, Puliur, Mambalam, etc. villages. Some of these were ex-estate areas taken over and settled under Act 26/48, while there were 28 minor inams, lying both within as well as outside the limits of the old city, which have been taken over and settled under Act 30/63.

250. Ikkattuthanga la leasehold vilage covering an area of 0.28 square mile has vested in Government under Act 27/63 with effect from 15th February 1965.

251. In the villages coming in the extended area of the city which are held under ryotwari tenure, the prevailing rates of resettlement assessment fixed at the last resettlement of Saidapet Taluk as per G.O. Ms. 2836, Revenue, dated 15th October 1909, continues to be in force, though in respect of non-agricultural lands Urban Land Tax is leviable in lieu from 1st July 1963. In respect of Ex-estate areas and minor inams, as also the leasehold vilage Ikkattuthangal the Settement notification issued in G.O. Ms. No. 1766, Revenue, dated 5th April 1960 and G.O. Ms. No. 568, Revenue, dated 11th March 1967, respectively, provide for levy of non-revisable manai rates approved in sub-rule 25-B of the rules issued in G.O. No. 486, Revenue, dated 19th February 1908, but these rates are also since subordinated to the Urban Land Tax that has become leviable on the lands under the Urban Land Tax Act, 1963.

2. GROUND RENT.

252. It will be useful to recapitulate the varied systems of ground rent prevalent in towns right from the advent of the British Government. So far as Madras Province was concerned, the practice before the year 1895 was to charge a uniform rate of

Rs. 10 per acre in all towns and a rate of Rs. 20 per acre in those towns where sites were exceptionally valuable. In their Proceedings No. 21-223-12, dated 7th October 1895, the Government of India laid down the principles to be followed in levying ground rent on town sites assigned by Government. The salient points of their orders are:

"The objects which the principles of assignment of town sites should secure are threefold, firstly that the grantees in all cases acquire such security of tenure as to afford a sufficient inducement for the investment of capital in building and improvement, secondly that the source of revenue should in no case be fixed, but should be subject to periodical revision; and thirdly that the amount of rent to be taken at each revision should be subject to such limitations as may be necessary to secure the grantee in his property.

"The Government of India left it to local Governments and Administrations to decide whether the sites should be sold, or leased, or granted on permanent occupancy right. But if they were leased, the lease should not ordinarily be for a shorter period than thirty years, and should in all cases provide for renewals up to a minimum period of ninety years, if not in perpetuity.

"Ground rent should in all cases be fixed. It should not ordinarily exceed 33 per cent of the letting value of the site, or be less than the highest rate at which land revenue is assessed on lands in the neighbourhood. It should be subject to revision not less frequently or, if the grant is in perpetuity, at intervals not longer than thirty years; and at each revision the above limitations should apply".

253. The reference to a maximum of 33 per cent of the letting value referred to above gave rise to a misapprehension that it was not the intention of the Government to tax upto the full letting value. This point was raised in letter No. 9354, dated 26th November 1895 of the Bombay Government extracted below:—

"In the case of agricultural land, it is necessary to secure to present proprietors the full fruits of their labour and desirable to leave them some share of the rent, so that they might have an inducement to make the most out of the land, but ground rents, as distinct from the rent of the buildings, are in no way dependent on labour; they are entirely regulated by the demand for the site, and there appears to be no reason why one man should get the site at a lower rate than others are prepared to pay. In the case of building sites there is no reason why the State should be guided by different principles from those which regulate the action of the private landlord".

254. The Government of India removed this misapprehension in their reply letter No. 1504, dated 7th July 1897, agreeing with the view point advanced by the Government of Bombay and stating that it was not their intention that any part of the full value of such lands should be foregone, that in prescribing this maximum they had chiefly in view the ordinary case of land in small country towns for which there was no keen competition and that in towns where the conditions were different and sites were valuable, the restriction of the ground rent to 1/3rd of the full competitive rent was either inapplicable, or if adopted, should be accompanied by provisions requiring an initial payment to be made by the grantee for the remainder of the value.

255. The intention of the Government of India was made clear that it was to realise the full economic ground rent on town sites which were the property of the Government, just like a private owner of the land would do. In spite of this clarification of the principles laid down by the Government of India, the Board of Revenue, Madras in its Proceedings No. 444, dated 22nd December 1897, recommended the

from assessment, as there was no practice of assessing building sites even in towns under the previous administrations. In growing towns, lands at the outskirts have gradually been converted from agricultural to non-agricultural use, chiefly as building sites. Such sites are still paying only the land revenue assessment or favourable assessment such as quit rent if they are inam lands, though their capital value as well as rental value have largely risen. The figures given below will bring out clearly the fact that the extent of such lands paying no revenue or a disproportionately small tax, is considerable:

Moffusil towns.—(a) Extent of sites not paying any assessment—Ac. 35,190-77

(b) Extent of sites paying ground rent—Ac. 6,202,45.

(c) Amount of ground rent collected on extent in item (b)—Rs. 1,03,357.00.

(d) Extent of sites paying the settlement assessment—Ac. 17,551.46.

(e) Amount of assessment collected on extent—Rs. 49,949.00.

City of Madras:---

(a) Extent of lands paying no revenue—Ac. 2,480.10.

(b) Extent of lands paying fixed Q.R.—Ac. 7,810.58.

(c) Amount of quit rent—Rs. 71,037.00.

(d) Extent of lands paying revisable ground rent—Ac. 476.26.

(e) Amount of ground rent—Rs. 78,651.00.

"These figures show that whereas one set of lands is being subjected to very heavy taxation to the extent of full competitive rental, another set of lands escapes taxation altogether simply because they happen to be town sites from a very long time and still another set of lands is levied land revenue assessment, though the consideration on which such assessment was fixed, namely, that the land would be put to agricultural use only, no longer exists. There is no reason why the states should not claim a share in the unearned increment in the value of such lands. In the provinces of Bombay and Central Provinces, there is statutory provision for increasing the assessment, if lands are converted from agricultural to non agricultural use".

The Government agreed with Mr. Raghavendra Rao and, in their memo. 1926/F/37-6, dated 9th February 1938, observed that the result of their above orders was only a surrender of possible public revenue, since the Municipalities had made no use of the field left open to them and there was no intention of developing them in future also, and consequently the unearned increments in land value have accrued only to the private purchasers of Government land that was against the policy enunciated by the Government in 1897 referred to earlier. Further action was however kept in abeyance during the pendency of the war. After the popular Ministry was ushered in on cessation of hostilities, the proposal was revived. In their Memo. No. 1678/F/46-6, dated 14th November 1946, the Government asked the Board of Revenue to report on the desirability of extending the Madras City scales of ground rent to the moffusil towns also (ie.) to revert to the practice that was obtaining prior to 1927. The Board recommended the adoption of the Madras City Ground rent rules to municipalities including class III Municipalities.

258. The report of Thiru Raghavendra Rao was the subject matter of scrutiny later by the Land Revenue Reforms Committee of Madras in 1950. It examined the matter in more detail and its recommendations are extracted below:—

[Extract from the report of the land Revenue Reforms Committee—1950]"

Assessment on Lands put to Non-Agricultural Use.

"Lands put to non-agricultural use, particularly those located in growing cities and towns, or in their vicinity, appreciate in value considerably, and in the absence of any system of taxation which takes note of this feature, the landowners are left with

(1) Report of the Land Revenue Reforms Committee 1950 - Chapter III paras 158-178 (pages 54-58).

on that footing, the initial payment for occupancy right might have been higher, but as against that in most cases, has to be set off the benefit derived by the payment something considerably less than the competitive rental. That is why we have proposed in these cases also a revision straightaway on the lines proposed.

We also consider that the Madras City rules should not be applied to overgrown villages which are classified as towns under the Board's Standing Orders (5,000 population) where building sites are sold subject to payment of ground-rent. In these cases the ground-rent may remain at Rs. 6-4-0 per acre and the existing rules for disposal of sites may remain. But the rates should be periodically revised once in ten years with reference to the general features of development in the locality, and the revision in these cases should not be linked up with the revision of the agricultural assessment.

In our view, no upper limit need be fixed for enhancements of ground-rent at revision in Madras City and in maulani municipalities where the Madras City rules apply. However in places which are not municipalities, but are towns under the Board's Standing Orders (5,000 population), the enhancements at revision should not exceed 50 per cent of the expiring demand. We would like to reiterate here, that, when these exempted or special categories of "towns" are subsequently included in municipal areas, the rules applicable to the municipalities will apply in supersession of the more favourable rules; If assessments in any of these cases should be above Rs. 6-4-0 per acre, those assessments should be continued. In this scheme no exceptions or modifications need be made in the case of inams and other cases of favourable treatment, or in the case of free-holds purchased as for agricultural assessment. The ground in justification of this will be that the immunities were given on the understanding that the land would be used for agriculture, and that these immunities lapsed when the land was converted to other uses. Provision may be made for suspensions and remissions in the following circumstances:—

- (1) When the buildings, etc. are affected by fire, floods, storm, etc., and become unsuitable for short periods and where they are not covered by building insurance;
- (2) When the buildings remain vacant owing to plague or other epidemics; and
- (3) When construction is prohibited for security reasons or under town-planning schemes.

The justification for these concessions is obvious.

No special concessions need be shown in the case of bungalows with large compounds.

The various proposals made above about ground-rent will not apply to lands in estates which remain governed by the Estates Land Act and which are not subject to the ground-rent rules now.

Special staff will be necessary for giving effect to the proposals by way of extra staff in each district to be put on special duty. For the sake of expedition, the required staff should be employed simultaneously in all districts."

3. Tamil Nadu Urban Land Tax Act 1963.

259. A review of the past revenue history prior to the year, 1963 as outlined by the Land Revenue Reforms Committee showed that most of the urban lands in the city of Madras were paying quit rent, ground rent, jodi and assessment while in the municipal and panchayat towns outside Madras City, agricultural lands converted into house-sites or put to other non-agricultural use were levied the appropriate assessment only. In 1963, to secure to the State a return commensurate with the pronounced increase in the land value in respect of Urban Lands put to non-agricultural uses, the Government enacted the Tamil Nadu Urban Land Tax Act, 1963. This Act was

the unearned increment in values, which are entirely attributable to the expenditure incurred from out of public revenues, whether it be from the State exchequer or the local funds, for the provision of necessary amenities and facilities as a result of which alone such unearned increment becomes possible. The existing arrangement of absorbing this unearned increment is confined almost entirely to recent cases of assignments of house-sites in the Madras City and in a few mufasil municipalities; and this is sought to be effected by the levy, in the first instance, of the economic rental as ground rent, this ground rent remaining in force for a period of ten years, the original order of assignment or allotment reserving the right to Government to revise the ground rent in the eleventh year after assignment in the City, and thereafter periodically every ten years.

The ground rent is the revenue charge levied on lands in towns which are not privately owned natham sites or old ryotwari holdings paying dry or wet rates of assessments. Two principles are in operation in respect of ground rent.

(1) Madras City where the rent is fixed at a figure slightly below the estimated competitive annual rental value, and the occupancy right is sold in auction; and

(2) in mufasil towns where there are—

(a) ground-rents of the Madras type, and also

(b) ground rents at a flat rate of Rs. 6-4-0 or Rs. 12-8-0 or a similar figure per acre—these sums being considered equivalent to the assumed agricultural assessment.

These rates are now revisable on different principles in the Madras City and elsewhere. In the city the rate on each site is re-examined once in ten years and compared with the prevailing competitive rent, and raised or lowered according to the movement of the latter. Elsewhere, the assumed agricultural assessment is revised at resettlements in the ratio of the rise or fall in agricultural prices.

The essential distinction between the Madras City rules and the rules applied elsewhere is that under the former the aim is to get nearly the full competitive rent as a recurring payment, the initial payment for the occupancy right (sold in auction generally) being, on that account, comparatively lower, while under the latter the annual payment as ground rent is kept at a very much lower level, the initial payment for the occupancy right (generally sold in auction too) being on that account, comparatively higher.

There was a thorough examination of this question in 1940, when it was suggested that ground-rents in all really urban areas outside the Madras City should be fixed and revised on Madras City principles, that they should be divorced from any connection with agricultural assessment or prices and instead of aiming at taking nearly the whole-estimated competitive rental value, as in the Madras City, the ground rent should not exceed half such rental value. The idea was that the remaining half should still be left as margin for taxation by the municipalities. (It was also implicit in the proposals made in 1940 that the practice then existing in the Madras City, and still continuing should be modified). It was also suggested that the extension of the Madras City principles should be confined to mufasil towns of a really urban character, and in the case of areas which are not municipalities, but are "towns" under the Board's standing Orders (5,000 population), where building sites are sold subject to payment of ground rent the existing practice of levying Rs. 6-4-0 per acre is in agreement with these principles generally.

The question also was raised if discontinuance of the land revenue resettlements involved the discontinuance of the ground rent resettlements. The conclusion was that the abandonment of the land revenue resettlements would not involve the discontinuance of the ground rent resettlements and that it was competent for the Government to change the method of resettlements of ground rent in mufasil towns of a really urban character in suitable manner.

These proposals were not pursued beyond the stage of examination as the first congress Ministry soon went out of office. They were revived in 1946, when the Board of Revenue examined the question and recommended the application of the Madras City rules to all mufasil municipal towns including class III municipalities and also made certain consequential recommendations. The papers were in due course referred to Sri N. Raghavendra Rao, and his report was taken into consideration.

There are cases where sites were occupied free, because they were part of the old village natham, and later on they were included in municipalities. He considered that the continuance of this favourable treatment was no longer justifiable in such cases. There were also cases where house-sites have been disposed of on more favourable terms as house-sites, and in other cases on favourable terms as to quit rent. In these two cases also he considered the continuance of favourable treatment was no longer justifiable. In effect, therefore, he recommended that in all the three categories referred to above i.e. the Madras City, the mufasil municipalities and other areas classed as "towns" for the levy of ground-rent, lands held on favourable terms as house site, for example, old natham, completely free of assessment, and other cases of favourable terms as to quit-rent, may now be charged the full ground-rent under these rules.

In the case of revision of ground rent in localities inhabited by poorer classes, special attention should be directed to the provisions in the rules which lay down that valuation should be made with reference to similar lands in the locality, and that ground-rents may be lowered in the case of such localities.

As indicated above, he considered the opportunity now provided should be availed of to abolish free-holds as a tenure in this State. In the case of free-holds created on collection of a lump-sum payment of ground-rent fixed as for a building site, if, on a legal examination of the case, it is found no compensation is payable for levying full ground-rent then, there need be no distinction and full ground-rent may be levied; if, however, compensation is payable, such compensation may be paid and full ground-rent levied, as it would still be worthwhile.

In villages "natham" may be occupied free so long as the site is used as house-site only.

We considered that there is no justification to allow lands which were originally agricultural lands but have been converted to non-agricultural use, to pay only the original agricultural assessment. We recommend, therefore, that in Madras and in the mufasil municipalities and in other places classed as "towns" under the Board's Standing Orders, all cases of conversion of agricultural land to non-agricultural use, existing cases as well as future cases, may also be brought under the appropriate ground rent rules proposed above, both for initial fixation now and for revision hereafter. In villages this may be applied to non-residential buildings, with exemptions in favour of buildings ancillary to agricultural operations, and the ground rent may be fixed at Rs. 6-4-0 per acre, liable to revision only in proportion to variations in the standard assessments. We recommend that the existing rules for the levy and revision of ground-rents in the Madras City may continue, including the provision for periodical revision and reassessment once in ten years. These rules embody the salutary idea that the State should get the benefit of the full competitive rental on the lands from time to time.

We also recommend, for the same reason, that the same rules (including revision periodically in ten years) may now be extended to all mufasil municipalities, and a revision may also be made there now applying these rules, but providing for absorption only of 50 per cent of the competitive rental value. This means that the existing adhoc rates of Rs. 6-4-0 and Rs. 12-8-0, etc., prevalent in these areas should be abolished, and they should all be assessed on the same uniform principle. We consider that when assignments have been made on favourable terms, the power to grant favourable terms carries with it the power to cancel or modify these terms also. Where a flat rate of ground rent had been stipulated and occupancy right conferred

brought into force in the city of Madras from 1st July 1963 with provision for extension to other towns on notification. Under this Act Urban Land Tax was leviable at the rate of 0-04 per centum of the market value of each urban land from that date in lieu of the assessment, quit rent or ground rent then prevailing. Sites having residential buildings solely occupied by the owners were taxed 25 per cent less. Sites used by religious charitable or educational institutions and wet lands grown with wet crops were exempt from urban land tax. The market value was defined in Section 6 of the Act as the price which such urban land would fetch if sold in the open market on the date of commencement of the Act. Inam lands and freehold lands were also subject to this Tax. There was also provision to revise the tax after a 10 years' time.

260. This Act was challenged in the High Court and it was struck down in 1966 as violative of Article 14 of the Constitution. The Government later promulgated an ordinance in May 1966 to keep the provisions of the Act in force and it was replaced later by the Tamil Nadu Urban Land Tax Act, 1966, which came into force in the City of Madras with retrospective effect from 1st July 1963. When the work of assessment was in progress under the Act, section 6 of the Act was struck down on 10th April 1968 by the High Court in a batch of writ petitions filed on the ground that the provision was violative of Articles 19 (i) and 14 of the Constitution. On appeal by the State to the Supreme Court, the Supreme Court upheld the validity of section 6 and in pursuance thereof the Government revived in July, 1969 the work relating to the assessment and collection of urban land tax under the Act for the period from 1st July 1963. In 1971, the principal Act was amended by the Amendment Act 30 of 1971 by introducing a graded system of levy of tax on urban lands exceeding one ground. With a view to give relief to the small urban landholders, the Government exempted holdings of land measuring one ground and below from the levy of tax, which changes took effect from 1st July 1971 (fasli 1381).

261. The Tamil Nadu Urban Land Tax Act, 1966 as amended in 1971 was also extended to the Municipal towns of Madurai, Salem, Coimbatore and Tiruchirappalli with effect from 10th November 1971. The Urban Landholders in these four urban areas become liable for assessment under the Act from fasli 1381 (1971-72) at the prevailing market rates.

By the Tamil Nadu Urban Land Tax (Amendment) Act, 1973 (Act 19 of 1973) the following concessions were given to urban landholders:

1. The exemption limit was raised from one ground to two grounds;
2. In the case of persons owning more than two grounds, urban land tax was to be levied only on the extent in excess of 2 grounds at the appropriate rate instead of on the entire extent owned as hitherto.
3. The rebate of tax allowed under section 26 (1) of the Act on lands with buildings occupied by the owner solely for residential purposes was increased from 25 per cent to 50 per cent.
4. The benefit of exemption granted under section 29 (k) was extended to all lands owned by religious, philanthropic or charitable institutions notified by Government instead of only those lands used by such institutions as under the earlier provisions.

262. This amended Act came into force with effect from 1st July 1972. In G.O. Ms. No. 3526, Revenue, dated 15th June 1973, the following classes of urban lands were given exemption from the levy of urban Land Tax with effect from 1st July 1972.

(1) Lands which are registered as wet and which were under cultivation of dry crop for five fasli years prior to the date of coming into force of the Act in the City of

(1) Buckingham and Curtnatic co. Ltd. [vs] the state of Madras 1966 2 MLJ 172
(2) 1970 (1) MLJ 55

Madras, City of Madurai and the Municipal towns of Coimbatore, Salem and Tiruchirappalli and which continue to be under cultivation as per revenue accounts:

(2) Lands which are registered as dry and which were under cultivation of wet or dry crops for five faslis prior to the date of coming into force of the Act in the City of Madras, City of Madurai and the Municipal towns of Coimbatore, Salem and Tiruchirappalli and continue to be under cultivation as per revenue accounts.

263. The levy of Urban Land Tax has since been extended to the belt areas within 16 k.m. of the City of Madras by an Ordinance with effect from 1st July 1975 and replaced by an Act of Legislature. It was also extended by notification to the belt area of Madurai town. The basis of the Tax structure has also been altered, making distinction between residential and non-residential use and different exemption limits for the cities and their belt areas.

On representation received by the advisory regime, that the incidence of this tax has tended to be expressive, several concession have been announced on 24th December 1976 virtually scrapping the innovation made on 1st July 1975 besides offering more benefits to owner of urban lands.

4. THE MADRAS INAMS (ASSESSMENT) Act, 1956—ACT LX OF 1956.

264. The Tamil Nadu Estates (Abolition and Conversion into Ryotwari), Act, 1948—Act XXVI of 1948, abolished all the zamin estates and the melwaram Inam estates preliminary to the introduction of ryotwari settlement. It left over quite many minor inams and other whole inams (Iruvaram inam estates), etc., awaiting further legislation. In order to augment the State's revenue, the Government decided that, pending legislation for the abolition of these tenures, they should be subjected to full assessment. Accordingly they brought this legislation for the levy of full assessment on inam lands in the State of Tamil Nadu.

265. The *raison-de-etre* for levy of full assessment on inam lands was that it was the prerogative of the State to take a portion of the produce of the land as its revenue, its waiver was only in the pleasure of the Government, and such act of waiver of the whole of the land revenue or any portion thereof as an act of State did not confer any immunity on the Inamdar from paying assessment on the inam land when the State chose to resort to its levy. By the imposition of assessment only, the character of the Inam did not get changed and the Inamdar was entitled to enjoy other privileges, if any, pertaining to the Inam grant.

266. The Act defines "Inam" as inam land and as including assignment of land revenue on inam lands. Inam land is defined as meaning any land the grant of which in inam has been made, confirmed or recognised by the Government and including any inam constituting an estate under the Madras Estate Land Act, 1908. Assessment is not leviable on Inam lands comprising of (1) any estate to which the provision of the Madras Estates (Abolition and Conversion into Ryotwari) Act, 1948, apply or applied. (2) any ryoti lands, that is to say, any cultivable land in an estate held by a person other than the Landholder and (3) any land granted by a Land holder on service tenure either free of rent or on favourable rates of rent if granted before the passing of the estate Land Act or free of rent if granted after that date, so long as the service tenure subsists, and (4) communal lands, waste lands and forests, etc., as set out in clauses (iv), (v) and (vi) of Section 2 (d) of the Act. In the cases of inams granted on service tenure, which is proved to consist of an assignment of land revenue only, no assessment shall be leviable, but the inamdar shall be liable to pay the quit rent, jodi, Kattubadi or other amounts of a like nature, if any, which he had been paying before the commencement of the Act.

267. Section 3 (1) of the Act provided for the levy of full assessment on other inam lands in a ryotwari village at the rate of assessment set out in the settlement notification for lands of a similar description and with similar advantages in the same village, and if there are no such lands, in the nearest ryotwari village where similar lands exist. On any other inam land, it is made lawful for the State Government to levy full assessment at the rate of assessment set out in the settlement notification for

the lands of similar description and with similar advantages in the nearest ryotwari village where conditions are generally similar to those obtaining in the village in which the inam land is situated. In the case of whole inam villages which became estates under the 1936 Amendment of the Estates Land Act, the levy of full assessment is in addition to any quit-rent, jodi, etc., payable to the State by the landholder. In the case of other inams, i.e., more inams, the proportionate quit rent, jodi, etc., will be deducted from the full assessment contemplated under the Act.

268. The Constitutional validity of this Act was challenged in the Madras High Court in *Vedanarayanawami Devasthanam (vs) the State of Madras* (reported in ILR-1964 I Madras 212). It was contended on behalf of the State that the grantee of inam, whether it be of melwaram or both warams, is the owner of the land, and that an inam was a grant of the land, and the imposition of assessment a tax. The inamdar contended that the State had no ownership of the soil of the land, its only right being to receive Rajabhogam from the occupier, that is, the owner of Kudiwaram. On a consideration of the case law and a review of the history of inams, it was observed by the learned Chief Justice:—

It follows that an inam by Sovereign authority need not necessarily consist merely of a transfer of its right of revenue but it may also include the grant of the soil, the extent of the grant depending in each case on the construction of the terms thereof."

269. Adverting to the incidence of Assessment under the Inam Assessment Act, the High Court observed:

- (1) "Where the grant is the entire village, whether such grant is of the melwaram alone or of the melwaram and Kudiwaram, in such case the inamdar will, in addition to his right to collect the melwaram from the ryots, be the owner of all uncultivated lands and waste lands comprised within the ambit of the grant. The levy of ryotwari assessment while it may diminish his net income from the estate, might not affect his ownership of the uncultivated areas in the village or of mines, etc., if included in the grant.
- (2) Where the grant is of both the warams in part of a village, the provisions of the Madras Estates Land Act would not apply in such a case, but the right of the inamdar to collect rents from his tenants will be subject to the tenancy legislations existing for the time being, like the Cultivating Tenants Protection Act—Act XXIV of 1956. It may be that in such a case the imposition of ryotwari assessment does not take away all the income that the minor inamdar might get from the tenants, but there can be no doubt that a substantial portion of the income must be lost to him by reason of the imposition of the assessment under the impugned legislation.
- (3) "Where the grant consists of land revenue alone over a part of a village, what the grantee obtains is nothing more than his assignor's right to collect the assessment; in such a case the incidence of the tax will practically take away all or most of what the inamdar gets from his ryots."

The imperative requirements of an inam grant, as such, viz., to classify the inam as liable to assessment or not, was affirmed in the said decision while upholding the constitutional validity of the Act. The inam assessment which fell in arrears during the pendency of the writ proceedings was ordered to be collected in instalments (i.e.) $\frac{1}{4}$ at a time with the current dues.

270. Subsequently while challenging the Constitutional validity of the Tamil Nadu Inams Estates (Abolition and Conversion into Ryotwari) Act, 1963 and the Minor Inams (Abolition and Conversion into Ryotwari) Act, 1963 in the High Court, the inamdars-writ petitioners contended that the levy of full assessment on the lands covered by the above legislations had already taken away the inam character and there was nothing to abolish under the above Acts. In upholding the vires of the above Acts in *Subbachariar (vs) the State of Madras* reported in 1967-I-MLJ-206, the Division Bench of the High Court held:—

"If the grant is of both the melwaram and Kudiwaram then though the effect of the Inam assessment Act may be substantially to affect the grantee's income, it cannot be said that there is an extinguishment or taking away all that has been granted. There will still be some part of favour left in the Kudiwaram. Equally even if the grant be of the melwaram alone in a village whether it be of a whole village or a part village inam estate, it cannot be said at least as a general proposition that the grantee gets nothing more than his assignor's right to collect assessment. The miscellaneous sources of income either in whole or in shares or a fraction will be there, the possibility of having extended cultivation is there and the vestige of the inam will still be left after full assessment."

271. The Inam Assessment Act, has, however, abated due to implementation of the Inams Abolition Act and Minor Inams Abolition Act. Inam Assessment is collectable only in the case of Inams which are yet to be taken over under the respective Abolition Acts due to stay orders of Courts.

CHAPTER VIII.

LAND SURVEYING IN TAMIL NADU.

272. Land Survey is a sine-qua-non to Settlement. Fixation of assessment and the determination of ownership of land have to be preceded by the location of land boundaries, fixation of durable survey marks and measurement. The existence of survey can be traced in Tamil Nadu even to the earliest Dravidian period. There is a reference to this effect by Rev. Dr. CALDWELL, a high authority on Dravidian customs and manners, who says:—

.....“This Municipal Organisation (village system) of the Dravidians is so ancient and fairly established that it may be regarded as the most permanent institution in India. Dynasties have arisen and fallen; religious sects and schools of philosophy have flourished and disappeared, but the village municipality retains its place undisturbed. One race of conquerors after another has swept over the country, but as soon as the wave has passed, the municipality again emerges into view, every man returns to claim his rights, and old land marks are restored.....”.

273. In his book on Land Tenures in Madras Presidency—Thiru S. Sundararaja Iyengar has referred to the “Survey in Chola’s time” which is extracted below:—

“The Hindu Kings were not unmindful of the advantages derived from a survey and measurement of lands. The Tanjore inscriptions of the time of Raja Raja Chola I (985–1014 A.D.) bear ample testimony to the accuracy and minuteness of these operations, and we find that lands measuring as small in extent as 1/52428800000 of a veli, were measured in arriving at the revenue (A veli is the equivalent of 6.66 acres).

This survey appears to have been conducted about 100 A.D. (i.e.) in the 17th regnal year of the king; and the officer who took an active part in these survey operations was the great general; Senapathi “Kuruvan Ulagalandan alias Raja Raja Maharajan” whose title Ulagalandan (i.e.), “One who measured the earth” was conferred in recognition of his service in connection with the survey operation.....”

274. Kulothunga Chola I (1070 to 1118 A.D.) and Vikrama Chola (1118 to 1133 A.D.) also continued the survey operations as evidenced by epigraphic inscriptions in Chola temples.

275. From the evidence so far available it is seen that the earliest available record of a cadastral survey in the whole of India, is that of the celebrated survey of Raja Raja I. It must not be taken, however, that this survey (recorded in the year 1002 A.D. and extracted above) was the earliest survey since even during the earlier days of Dravidian rule (i.e.) even as early as the days when the villages were originally constituted, the system of fixing land marks and boundaries existed and the land marks were restored whenever tampered with during local uprisings, inter village quarrels or native wars as evidenced from the history of dravidians referred to by Rev. Dr. Caldwell. This coupled with the perfection of minute details in the Survey concluded during the reign of Raja Raja I in 1002 A.D. points to the probability that landsurveys should have existed even earlier to that period (985–1014 A.D.) Silappathikaram refers to the unit of a standard measuring rod of “24 thumb lengths of an average man” which was in use for measurements.

276. It is on record as propounded by the great epigraphists who deciphered the inscriptions in Chola temples, that the age of the Cholas was the most creative period in South Indian History and that Cholas were great administrators. As land revenue was the major source of revenue during their times, they paid great attention to the recording of land rights based on proper and accurate demarcation of the limits of holdings

1 Chapter V.—“Survey in Cholas time” Land Tenures in Madras Presidency by Thiru Sundararaja Iyengar.
2 Inscription of Raja Raja the great (985–1014 A.D.) North wall upper tier —Central hall of temple of Thanjavur.

for making assessment of land revenue. Such a survey had also helped, besides securing an authentic record of holdings, in the proper alignment and execution of developmental and beneficial schemes of irrigation. The accuracy of measurement, stupefying as it is to us, had not, however, been very convincing to these rulers. An inscription of Raja Raja I, dated in the 19th year of his reign at Thiruchengattangudi in Thanjavur district refers to the measurement of land conducted in his 17th regnal year (1002 A.D.) The terms “Mikuthikkurai Vulladanga (மிகுதிக்குரை வுலாடங்கு) which occurs in this and some other inscriptions of the same period about land transactions disclose the anxiety of the then rulers to adopt this saving clause to clear doubts about small errors in measuring which might have crept into the registers maintained by village authorities. Another inscription of Nallur in Thanjavur refers to the excess in measurement noticed in the survey. There is however no indication that any maps of the villages or individual fields were prepared at these surveys. The paimash and karaiedu accounts available to us do not indicate the existence of any survey maps, till the British Rule.

277. The further inference possible from those records of ancient survey is that the lands after survey were classified as arable and non-taxable lands. Cultivable land was assessed based on the fertility of the soil and sources of irrigation, etc. Non-arable lands comprised almost the lands set apart for communal use or house sites for village servants. The lands subjected to vicissitudes of nature were excluded from assessment, so also manyams set apart for village service, temple, etc. The total assessable area was reckoned after exclusion of all these categories.

278. The commencement of scientific detailed and regular land survey in Madras and cartography based thereon, can be traced to the year 1853 A.D. Registration and measurement of land and its mapping had been undertaken as a preliminary in tracts wherever ryotwari settlement was taken up. The then IIIrd Member of the Board of Revenue, Sir Elliot conducted a test survey in two taluks of Guntur District in 1845. But no accurate method of measurement nor a precise basis of classification was used and no maps were prepared.

An experimental revenue survey of South Arcot District was conducted in 1853 by Captain Priestly on his own initiative. Each holding was surveyed under the triangulation method and numbered. On the basis of the experience gained in this survey, the nucleus of a professional survey agency was created by Captain Priestly. The Board of Revenue wanted to limit the survey to revenue purposes, but the Government of India wanted also to combine the Survey with the Great Trigonometrical Survey of India so as to enlist all topographical features also in the survey and bring them out in maps as well. In their proceedings, dated 16th October 1856, the Government of India approved the proposals, indicating the enormous cost involved in the whole operation. The Court of Directors approved the Madras scheme and Captain Priestly was appointed as the first Superintendent of Survey in 1858. He commenced the work with a miniature establishment. In 1860 statutory sanction was given to the survey operation. In 1870 the work had progressed so well that Mashham described the Madras Revenue Survey as one in which “the Survey and Revenue Officers work together and which is conducted on correct principles in every detail, in the field measurement as well as village boundaries with a complete series of tests..... The Madras Revenue Survey System alone answers this description, and must consequently be considered as the best.....”

279. The Madras Survey and Boundaries Act, 1860 (Act XXVIII of 1860) contemplated a rough and ready settlement of boundary disputes, without outlining any definite method of procedure, but it had in view the need to expedite the conduct of survey operations and maintenance of boundary marks. The Government bore the cost of survey stones and of all boundary marks in unoccupied ryotwari lands, while the owners of the lands bore the cost of survey marks defining the boundaries of occupied fields or holdings.

280. Act II of 1884 was enacted amplifying the provisions of the said Act regarding the obligation of land owners in the maintenance of survey marks and enabling a boundary settlement officer to summon and enforce the attendance of witnesses and production of records for giving a decision. For the better maintenance of boundaries after survey, the owner of a holding was made responsible for the security

PATR III

LEGISLATIVE MEASURES TAKEN IN THE POST-INDEPENDENCE ERA

of boundary marks and the Act provided for the recovery of the cost of survey marks on renewal, from the owner.

281. The enactment of Act IV of 1897 was the next important legislation in the history of survey which, besides consolidating the existing laws referred to above, enabled the Government to conduct the survey of "Estates" on application and at the cost of proprietors of the estates under similar conditions and enforce maintenance as prescribed for ryotwari villages. Subsequently, this Act was repealed by Act VIII of 1923, (The Madras Survey and Boundaries Act, 1923) which is now in force. This is a self contained code prescribing various statutory procedures in implementing the survey. The more important amendment provides that the record of the survey shall be conclusive proof that the boundaries determined and recorded have been correctly determined and recorded unless the survey had been modified by a decree of a Civil Court within three years of its completion. Time and test have shown that this Act has met adequately our requirements regarding survey of land and its mapping besides settlement of boundary disputes.

282. Periodic resettlement at intervals of 30 years was meant for updating of revenue records. With the abandonment of resurvey and resettlements as a matter of policy since the year 1937, resurvey work fell in arrears. The Survey and Land Records Department was resurrected from 1949 when it undertook the gigantic task of surveying and mapping of an area of 15,000 sq. miles under the various land reforms Acts, abolishing the intermediaries. This has contributed an addition of nearly 1/3rd of the area of the State for permanent maintenance of Revenue Records and Registration. The new Weights and Measures Act, which prescribes metric measures for linear as well as volumetric measurements, having come into force, it has involved a change in policy for resurveys. Wherever the survey records are far out of date, due to changes in field shape as in the project-affected tracts, or due to numerous changes in holdings, a resurvey under the metric system is taken up. Where, however, the records are fairly good, as in the ex-estate areas where survey has just concluded, conversion into metric measures is done as a table process adopting the metric equivalents and extents recorded.

The existence of joint pattas has been the snare of the cultivators. It is not only a handicap to them to get loans, but is not also conducive to the efficient implementation of land reform measures. A scheme has, therefore, been launched to eliminate joint holdings by separately subdividing such joint holdings where there is separate enjoyment on ground. This scheme has met with redounding success in Thanjavur, Tiruchirappalli and Chingleput districts where it was first implemented and it has been extended to other districts, except Madras, Kanyakumari and the Nilgiris.

SURVEY OF ESTATES (RECRUITMENT OF STAFF).

283. Simultaneously with the notification of the estates, arrangements were made to commence survey in the estates. The estate area accounted for nearly two fifth of the total area of the composite Madras State and predominated in distinct tracts. After the abandonment of resurvey and resettlement in the year 1937 as a matter of policy the survey department consisted of a few survey personnel working under Range Officers who were chiefly concerned with maintenance work only. Normal maintenance work including renewal of field stones was done by the karnams under the supervision of the Firka Revenue Inspector controlled by an Inspecting Tahsildar at the district level. Technical staff of the Survey Department attended to Town survey and street survey of Panchayats and verification and renewal of theodolite stones on village boundaries. This pattern of maintenance work changed in the year 1943 when the Taluk Deputy Surveyor was made responsible for it under the supervision of the District Surveyor. The estate areas did not come up for maintenance work, as the estates were mostly unsurveyed and wherever an estate had been surveyed at the cost of the landholder, except in areas affected by projects, its maintenance did not devolve on the Survey Department. Survey work in the taken over estates was enormous. Even in respect of surveyed villages, the records had to be updated after assessing the suitability of the records for maintenance work. To satisfy the provisions of Section 21 of the Estates Abolition Act, it was first decided in respect of each village whether it involved initial survey, resurvey or a supplemental survey according to the condition of the existing records. Wherever possible, the villages were grouped to form compact areas of about 2,000 acres in wet tracts and 3,000 acres in dry tracts for the efficient

handling of Revenue and maintenance work. The identity of all composite units was, however, preserved so as to facilitate the process of settlement.

284. Five survey parties with headquarters at Nellore, Chittoor, Salem, Madurai and Sivaganga were constituted in the year 1949 to attend exclusively to survey work in estate villages. Fresh detachments were attached to the Range Officers also to enable them to attend to survey in some select estate areas, besides their normal maintenance work. With the nucleus of the experienced staff available in the Department, fresh staff were recruited and trained. A party normally consisted of 400 surveyors with a suitable complement of supervisory staff working under the officer in-charge assisted by an additional officer. As it was then thought that the special survey staff would have no scope for absorption in the department on conclusion of estate survey, their tenure of appointment was treated as purely temporary and they were brought under the provisions of the Madras Survey and Land Records (Temporary) Service Rules. These parties were to supply survey records to the Settlement Parties according to a time bound programme and render all assistance to the settlement parties to complete settlement work. When the partition of the Andhra State was effected in the year 1953, the strength of Survey parties in the residuary State was increased to 5, so as to accelerate survey work. Adequate number of draftsmen had been recruited to attend to the office process of survey records.

The Joint Director of Survey controls the survey operation in the State under the general supervision of the Director of Survey and Settlements and the Board of Revenue (Settlement of Estates).

285. During the quarter of the century since the organisation of the Survey Parties, there has been more and more demand for the services of the surveyors for maintenance as well as other special items of work. Every firka is now having a field surveyor under an Assistant Director in-charge of each district with adequate number of officers in the intermediate levels. Special surveyors are deployed on project works such as Urban Land Tax, Irrigation Schemes and Highways Road Works. The reduction of estate survey work has enabled the release of the man-power needed for these special items and thus the initial fear that these temporary but experienced survey staff with about quarter of a century of experience may have to be thrown out of employment has been eventually allayed. The service rules relating to the Department have been suitably modified so as to enable the permanent absorption of these survey personnel recruited initially on a temporary basis for estate survey work. Fresh recruitment of staff in the survey department was banned for a time, but that ban has also since been removed. Even the ministerial staff, recruited otherwise than through the Tamil Nadu Public Service Commission, has been ordered to be absorbed in the department, relaxing the qualifications, to the extent necessary.

286. As resurvey work had been given up nearly 40 years ago, the village records in ryotwari areas have become far out of date, not to speak of the condition of the records in the areas in which resurvey was due in the year 1937 and later years. Introduction of projects and other development work, large scale assignment of waste lands and urbanisation, and the fragmentation of holdings which is going on incessantly, have contributed to vast changes in the state on ground. It was felt that elimination of joint holdings by resorting to intensive survey at a nominal cost would be welcomed by ryots and that would also help to maintain revenue registry up-to-date, while the cost involved can be collected from the ryots equitably. This scheme was introduced as a pilot project in Thanjavur and Chingleput districts in the year 1964 where it met with warm response and it is being extended to other areas in a phased manner. In this scheme, the survey frame work is retained and only fresh sub-divisions are effected to eliminate joint holdings.

287. Resurvey is also undertaken in a limited way in other areas wherever it is found essential, because either the records have become too bad to handle or the system of survey adopted is not in conformity with the modern theories. The changes needed for implementing the metric system enforceable under the Weights and Measures Act are implemented either as a table process or after actual field work, as circumstances warrant. All these processes keep the staff in the Survey Department quite busy and the work on hand is staggered limiting it to the capacity of the existing staff, which itself has grown into a vast army over the years.

CHAPTER I.

GENESIS OF THE LEGISLATION TO REDUCE RENTS IN ESTATES.

1. It is paradoxical that legislation on estate land culminating from the Permanent Settlement Regulation 1802 and progressing over a period of a century till the enactment of the Madras Estates Land Act 1908 was not effective enough in pegging down the rent in estate villages at the level at which it prevailed in the year 1802 and on the basis of which the peshcush was supposed to have been permanently fixed. The legislations referred to are the Regulations IV and V of 1822 and the Rent Recovery Act of 1865. If the spirit of these legislations had been effectively followed, there would have been no occasion to complain that by and large, the rates of rent prevailing in estates were higher than the ryotwari rates of assessment fixed and revised from time to time at every settlement, or resettlement, keeping up with the trend of market prices of agricultural commodities. The mechanism of these legislations was grossly defective in that it failed to ensure fixity of rents as related to the peshcush determined on an estate and the profits arising from enhanced rents went to the middleman, viz, the zamindar without any share of it going to the Government.

By Regulation XXXII of 1802 power had been given to the civil courts and not to the Collectors to decide all claims of the cultivator for damages, penalties and costs summarily and also the disputes relating to arrears of rent and rates of assessment and thus give him immediate relief. While drafting the Regulations IV and V of 1822, it was proposed that this power should be given to the Collectors to refer all cases of disputes to the panchayats for decision and speedy disposal, but in the final regulations, reference to the panchayats was dropped in both and Collectors were vested with powers to decide all such issues. Notwithstanding the passing of these Regulations the zamindars attempted, at every turn, to assert their right to enhance the rents and also to eject the cultivator. Their struggle went on for a long time until at last, the matter came up for decision in or about 1863 before a Zilla Judge who refused to recognise the theories of right of occupancy of the cultivator and the permanent settlement of the rates of rent basing his decision on the provisions of Regulation IV of 1822. It was at a time when the Council of the Governor of Madras had decided to introduce a Bill "To consolidate and improve the laws which define the process to be taken in the recovery of rent". The first Select Committee appointed for this purpose had reported that "Zamindars and similar proprietors occupy in a great degree the position of farmers and assignees of the public revenue." The Civil Judge mentioned above, having decided that the cultivators had no better rights than had been assigned to their Bengal brothers as per the judgment given in a Calcutta case viz., Issa Ghosh v. Hills 2-C.W.N. 683, the Board of Revenue was requested to give its considered opinion and move the Council to reconsider the Bill. The Board of Revenue took up the question and sent a report to the Government. The status of the Indian cultivator was examined by the Board of Revenue from the time of Manu down to the period of Permanent Settlement of land tax and it came to the conclusion that the cultivator of Madras was not a tenant in the English sense, nor was the zamindar a landlord as had been wrongly decided by the Civil Judge. On this, the second Select Committee in their report stated as follows:—

"The Committee holds that without going so far as to hold that the zamindars are only farmers of revenue or assignees of the public revenue and not proprietors of their estate, they unanimously concur with the Board that the Regulations of 1802 were intended to protect the right of occupancy to the land by fixing a maximum rent demandable from them and forbidding their ejectment so long as that revenue was paid. The Committee further adds that Regulations IV and V of 1822 were passed for giving increased protection to such occupants of land in consequence of the passing of Regulations of 1802 which spoke of a 'proprietary right' being conferred on the zamindars which term had led to doubts and misapprehension".

The Committee therefore recommended that the Bill should be amplified to show in more detail the course which should be pursued, when disputes regarding rates of rent had to be settled. The Committee laid down three main principles in this regard—

- (1) That the ryots who hold land statutorily or by custom of the country at a fixed or established rate were to be protected in their occupancy.

(2) That a division of crop between the landholder and the tenant formed the ancient basis of rent and that the local rate of this division is to be referred to in case of dispute, when other means of settling them to the satisfaction of both parties prove unsuccessful.

(3) That landholders may arrange their own terms of rent in the case of unoccupied lands.

Up to this stage, the Government had no intention of treating the rent paid by the cultivator to the zamindar in any way different from the revenue of peshkush, which the zamindar had to pay to the Government. Section I of the Bill which dealt with the meaning of the term 'Land holders' laid down the definition, dividing the landholders into two classes, the first and second, thus bringing the holders of land in proprietary as well as ryotwari villages under a single legislation.

First Class.—All persons holding under a Sanadi-Milkiat-Istimirar, all other zamindars, shrotriyamdars, jaghirdars, inamdars and all persons farming the land revenue under Government.

Second Class.—All holders of land under ryotwari settlements or otherwise subject to a gross collection on the part of the Government or other actual holders of land, either in proprietary right or in mortgage from a proprietor.

These two classes of landholders, as defined in the Bill, were retained in Section 1 of the Rent Recovery Act. It is significant to note that ryotwari ryots had been defined as 'landholders' within the meaning of the Rent Recovery Act, and those who had been holding their land directly under the Government with liability for periodical enhancements in the name of settlements, resettlements and commutations and others, who had nothing in common with the cultivators in the zamindari areas whose rates of rent had been permanently fixed, were brought under one enactment with one procedure for the recovery of rents for the first time. The report of the Second Select Committee made the position clear that there was no change in the principle of the Bill from the one enunciated in the old regulations. They made it also clear that the rates of rent fixed at the time of the permanent settlement were the maximum rates which were unalterable in the same manner in which the peshkush could not be altered. They made the position further clear that the occupancy ryots could not be ejected. Having laid down the rules and the cardinal points they wanted to amplify the same by adding clauses (1) to (4) in Section 11 of the Rent Recovery Act. To understand the real scope and meaning of these clauses and the classes of persons to whom they were intended to apply, it is necessary that we should bear in mind the definition of 'Landholders' in two classes referred to above as given in Section 1 of both the Bill and the Act.

The Rent Recovery Act was only a procedural law, which laid down rules for collection of rents by the landholder from the cultivators. The rights and liabilities of the landholder or the cultivator were not added to or subtracted from, by the Rent Recovery Act. On the other hand, the right of the landholder to enhance the rents was negated by clause (3) and the first proviso to clause (4) of Section 11 of the Rent Recovery Act. That the rate of rent was made unalterable by section 11, is clear from the terms of clause (10) of the Rent Recovery Bill, which reproduced sections 7 and 9 of Patta Regulation XXX of 1802; and also from the report of the Second Select Committee. Clauses (1), (2) and (3) and provisos 2 and 3 to clause (4) of Section 11 which provide for enhancement of rent were not intended to apply to occupancy ryots. They were intended to apply to non-occupancy ryots and the second class of landholders defined in Section I of the Rent Act, namely, the ryotwari ryots of the Government. It was wrong to have included ryotwari tenants and non occupancy ryots within the definition of landholders, defined in Section I of the Rent Act. It was on a review of the provisions of the Rent Recovery Act, section 11 particularly, and the Report of the Select Committee on the Rent Recovery Bill, that the Madras High Court decided in I.L.R., 20 Madras, that the cultivator did not derive his title from the landholder, that the sum he was paying to the landholder was not really rent but the land revenue, and that he was not liable to ejectment, and the rent he was paying could not be enhanced on the ground that another man offered to pay more or for any other reason.

The result is that in the whole period covered between 1865 to 1908 the rate of rent remained unaltered.

The next step that was taken up is the Madras Estates Land Act, 1908 in which also the collection of rent from the estate ryots loomed large and which, to a greater extent, underwent legislative changes. It is worth referencing the speech of Mr. M.F.G. Forbes in piloting the Estates Land Bill which reflected the intention regarding levy and collection of rent from ryots vis-a-vis the rights of Zamindars, etc.

"It seems scarcely necessary to go much further into this question. Unfortunately however, Act VIII of 1865 came into operation shortly after the Abolition of the old court of Sadar Adalat, which had other traditions to guide it, and the Judges of the newly established High Court, were misled into construing the inapplicable terminology of English Law which the Act employed as if the terms connoted the corresponding legal conceptions of the law. The patta, a mere memorandum of the extent under cultivation in the year and of the particular crops harvested, was treated as a lease for a year, which it is not, and so on, until the matter culminated in 1871 in Chokkalingam Pillai's case in which the High Court held that, by the acceptance of a yearly patta, the presumption was that the pattadar was a yearly tenant and no more. No doubt, a slight evidence of this customary status might have thrown the presumption on the other way. The legal effect of the case, however, was widely misapprehended and it is with the actual results that we have to deal with in this legislation; and this misapprehension had far reaching consequences. The zamindars sedulously set themselves to procure from their ryots pattas in which was entered a stereotyped clause that the Zamindar was at liberty to lease the land at his pleasure. These were distributed in thousands, generally as printed forms, in the Northern Circars. Rents were forced up under the dire misapprehension of eviction from ancestral homes. The Zamindars rarely did actually eject; and the ryot so long as he was not evicted, would sign anything. Such a "Contract" was virtually valueless, having regard to the unequal relations of the parties.

"The status of the occupancy ryot is incompatible with a contractual relation and the payment of a competitive rent. Act VIII of 1865 included, however, classes to whom such a contract was open, namely, those whom we have classed "Tenants" in the present Bill—the under tenant of the ryot and the tenant of the Zamindar's home, farm lands. I do not think there is really much dispute that these are the only classes who can properly be called non-occupancy cultivators. Contract was also open to the parties where, in consideration of the reclamation of waste lands, the Zamindar agreed to take a favourable rate of assessment for a term; but such a contract would neither obstruct the cultivator's occupancy right nor justify the Zamindar in ultimately imposing a competitive or economic rent. The landholder's Association, in a memorial which they presented on the Bill of 1898, virtually admitted the distinction. They wrote; "It would simplify the difficulty to class the zamindari lands into two divisions, viz., patta lands and non-patta lands. Patta lands may be of the description of lands to which section 12A of the Rent Recovery Act VIII of 1865 is applicable. Non-patta lands may be the lands of the remaining description, which are waste, private or pannai, or khas lands or inam lands, etc. The patta lands are already virtually occupancy lands throughout the Presidency. The only difference in those parts where the theory of occupancy right is not recognised is that such lands are not transferable".

"This is a clear admission that in all the public cultivable lands of the estate, occupancy right accrues as a matter of fact, upon entry; also that the public cultivable land is all which is not pannai or khas lands that is, homefarm. By inam lands, I understand the reference to have been to small inam which, as they occasionally did, included the land itself as well as the revenue. The Association added waste lands. This addition I cannot admit and I will now deal with that question. The Zamindars make a strenuous claim that they have special rights over the waste: in other words, that they can exact for the cultivation thereof such terms as they please or what is the same thing, impose a rent and not an assessment. No constitutional basis can be found for such an argument; Zamindar is in law no more than an assignee of the public revenue. The review which I have taken of the opinions recorded by the highest authorities down to 1865, give no colour to such pretension; and if it did not exist during all these years, nothing that has been enacted since, has conferred rights which were not possessed at that time.

"In the letter of this Government to the Government of India, regarding Act VIII of 1865, the right of the resident ryots to extend their cultivation to the waste is distinctly averred. Section 11 (iv) of the Act no doubt declared that the landholders may arrange their own terms of rent. But the clause is carefully guarded by the proviso that all special rights are preserved. The special rights so preserved are the right to extend cultivation to the waste and the right recognized since the permanent settlement to pay not a rent but the assessment thereon due. The Zamindars could of course and did usually arrange favourable terms for such cultivation in or to obtain reclamation of the lands.

"Whatever may have been the construction placed upon the provisions of the Act VIII of 1865, some twenty years ago, it is fortunate that in later years its interpretation has been in the hands of judges not only great and eminent lawyers but Jurists possessed of a native knowledge of the common law of this country and imbued with its spirit. I refer, I need not say, to those great Judges Sir Muthuswami Ayyar and Sir Subrahmanya Ayyar. Nothing has strengthened the hands of the Government in prosecuting this legislation so much as the expositions of the law which these Judges have from time to time given forth on the questions which are fundamental in this Bill; and if this Bill passes, it is a deep debt of gratitude that the agricultural population of this Presidency will owe to the memory of Sir Muthuswami Ayyar and to the labour of Sir Subrahmanya Ayyar".

It will thus be seen that the object of the Madras Estates Land Act, 1908 was to enable the landholders to collect the land revenue assessment from their ryots. The ryots contemplated under the Act consisted of two classes:—

(1) Those with occupancy rights.

(2) Those who were the ryots of old-waste without occupancy rights.

The land revenue assessment (rent) payable by the ryot with occupancy rights had been permanently fixed at the time of the permanent settlement. The landholder was therefore entitled to recover only that permanently fixed rate of assessment and nothing more and nothing less. The landholders of the ryots who were not protected or bound by the permanent settlement (ryots of old-waste ryoti land) were free to enter into contracts with regard to rates of assessment payable on the old-waste ryoti land. The landholder was entitled in such cases to enhance the rent and eject the ryot under certain reasonable conditions. The object of the Estates Land Act was also to declare that the ryot with occupancy rights was entitled to raise any crop he liked and enjoy them at his pleasure, without being liable to pay varying assessment according to crops or the nature of the produce. This was recognised at the time of the permanent settlement and also subsequently as the correct law notwithstanding the wrong decisions given by law courts at times. Provision was made in the Estates Land Act under Sections 11 and 187 on this matter, declaring that the ryot was entitled to cultivate the land and produce whatever he liked.

Section 11 ran as follows:—"A ryot may use the land in his holding in any manner which does not materially impair the value of the land or render it unfit for agricultural purposes."

Section 187 laid down the rule:—"(1) (b) Nothing in any contract between a landholder and a ryot-made before or after the passing of this Act—shall take away or limit the right of a ryot to use the land as provided by Section 11.

Both the provisions read together will make it clear that it was the land that was assessed and not the crops and that the ryot had his freedom to pay the land revenue assessment permanently fixed and produce whatever he liked and enjoy the same without being called to account for the produce or pay a share of the increased production.

Section 24 of the Act says that the rent of a ryot shall not be enhanced except as provided by this Act. Section 30 provides the rules for enhancement of rent. The right to claim enhanced rent according to the nature of the produce on cropwar basis or otherwise is not one of the causes recognised under that section.

The meaning of the words "proprietary right" used in the Permanent Settlement Regulation had been reaffirmed under Section 4 of the Estates Land Act. The same meaning and interpretation put upon the words by Sir John Shore and Lord Cornwallis, the Court of Directors and the Board of Revenue and the Government of Madras, viz., that they did not convey any right to the soil, but only a right to collect the land revenue assessment had been re-affirmed and embodied under Section 4 of the Estates Land Act and the interpretation had been affirmed by the Privy Council in the case reported in I.L.R. 45 Mad. 586.

The inequitable character of the Estate Land Act I of 1908 could be imagined by the omission to introduce a provision for reduction of rent while provisions were introduced for enhancement of rent for the benefit of the landholders. Enhancement by contract as provided for in clause (1) of Section XI of Rent Recovery Act was, however, done away with expressly in the Estates Land Act I of 1908. When rents were permitted to be enhanced on non-occupancy lands such as old-waste, there was no corresponding provision for reduction of rent. In 1934 during the period of recession, a Bill was introduced to amend the Estates Land Act by introducing a new Section 39-A providing for reduction of rent due to fall in prices of food crops. Even in the amendment made it was not a free recognition of the right of the ryot to have the rent reduced. The restriction imposed by prescribing that the reduction will be granted only when the average local prices of staple food crops in the taluk or zamindari division during the last 12 months ending with the 31st of August of that revenue year were lower by not less than 18½ per cent than the average price on which such rent was partly or wholly based, and only then, has practically rendered this provision in the Act nugatory. On account of this restriction, the ryot has had no opportunity to seek for reduction of rent as freely as the landholder could do with regard to the enhancements of rent.

The Madras Estates Land Act Committee, headed by Thiru T. Prakasam was constituted by resolution passed by both houses of the Madras Legislature in September 1937 to enquire and report on the conditions prevailing in Zamindari and other proprietary areas. It toured the State and recorded evidence from interested parties, both Zamindars as well as ryots. It found that in many estates in the province of Madras, the rent levied by the landholder from his ryots was substantially in excess of the assessment charged by the Government on similar lands in the neighbouring ryotwari area and was beyond the capacity of the ryots to pay. It reported that the Zamindari System had perpetuated an assessment which had no relation to the productive capacity of the land and had crippled the contact between the Government and the actual tiller of the soil and resulted in almost a set back in the agricultural improvement of the Province. In spite of the enactment of the Madras Estates Land Act, 1908, and the stringent provisions relating to the fixation of rent or its enhancement, the landlords inflicted harassment on the ryots by miscellaneous levies besides the rent due which also got judicial approval in certain cases. It found that the object of the Act had been flouted in its implementation and the provisions regarding enhancement and commutation of rents which should have applied only to the holder of old waste lands had been extended to ryoti lands also in many cases in violation of the fundamental principles and the rights of ryots admitted to have been existing from ancient times.

It also found that the ryots in Pithapuram and some other estates held land under the "Vanthuvari system" which ensured neither certainty of tenure nor fixity of rent, but the tenants who cultivated a land in a year were obliged to part with it in exchange for some others on account of a challenge offered by another tenant to pay a higher rate of rent and this nullified the permanency of the Settlement effected under the Permanent Settlement Regulation. Even in other cases, where there was no enhancement of rent as such, the rents fixed on the basis of commutation at market rates worked hardship whenever there was fall in prices of agricultural commodities. Further-more, the communal rights of ryots in wastes, forests and tank beds were systematically eroded by the Zamindars and it affected the economy of the ryots adversely, whereas the maintenance of irrigation works was utterly neglected by the landholders.

The evidence recorded by the Committee further showed the circumstances under which the rent fixed at the Permanent Settlement came to be enhanced in course of time. The Karnams of a group of villages of Kadavur Estate deposed before the Committee that:

- (1) the rates of rent originally fixed according to soil classification and tarams and recorded on cadjan leaf documents were alone collected.
- (2) the rates of assessment fixed in 1803 had continued upto that day without any enhancement or reduction and were being collected from the ryots without any dispute.
- (3) enhancement or reductions of rent, if any had taken place, were on the following grounds:—
 - (a) enhancements were due to
 - (i) granting of permanent pattas in the case of waste lands brought under cultivation.
 - (ii) extension of cultivation on adjoining waste lands or detection of excess extent cultivated by subsequent measurement.
 - (iii) pasture lands paying concessional rates grown with dry crop in which case dry assessment was leviable.
 - (b) reduction in rent was due:
 - (i) relinquishment of patta land.
 - (ii) dry lands being converted into grass lands to avail of the concession applicable to grass lands.

The Committee, however, found that in actual practice, and according to a clause in the muchilikka that was in use, concessional grass tax was available only if other cultivated dry lands were paying garden rates of rent. Thus when a ryot sunk a well in his dry land and raised garden crops, he became liable to pay the garden rates of assessment which meant taxing the labour and improvement made by the ryot.

Such subtle enhancements of rent were also made in other estates in the south like Sivagiri, etc., much against the decision of the High Court in S.A. No. 1525 of 1892 and upheld in ILR. 8. Madras 164 and 9 Madras 27 and Privy Council appeal No. 86 of 1916.

In Sivagiri, the normal dry assessment was under 3 tarams viz. Re. 0-12-4, Re. 0-15-5 and Re. 0-7-8. But if a dry land was grown with garden crops with the aid of a well constructed at the ryots' cost, the rate shot up to Rs. 14 per crop. The added hardship was that every crop grown on the land was liable to this enhanced rent; (e.g.) if onions, brinjals and plantains were raised in rotation or as mixed crops, the liability for rent became three fold viz. Rs. 42 per acre.

Again under the crop war system of assessment in vogue in Udayapalayam Zamin, particular money rates were fixed for each crop, waste lands not being excluded for which the lowest rate applicable to horsegram was charged. The money rate fixed by the Zamindar did not tally with the market rate, but depended absolutely upon his will and gave much scope for the middlemen and the karnams to profit by tampering with the records.

In most other estates, as in Kannivadi, 'Manoraji' or compromise rates were in vogue much against what was leviable under the Estates Land Act, and such compromise rates were always higher. There was also the system of charging different rates of rent for lands held by ulkudis as distinct from purakkudis. Also, every small investment in an irrigation work either as a new work or as a renovation work brought in disproportionately larger rent to the Zamindar. Ramanathapuram estate is a typical example where the rent roll rose from Rs. 4.97 lakhs to 13.10 lakhs per annum due to investment of Rs. 13.01 lakhs on improvement of irrigation sources over a number of years. So also is the case with Sivaganga where an investment of Rs. 3.71 lakhs on irrigation works raised the rent roll from Rs. 4.39 lakhs to Rs. 11.37 lakhs. The Committee reported in pursuance of its investigations that the Estates Land Act 1908 needed to be redrafted plugging all loopholes therein which were sources of oppression to the estate ryots and proposed the Madras Estates Land Revenue Bill 1938. But as hostilities broke out soon after, engulfing the countries in the second world war, this legislation could not be pursued.

3. The labours of the Committee, which exposed the deplorable condition of estate ryots burdened with usurious rents, did not however go waste as the National Government formed soon after the cessation of hostilities took quick action to alleviate the living condition of estate ryots by bringing in the Estate Land (Reduction of Rent) Act, 1947 with a two-fold objective of reducing the prevailing rents to the ryotwari level and taking upon themselves the collection work also on a commission, thus severing the direct contact of the landholder with the ryot.

The investigation of the rent structure in each estate conducted by the Special Officer appointed under the Act revealed several anomalies in the prevailing rates of rent and helped to afford substantial relief particularly in cases where kind rent was in vogue, either at fixed rates or as a share of the produce. It is not as though every rate that prevailed in every estate was an exorbitant one. For instance, in Bodinaickanur Zamin, the dry and wet rates were mostly left undisturbed whereas reduction was found warranted only in respect of rent levied on garden lands, or the water charge collected thereon. In Silandai village, a garden rate of Rs. 18-1-0 was brought down to Rs. 1-8-0 to conform to the adjoining ryotwari rate. So also in Uppukkottai, the highest wet rate of Rs. 17-11-0 was reduced to Rs. 13-2-0. In Kannivadi Zamin also, the higher rates alone were brought down on a percentage basis, while the lower rates were left undisturbed. In Palayavanam Estate, a distinction was made between garden lands forming the ayacut of pre 1908 wells for which a higher rate of rent was fixed, while the rent on the ayacut

of post 1908 wells was reduced to the level of ordinary dry lands. A typical example of the relief got by an estate ryot can be cited in Shanmughavelayudhapuram village of Palayavanam estate where the prevailing kind rent at 1/3 of the produce for dry lands was reduced to 1/18th of the produce and for wet land the rate of 1/2 of the produce was reduced to 1/4 of the produce where it was under an estate source or 1/10 of the produce if the land received the benefit of the Cauvery Mettur Project and the ryot had to pay for the Project water also. If one remembers that the Rent Reduction Act was ushered in the post war era, which marked a steady increase in prices, one will be able to readily accede that the relief afforded to the estate ryot in kind rent villages was very substantial as the reduced rent commuted at prevailing market prices was again subject to the highest wet or dry rate of ryotwari assessment prevailing in the taluk. The actual process of the implementation of the Rent Reduction Act is sketched below.

4. The enactment—The Tamil Nadu Estates Land (Reduction of Rent) Act, 1947 (Act XXX of 1947) came into force with effect from 1st July 1947. Under that Act, after a rough and cursory examination of the village accounts, and the details furnished by the landholder and the body of the ryots in an estate, the Special Officer appointed under the Act framed rent reduction proposals on which he invited objections from the interested bodies and recommended the appropriate reduced rates of rents as collectable under the Act to the Government, who notified the reduced rates of rent in the official gazette. The Special Officer was assisted by Special Assistants in his work. When the work of the Special Officer was reduced sizeably, the remnants of work left over were attended to by the Additional Assistant Secretary (S.E.).

After the publication of a notification, the occupancy ryots holding ryoti lands had to pay the reduced rent with retrospective effect from fasli 1357, less amounts already paid, if any, to the landholder. Grain rents were commuted into cash at the prevailing market rates. The reduced rent was realisable till the estate was ultimately taken over under the Abolition Acts. Landholders' lands, communal lands and other items yielding miscellaneous revenue were not covered by the Act. These excepted items continued to be managed by the Landholders themselves as before, till their estates were taken over by the Government. Interim provision was made under Section 23 of the Estates Abolition Act, 1948, to collect Land Revenue on ryots' lands at the reduced rates notified, and to adopt similar or suitable rates for Landholder's lands also, pending introduction of settlement, though the arrears of rent due to the Landholders prior to fasli 1356 from the estate would get wiped off.

5. In March 1948, the Government published a Press Communique drawing the attention of the ryots in estates to the fact, that, till the reduced rents under the Rent Reduction Act were actually fixed and notified they were legally bound to pay rent to the Landholders and they would be entitled to set off the excess paid if any after reduced rents were notified. They further indicated that pending fixation of reduced rents in any estate, the ryots may pay adhoc rent at 75 per cent of the cash rates and at an equitably reduced rate in respect of grain rent lands subject to adjustment after the reduced rents were finally fixed. Since the ryots continued to withhold the payments to landholders resulting in consequent delay in collection of peshcush and cesses, another Press Communique was published on 6th May 1949 so as to avoid accumulation of arrears causing hardship to the ryots as well as the estate owners and to reduce the dues to the Government.

6. The rent so collected by the Government was paid to the estate owners after deducting 10 per cent towards collection charges and setting off all arrears of Government dues towards peshcush, Jodi, quit rent and cesses, etc. The question of payment of commission to Village Officers for their extra work came up for consideration in G.O. No. 2783 (Revenue), dated 25th October 1951 wherein the Government ordered that 2 per cent commission be paid to karnams, 1 per cent to the headmen and another 1 per cent commission to be shared equally by the talyaris and vettis and that the commission payable should be calculated on the actual collections made.

In respect of estates owned by the religious, educational or charitable institutions, the income foregone by way of reduction of rent, by comparison to the average income of the preceding 5 faslis was paid as compensation. Adhoc interim payments of

12. Under Section 61 of the Estates Land Act arrears of rent would bear interest. There was no similar provision under the R.R. Act. The Collectors of Madurai and Thanjavur raised the issue about the collection of interest along with arrears of rent under the R.R. Act. It was felt that unless the Act was amended, the collection of interest was unauthorised. The Collectors were therefore informed not to collect the interest and that the interest if collected need not be paid to the landholder but set off against rent or treated as excess collection of rent.

13. The collection of rent for second crop on lands under warapet (grain rent) tenure came up for decision. In G.O. 3032 (Revenue dated 23rd November 1950, the Government ordered that the second wet crop raised on single crop wet lands under waram tenure in the estates taken over under the Abolition Act be charged one half of the highest wet rate of the district. They also ordered that a second dry crop raised on such wet lands with the aid of Government water be charged water rates at the rates provided in Appendix I to B.S.O. 4 for a similar crop raised on dry lands adopting the classification of irrigation sources made under the R.R. Act in reducing the rents.

14. Under Section 3 (4) of the R.R. Act, the Government are empowered to deduct from the rents collected from the ryots, the peshkush, quit rent, jodi and cesses payable by the landholders to the Government in each fasli. The reduction of rent in certain cases in practice resulted in reducing the income of the landholder to the aggregate of the deductions or to a lower figure than that aggregate in certain cases. The Government therefore in G.O. Ms. 637 (Revenue), dated 7th March 1950, decided to afford relief in such cases and ordered that the amount to be deducted under Section 3(4) towards dues by the landholders be limited to 66-2/3% of the reduced rentals in case of Zamins and to 50% of the reduced rentals in the case of whole inam villages. The Government empowered the Board of Revenue to reduce peshkush etc. payable by the landholder on the above basis to the extent necessary taking into account also the particulars regarding their income from miscellaneous sources and pannai lands.

APPLICABILITY OF ACT XXX OF 1947 TO INAM VILLAGES THAT BECAME ESTATES UNDER THE ESTATES LAND AMENDMENT ACT, 1936.

In *Raja of Bobbili (vs) the State of Madras* (1952-I M.L.J. 174), the Landholder of Ramana Agraharam, Bobbili taluk of Srikakulam District challenged the notification issued under Section 3(2) of the Rent Reduction Act, 1947. His case was that it was a hamlet of a Jeroyiti village known as Rajam and therefore not an estate under section 3 (2) (d) of the Estates Land Act. His further contention was that there was no declaration by the Tribunal under section 185(B) of the Estate Land Act. IN C.M.P. 4537/1951. Thiru Subba Rao J (as he then was) dismissed it by order, dated 28th March 1952. In delivering the order he traced the provisions of the Estates Land Act, 1908 vis-a-vis the Amendment Act, 1936 and held:—

“It therefore follows that a person in occupation of the ryoti lands in an estate, whether the village was an estate prior to the Madras Estates Land (Amendment) Act, 1936 or by reason of that amendment, acquired occupancy right irrespective of the fact whether the land holder took out an application under section 185-A of the Act though such acquisition of occupancy right was subject to the decision of the Tribunal under the said provision.

It appears that the Government constituted a Tribunal after the Amending Act, 1936 but it was abolished afterwards as most of the inamdars did not file their application before it and that after the enactment of Madras Estates Land (Amendment) Act, 1945, no tribunal was constituted by the successor Government as they intended to bring a comprehensive legislation. It was contended that the Government's default prevented the Landholders from getting their Kudiwaram right declared and compensation obtained and therefore the provisions of the Madras Estates Land (third Amendment) Act, 1936, which were intended to be enforced as part of a single and indivisible scheme in the interests of the Landholder and the persons in occupation should not be worked so as to create rights in the tenants without at the same time enabling the Landholder to apply and obtain compensation. The argument so stated is impressive. But the fallacy under the argument is the equating of the Government with the legislature. The Amendment Act, 1936 is self contained and the legislature conferred rights on the tenants and the land holder to get their rights declared and to obtain compensation. But if the executive authority has not complied with the provisions of the Act, the petitioner or persons similarly situated should have taken out appropriate proceedings for compelling the Government to discharge their statutory duties. If the provisions of the Act are clear and can be construed consistently, with each other, the non-performance of a statutory duty on the part of the Government cannot change the construction. The Legislature never contemplated that the Government would not constitute a Tribunal. Nor can the dereliction of the statutory duty by the executive affect the rights of the tenants legally acquired under the statute. As I have already stated, adequate steps should have been taken to compel the Government to constitute the Tribunal. For the aforesaid reasons the petition is dismissed with costs.”

CHAPTER II.

(ABOLITION OF INTERMEDIARIES AND INTRODUCTION OF RYOTWARI SETTLEMENT)

The Tamil Nadu Estates (Abolition and Conversion into Ryotwari) Act, 1948 (Act XXVI) of 1948:—

15. We have dealt with in the earlier chapters about the various Land Tenures and the existence of intermediaries in between the Government and the ryots.

16. The prolificity of land tenures was not conducive to good Revenue administration, while reviewed in juxtaposition with the ryotwari tenure. The incidence of welfare measures initiated by the Government was more in the ryotwari tract, whose economy increased progressively due to development of communications, irrigation facilities etc. and consequently agriculture. The proprietary tracts remained static, due to the apathy of the proprietors, whose aim was self interest and not public welfare. The Zamindari system became an anachronism in a welfare State. Agriculture remained backward in the Zamindari tracts and it affected national economy to a very great extent. Land remained undeveloped and irrigation sources neglected. The Zamin ryot was harassed due to rack renting by selfish landholders. The Zamindari system was thus a drag in the economic system of this country and it had to be abolished. The Government had to assume power to exploit the undeveloped natural resources of estates for economic development and amelioration of the Zamin ryot and thus incidentally enlarge the ambit of Land Revenue Collection, a substantial portion of which was being cornered by the Zamindars for their own profit. Thus the abolition of Zamindaries was essentially a land reforms measure to bring the zamin ryot directly into contact with his benefactor (i.e.) the Government, but it also helped in a way to bring about land revenue reform, by unifying the land tax structure in the State and plugging the loopholes through which the State's revenues were wasted. Thus the introduction of Zamindari abolition was a saga in the Revenue and welfare administration of the State, and the other legislations that followed have only helped to complete the task set before the Government in the abolition of intermediaries or enjoyers of free or favourable rates of land revenue.

17. In many estates in the province of Madras, the rent levied by the Landholder from his ryots was substantially in excess of the assessments charged by the Government on similar lands in the neighbouring ryotwari area and was in many cases, beyond the capacity of the ryots to pay and lead a decent life. The Zamindari system had perpetuated an assessment which had no relation to the productive capacity of the land. It had further led to loss of contact between the Government and the actual tiller of the soil and had acted as a brake in regard to agricultural improvement. Most of the irrigation works in estates were in a state of disrepair. The complexities of the Zamindari system had led to an immense volume of litigation. Many of the records in the offices of the Zamindars were manipulated or indifferently maintained and the peasantry, most of whom were illiterate, were at the mercy of unscrupulous Zamin agents. Zamindari administration had rarely, if ever, been as efficient as administration in Government areas. There was thus acute discontent among estate ryots and there had been a good deal of agitation by them. The Government were convinced that the Zamindari system in force in the country had outlived its usefulness and should be abolished at the earliest possible date.

18. The Election Manifesto, which the working committee of the Congress issued before the general elections of the year 1946, declared that the reform of land system was urgently needed in India. The manifesto indicated that such reform would involve the removal of all intermediaries between the peasant and the State by acquiring the right of such intermediaries on payment of equitable compensation. In February 1947, the Madras Legislative Council passed a resolution accepting, on general principle, the abolition of Zamindari system and recommending to the Government to bring forward Legislation for the purpose. Accordingly a bill was prepared and it was sent to a Joint Select Committee. It was named the Zamindari Abolition Bill.

reduced rent, after making a proportionate adjustment of Government dues, were made to the landholders to save them from hardship and this power was given to the Collectors themselves. On the 31st July 1952, the Government introduced in the Legislative Assembly a Bill, to amend the Rent Reduction Act intending to give power to the Government to cancel the orders issued under the Act, in cases of villages or portions of villages, which had been held by Courts to have been wrongly issued, on the ground that those villages were not estates. The Bill also provided for the correction of clerical and other errors in notifications issued under the Act. That Bill and another Bill introduced later in the Legislative Assembly for the same purpose were not, however, proceeded with.

7. In implementing the Act, however, it was found that disputes often arose between estate owners and ryots who had to resort to litigation in Civil Courts regarding the question whether any land in a village is or is not ryoti land to which the Rent Reduction Act would apply. When the issue involved a whole village, it even retarded the issue of the notification and collection of rents. To get over this impediment, Sections 3A to 3-E were introduced by the Amending Act XXIX of 1956. Section 3-A provided for such disputes being determined by the Collector (either suo motu or on application) with provision for appeals to the Tribunals constituted under Section 3-B. Section 3-C commuted all pending applications and suits under Act I of 1908 involving these issues as proceedings under the amended provisions of the Act, so as to achieve finality expeditiously, while Section 3-D provided for a presumption of prescriptive possession in respect of ryoti land for which no application was filed and admitted under these provisions. Section 3-E enabled the Government to modify the orders made under Section 3 (2) so as to set right any error in a notification or to order its correction or cancellation. Section 3 of the Madras Estates Land (Rent Reduction) Amendment Act, 1954 (Madras Act XXVIII of 1954), empowered Government to set off against future payments, any excess amount paid to any religious educational or charitable institution for the fasli year 1357 or any subsequent fasli year under Section 5 (1) of the Rent Reduction Act. After an estate is taken over under the Madras Estates (Abolition and Conversion into Ryotwari) Act 1948, Tasdic allowance and additional compensation are payable annually only for inam estates held by religious and other institutions under Section 38 of the Abolition Act, but not for Zamindari and under tenure estates held by such institutions.

Reduced rates of rent were notified also in respect of certain estates where there were no ryoti lands. In one such case, where a notification relating to Advathur estate in Arantangi taluk was challenged in the High Court, Ramachandra Iyer, Justice (as he then was) held that the notification in such cases was not void since the village was an estate as defined under Section 3 (2) (d) but the notification will be in hibernation to come to life in case the landholder created in future any ryoti interest therein (1957-1.MLJ.6).

8. The actual implementation of the Act brought to surface several problems in the initial stages. Some of the important orders, etc., issued in this connection are summarised below:

Before issuing the Rent Reduction Notification, several processes had to be gone through. During the pendency of these processes, some of the estates were even notified and taken over under the Estates Abolition Act 1948 (i.e.) before the issue of Rent Reduction Notifications. Instructions were issued to the Collectors/Estate Manager to collect 75 per cent of the rent provisionally as land revenue under Section 23 of the Abolition Act for villages for which reduced rents were not notified. This related to rents payable in cash only. As regards the collection of waram rent in estates taken over under the Abolition Act but pending notification under the Rent Reduction Act, it was felt that it would not be desirable to collect in kind, the current rent as well as the arrears due under Section 55 of the Act, and consequently it resulted in the piling up of huge arrears. The Managers were requested to await the Rent Reduction Notifications and in the meanwhile they were instructed to provisionally work out the reduced rent in accordance with the preliminary or final proposals submitted under the Rent Reduction Act, commute the waram rent at market rates and collect it in cash and that the difference, if any could be adjusted at the end of the fasli after the Rent Reduction Notification was issued. In G.O. No. 2973 (Revenue), dated 22nd November 1949, the Government issued amendment to the rules under the Rent

Reduction Act conferring powers on the Collectors to determine the quantity of grain rent payable to landholders in the absence of accounts rendered by the landholders, by local enquiries and reference to village accounts and also to commute the waram rent into cash rent in accordance with the price notified by him for his district. In G.O. Ms. No. 748 (Revenue), dated 14th March 1950, the Government ordered that in the case of estate villages taken over under the Abolition Act, in which rent payable in kind was collectable at the commuted value in cash, the land revenue due under Section 23 of the Abolition Act in respect of any class of land shall be the highest ryotwari rate for the same class of land in the district in which the village was situated. In cases where the commuted value is lower than the highest district rate, the Government ordered in G.O. No. 2212, dated 22nd August 1951 that the commuted value of the grain rent be collected instead of the assessment at the highest district rate with effect from fasli 1360 in the case of an estate taken over prior to 1st July 1950 under the Abolition Act and from the date of take over in the case of estates taken over after that date. These orders were made also applicable to cases where rent was originally payable partly in kind and partly in cash—vide G.O. No. 333 (Revenue), dated 18th December 1951.

9. Twenty-four villages in Zamin Thandarai taluk of Ramnad Zamindari in Ramanathapuram district were transferred to Thanjavur district in 1924. Grain rent was in force in these villages. A question arose whether the highest ryotwari rate of Ramanathapuram district or that of Thanjavur should be adopted in fixing the reduced rent for the said villages with reference to Section 2-A of the R.R. (Second Amendment) Act. This problem was common to all estates that lay spread over two or more districts. The Board informed the Collectors in B.P. 1868/52, dated 19th May 1952, that in determining the rate of assessment to be charged on any ryoti land of any class on which rent is payable in kind, the highest rate of Ryotwari assessment payable for any land of the same class in the revenue district in which such ryoti land is situated should be taken into account and not the highest rate of ryotwari assessment of the district in which the major portion of the estate to which the land belonged is situated. They were also informed that the Amending Act does not make any provision for adopting the highest ryotwari rate of the district in which the lands were originally situated and that the phrase "Revenue District" in which the land is situated means the district in which it is situated on the date when the Act came into force. In respect of the 24 villages referred to above, the estate manager, Ramanathapuram was informed that the highest ryotwari rate of Thanjavur district alone should be taken into consideration.

10. It came to the notice of the Government that in cases which do not fall within the scope of the Madras Tenants and Ryots Protection Act 1949, the landholders had taken action to recover the rent at the existing rates under Section 77 of the Estates Land Act and had obtained decrees though reduced rents were notified. As the purpose of the Rent Reduction Act was to afford relief to the ryots from fasli 1357 and since the effect was nullified if a ryot were compelled by coercive process to pay rent over and above the reduced rents, the Government issued orders that if the decree had not been executed it should be got amended so as to enable the ryot to pay the rent fixed under the Rent Reduction Act and if the decree had been executed, to persuade the ryot to file an application in the Court to obtain refund of the amount paid in excess of the reduced rent under the Rent Reduction Act. A Press Communique was also issued to this effect on 6th March 1950.

11. The Collector, Visakapatnam expressed a presumption that Rent under Section 55(i)(b) of the Abolition Act would include cesses also. The Board informed the Collector that this view is not correct and that only the rent as defined in the first part of Section 3(11) of the Madras Estates Land Act (which included local taxes, etc.) as reduced under the R.R. Act has to be collected under Section 55 of the Abolition Act and that payment of reduced rents for faslis 1356-57 within the period specified in the second proviso to Section 55 (1) would wipe out all previous arrears. A question arose about the collection of miscellaneous revenue along with reduced rents in estates not taken over under the Abolition Act but covered by the R.R. Act. The Government informed in G.O. 2098 (Revenue), dated 31st July 1950, that miscellaneous revenue in estates not taken over under the Abolition Act need not be rolled along with rents under Section 3 (4) of the R.R. Act 1947 and it should be left to the landholder himself.

“Presenting to the Madras Legislative Assembly the report of the Joint Select Committee on the Zamindari Abolition Bill the Hon. Kala Venkata Rao, then Revenue Minister said:—

“Man's history on earth has been a race between population and food supply. Food supply has been losing the race nowadays. Remedial measures are urgently necessary to see that food supply keeps pace with the growth of population on the face of this globe. Food supply is very much connected with the mode of agriculture in this country as elsewhere. As in all other professions, the profit motive plays its part in the profession of agriculture also. Unless the man who cultivates in the lands gets his due from out of the produce of the land, he will not be interested in producing the food and thus meet the demands of his country men. In order to create a living interest in him for the land he cultivates he must be given a margin of profit so that he may be urged to produce more”.

“There are many ways in which we can see that the cultivator is interested in the land. We now hear of many isms. We hear of communism; in those countries all the land in the country is owned by the State and there are collective farms. A citizen there contributes his labour and gets his recompense on a group basis. Then we have heard of socialism. These systems have been given a fair trial throughout the world. But situated as we are in this country none of these will aid us in solving the problems facing this poor country, the poorest in the world, even though we have our independence now. Therefore, I feel we must have a common denominator which will bring us our national survival. The relation between the cultivator and the pattadar and the State must be evolved in such a manner that we need not go to extreme nationalisation of the land on the one side or retain the present system in its various forms, a system which ensures to the absentee landlord and the zamindar and people of his type the margin of profit that accrues out of the profession of agriculture.

The rulers of the country, both Hindu and Muslim, never claimed a right in the soil. Jaimini has definitely asserted this position. Once there was a religious sacrifice going on and the king of the country wanted to endow some property to a number of priests. He wanted to give them proprietary right in the soil, but Jaimini came in his way and told him, ‘You have no right to give proprietary right in the soil to the priests, because it belongs to the man who cultivates the land; you can only transfer the right to collect the rent from the land’.” Jaimini definitely showed that the king could not give a “danam” or a gift of something which he did not possess. What the Hindu Kings enjoyed was only the right to collect a tribute from the land and not at all the right to collect the produce of the land as a whole. This is a fundamental thing which we have to recognise. On this will be based the main principle of the Act abolishing zamindaris and giving compensation for taking them over.

“Even in the time of the Muslim rulers the same procedure was followed. Aurangazeeb, Shahjahan and other Delhi Sultans purchased land, when they wanted it. It is clear that the Muhammadan rulers also had only the right to collect the tribute from the land and had no right to collect the produce of it as a whole.

“After the British succeeded to the Government of the country two systems of land tenure were introduced. One was the zamindari system and the other the ryotwari system. The Zamindari system or the permanent settlement, interposed between the States and the cultivator, the pattadar, another person. That person has to collect the rent from the pattadar and pay a portion of it to the state. In the ryotwari system the state fixed the land revenue due from the pattadar and collected it itself. The ryotwari system approximates to the ancient ideal and the custom of the country. Then there is the system of inams with which I would deal later. The British Government introduced the system of permanent settlement for a number of reasons, which I need not go into just now. One of the reasons was that Lord Cornwallis wanted to build a bulwark of imperialism in this country at the expense of the cultivator of the soil and the ryot. After the permanent settlement was introduced, it so happened that the courts were presided over by British Judges. In England the system of land tenure is just the opposite. There the king owns the land, the barons derive their right from the king and the squire derives his right from the barons. British Judges who came here wanted to introduce their own interpretation of the permanent settlement based upon their own experience in their own country. As a result there have been many doubts and disputes and conflicting decisions regarding the relations between the Zamindar and the tenant and the nature of the rights of the Zamindar and tenant in the soil. Therefore if any Hon. friend quotes to me judgements from Law Reports from 1802 till to-day, I must tell him that it is all due to the wrong interpretation of the custom and law prevailing in this country. Therefore by it we cannot give the go-bye to what all Indian civilization has taught us, to the traditions we have inherited and to the system of land tenure which had been existing before and honoured and observed strictly by all the Hindu and Muslim rulers of the country. This juridically created right in favour of the zamindar, the right created by the interpretation in the courts of law, has been criticised from time to time even by the English rulers who had occasion to deal with revenue matters. I quote to the House the opinion of one Mr. Hobson given about hundred years ago. He said :—

“It must then, I think, be admitted that the Sircar or the Government of the representatives of the Government, namely, the zamindars never could have been the absolute proprietors of the soil”.

“In 1908, Mr. Forbes, who introduced the Estates Land Act, had to admit that the legal status of the Zamindar under the permanent settlement cannot be put higher than that of an assignee of Land revenue. Apart from these two authorities, the great authority on land revenue, Mr. Fielding has also stated like this. That the ownership of the soil is not in the sovereign has been proved by valid arguments. I have already stated how Aurangazeeb and Shahjahan had to purchase land. Finally it has been stated that according to Muhammadan Law the Sovereign's right in the property is only for a tribute or revenue and he who gets tribute from the land has no property in the land. That is the position. Now that we have decided to abolish the Zamindar, what should be done? You could have easily seen that in the Zamindari system, ownership is divorced from responsibility. Therefore there is no use of keeping this system in this country. Our electorates have returned us to this House on the promise of the abolition of the zamindari and we are only just implementing the Congress election manifesto in seeking to abolish the zamindaris now.

"I now come to another important point, namely, the question of private property. The Leader of the opposition and some other Hon. Members have more than once asked on the floor of the House whether the Government is pledged to the abolition of private property. My answer is an emphatic "No". I would invite their attention to section 24 of the Draft Constitution of India, which will be the freedom constitution of India, where private property is sought to be protected in number of ways. I need not take up the time of the house by quoting the section in full. But property is such a magical thing that people will fight more for it than for many other desirable things. Permit me, to quote what Machiavelli has said in his own harsh manner to which many of us may not subscribe: "A man-sooner forgets the loss of his father than the loss of his patrimony". There is no wonder therefore that there are differences of opinion with reference to the maintenance of property in a particular way. But now, as far as we are concerned, the most important question is whether the zamindar has any property in that zamindari, which you seek to abolish, and whether it is real property with all the appurtenances of gift, sale and everything which go with private property. I was till now quoting authorities and I have proved to you that the zamindar had never the proprietorship of the soil with him. Therefore when we seek to abolish this property we must only compensate him for that limited right which he has over it.

"And now let us determine what that limited right is for which we have to pay compensation. This limited right has been discussed already elaborately, and Government have held that the right for which we have to pay compensation is only the right to collect rent by the Zamindar from his estate. Only to that extent we will have to pay compensation. Till 1865, when the Rent Act was passed, the Zamindar did not enjoy even the right of enhancing the rent at all. It was in 1865 that statutory provision was made giving the right to the zamindar to enhance rent under certain conditions. Of course, this was confirmed in 1908 and 1936. Under the Permanent Settlement Regulation and the Patta Regulation read together, there was no right for the Zamindar to raise the rate of rent. The Praksam Committee which went into the question elaborately has given the final lie to the claim of the zamindar to have proprietorship of the soil as well as the right to enhance the rent. After that, this House, in 1939 adopted a resolution recommending that the recommendations of the majority report should form the basis of a bill.

"This bill seeks to compensate only the right to collect rent. But we have been advised that it is better that the Bill takes into consideration every item of property which the zamindar is expected to have within his estate. This Bill seeks to vest in Government all those rights claimed by the Zamindar, lock stock and barrel. We seek to remove the word "proprietor" used in the definitions and in its place the words "principal landholder" is used".

The Act as finally passed by the Legislature came into force from 2nd April 1949. Some of the estate owners unsuccessfully challenged the validity of the Act which withstood judicial scrutiny. It was also included in the Ninth Schedule to the Constitution.

19. The Act is a self-contained code by itself. It covers (i) Zamin estates (ii) under tenure Estates and (iii) Melwaram Inam Estates. On the notification of the estate, the entire estate (including all communal lands and porambokes, other non-ryoti lands, waste land, pasture land, lanka land, forest lands, etc., rivers, streams, tanks and irrigation works, fisheries and various other rights) would stand transferred to the Government and vest in them free of all encumbrances from such notified date, and the Madras Revenue Recovery Act, the Madras Irrigation Cess Act, and all other enactments applicable to the ryotwari areas would become applicable to these erstwhile estates. The effect of the notification would be to vest the entire estate in the Government and the estate owners whose rights stand transferred to Government would be entitled only to a compensation. Provision has, therefore, been made under the Act for the appointment of Settlement Officers, Director of Settlements and Tribunals for the grant of pattas and adjudication of disputes. A formula for compensation was laid down on a sliding scale to be paid to the proprietors who stand expropriated from the estate, under which the smaller estates would get proportionately more compensation. Buildings owned by the Estate owners used for administrative purposes shall also vest with the Government, while other buildings shall vest in the person or the institutions who owned it on the notified date. It is also to be noted that all rights and interests created in or over the estate before the notified date by a landholder shall cease and determine as against Government and the persons whose rights and interests stand so transferred or determined shall be entitled to such rights and privileges as are recognised or conferred on them by the Act. A person who shall be *prima facie* entitled to a ryotwari patta will not, however, be disturbed from possession till the character of the land is determined by the statutory forum prescribed under the Act as ryoti or Pannai under the relevant provisions of the Act and patta granted to the rightful claimant. The vesting of the estate in the State contemplated under the Act is the sheet anchor from which alone the rights claimed under the statute have to be worked out. The Act contemplates the survey and settlement of the lands in the estate on ryotwari system and the introduction of a ryotwari settlement, adopting the principles and rates in force in the ryotwari tract. This Act enables the ryots to get ryotwari patta for their lands and buildings, while the erstwhile land holders also get

patta for their pannai lands and for other lands which are proved to have been under their personal cultivation for the given period. It also enables Government to collect arrears of rent due to the landholder to a limited extent and pay it to him after deducting collection charges.

20. By sections 64-C(1) and 64-C (2) finality of proceedings is prescribed in respect of matters falling under the Act and matters arising under the Act are excluded from the purview of civil courts.

21. A Division Bench of the High Court has however, taken the view that the principle of "steir decis" cannot be enforced since the question of title ancillary to the determination of the character of land is also involved. In this view, the High Court has, therefore, held that civil courts have jurisdiction to entertain a suit for a patta in which title is also involved. The Government have filed appeals before the Supreme Court for an authoritative decision, as the statute itself has created forums other than civil courts, for implementation of the measures and has expressly provided the bar of jurisdiction of civil courts, for the reason that the Act being intended as an agrarian reform to better the rights of the ex-estate pesantry who constitute a substantial portion of the population in Tamilnadu, the interested persons cannot afford to indulge in endless litigation before civil courts.

Vital issues involving property rights that arose in the course of implementation of the Act were decided in the Civil Courts. The more important of the issues are dealt with below:—

2. Tank bed lands.

22. The Estates Land Act had not defined Tanks and Tank bed lands in positive terms, though under Section 3 (16) sub-clause (a) of the Act beds and bunds of tanks and of supply, drainage surplus or irrigation channels are listed only as exceptions to Ryoti land. Under Section 3 (b) of the Estates Abolition Act 1948, tanks and irrigation works constituting component parts of the estate, vest in the Government. While claiming ryotwari patta under Sections 12 to 14 of the Abolition Act (i.e.) for private lands as defined under Section 3(10) of the Estates Land Act the ex-landholders in some cases claimed patta for the tank itself based on the theory of appurtenance. Relying on the earlier decisions, the High Court applied the theory of appurtenance and held that the landholder of Idayankottai was entitled to a patta under the Abolition Act 1948, for a tank situated in the middle of private lands. These earlier decisions are extracted below:—

23. In Nidhi Krishna Bose (vs.) Ram Doss Sen 20—Weekly Reporter 341 it was held:—

"Where land is let for cultivation, and there is a tank upon it, the tank would go along with the land; and if there was a right of occupancy in the land, there would be a right of occupancy in the tank as well as appurtenance to the land. But here the tank is the principal subject of the lease, and only so much land passed into the tank as is necessary for it, namely for the tanks. This in reality is the tank and according to the decisions there cannot be a right of occupancy acquired in it."

24. In Sureandra Kumar (vs.) Chandrabaranatha AIR 1931—Cal. 135, referring to the above decision, it was observed.

"The true test as to whether the lease is for agricultural purposes or not is to see whether the primary object was the lease of the tank or lease of the land surrounding it for purpose of agriculture with the tank within it. In this respect, the area of the surrounding land is an important factor to be considered."

It was held that the lease was of both the tank and the land and that the tenant would get occupancy right. This view was accepted by the Patna High Court in Bobharan (vs.) Raja Minton—ILR. 36 PAT 471. Under the Estates Land Act it was thus possible to prove that tank bed lands, though not cultivable and ip-so-facto ryoti in character, could still be the subject matter of ownership applying the theory of appurtenance which led to the possibility of treating it as part of private lands.

25. After the enactment of the Estates Abolition Act, claims for patta for lands including, inter alia, tank bed lands, arose. The character of the lands, as arising under the Estates Land Act had to be looked into while deciding the claims for ryotwari patta. It was based on these foregoing decisions, that the High Court (in Srinivasa Rao vs. the State of Madras—9 L.R. 1957 MS-436) in respect of a tank in Vagaikulam estate held that the landholder was entitled to patta for it under Section 12 based on the theory of appurtenance. The Court decided that the landholder would get the advantage of the lacuna in the Estates Land Act (viz.) in not having defined tank and tank bed lands, and this served as a precedent in the Idayankottai case (referred to above) which was decided against the Government in the first instance.

26. The State however challenged this decision in the appeal filed relating to Idayankottai case. A Bench consisting of three judges heard the appeals. Referring to earlier decisions relied upon by the landholders, the High Court observed.

"In our opinion the question has got to be decided not on the basis that an item of property in respect of which a ryotwari patta is claimed was a part of a holding or a block of lands, but as to whether that item would be private land as defined in the Madras Estates Land Act, 1908 Section 3(10) "

Referring to Section 3 (b) of the Abolition Act and after discussing the intention of the Legislature behind this provision, the Bench held as follows:—

"With great respect to the learned judges who decided Srinivasa Rao (Vs) the State (Vagaikulam tank case) we are unable to share their view that a landholder's right to obtain a ryotwari patta for an irrigation tank under Section 12(a) of the Abolition Act could be supported either on the theory of appurtenant rights or that the tank formed part and parcel of the private lands of the landholder. In our opinion the provisions of Section 15 of the Abolition Act and the rules made thereunder indicate that the intention of the Legislature was not to entitle the landholder to obtain a ryotwari patta for a tank merely for the reason that it was situate within the boundaries of his private land; the question in the first instance would be a matter for judicial adjudication under Section 15. If it is found that having regard to its size and the quantity of water in the reservoir, it was nothing more than a well or pond, the landholder would be entitled to have it included in the patta for the land of which it is a part, if, on the contrary, it was held that the tank was really an irrigation source for other lands although all of such lands would be included in a patta to be granted to the landholder, the tank would be Government property and the landholder would have no right to obtain a patta for the same " (1959 II. MLJ. 254 (Full Bench).

27. The decision in Vagaikulam tank case in ILR. 1957 HC. 436 was thus overruled.

28. Prior to the Estates Land Amendment Act of 1934, tank beds were retained as such notwithstanding the subsequent reduction of capacity or abandonment of the tank, but it was only after the amendment, by insertion of Section 20-A that the landholder was enabled to convert abandoned tank bed lands in certain circumstances into ryoti with the prior sanction of the Collector.

29. In Meevali Ambalam (vs.). Shanmuga Rajeswara Sethupathi—66 MLJ. 388, it was held "that where certain plots of land in the higher portion of tank bed situated in a Zamindari were submerged in normal times after rainfall every year, but were brought under cultivation in other seasons, the land did not cease to be tank bed merely because cultivation was so carried on and did not become ryoti by reason of their assignment by the landholder for purposes of cultivation. A certain land cannot at the same time be both tank bed and ryoti".

30. In Sangaraswami (vs) K. V. Mohideen 51 I. C. 388, it was held "that tank bed which is being used for storing water is not ryoti land".

31. In W.P. 728/57, Rajagopala Iyengar, Justice had to deal with a claim for ryotwari patta under Section 15 of the Act negatived by the Estates Abolition Tribunal. In confirmation of the Tribunal's finding he observed:—

"I am unable, however, to agree with the contention that the permission to cultivate the tank bed lands in pursuance of the Grow More Food campaign or the inclusion of these items in C.M.P. ayacut could by themselves either independently or in conjunction, constitute a release from the exception under Section 3(16)(a) of the Estates Land Act, which only an order under Section 20-A can effect. Section 20-A is a statutory provision by which the lands set apart for the purposes named in Section 3 (16) (a) could be disannexed from that obligation."

39. In Palaniappa Chettiar (vs) Babu Sahib, 1944—I.LMJ 110—Veerasami Juestice (as he then was) again observed extending the principle in Palaniappa (vs) Vairavan—ILR. 1963—MS. 519.

“As I understand, the judgment is that when a vacant site is leased out for putting up buildings thereon and buildings are actually put up on the land they become part of the land so that the land is also a part of the buildings with the result that the lessor should be regarded as owner of the buildings, notwithstanding the fact that the buildings do not belong to lessor.”

40. In Silambani Sri Chidambara Vinayagar Devasthanam (vs) Duraisamy Nadar—1967—II. MLJ. 181, Natesan, Justice had to deal with the claim of the landholder—Devasthanam who sued the tenants (owners of Superstructures) for arrears of rent claiming right to sites. In dealing with this claim in a second appeal, it was thus observed by him:—

“A certain amount of common sense must be applied in construing statutes. The object of the Act has to be considered, said Lord Goddard Chief Justice in Banres Vs.—Jarvis—1953—L.WLR. 649. The object of the Abolition is to introduce ryotwari settlement in estates. The landholder in his right as the proprietor of the estate might have granted on lease sites to tenants and others for building purposes for rent. Under the ryotwari settlement introduced by the Abolition Act, the Government take the place of the proprietor and vest the site in ownership with the owners of the buildings subject to their paying proper assessment on the sites. The landholder is compensated under the Act for the deprivation of his interests in the estates. Viewed in this perspective, little room is left for subtle arguments that the proprietor having provided sites for the building must be deemed to be a co-owner with the owner of the superstructure of the building and the premises as such would be held in joint ownership, the proprietor as the owner of the site and the tenant the superstructure. In my understanding of the section, the two questions that arise under it, one who owns the building and two, what goes with the building must be kept distinct.”

41. The above decision of Justice Natesan was taken on appeal in L.P.A. 50/66, before a division bench. After requiring to the provisions of sections 18 (4) and 18 (5) the Chief Justice has observed:—

“The result of sub-section (5) to our mind, is that the definition contained therein, when incorporated in sub-section (4) would have this consequence that if the building as well as the site on which it stands both belong to the same persons, upon the notification, both of them will vest in that person. That we think is the true scope of sub-sections (4) and (5) read together. These provisions do not contemplate a transfer of the ownership of the site to the owner of the building where it had not already belonged to him. Unless there is a coalescence of the ownership of the building as well as of the site on which it stands there will be no vesting under sub-section (4). That is the view Natesan Justice took and we agree with him.”

4. Gramanathan.

42. In S.T.A. Nos. 18 and 19/71 Sri Thiyagarajaswami Devasthanam filed appeals before a division bench. After referring to the provisions of sections 18 (4) and 18 (5) under Section 13 of Act 30 of 1963. The Chief Justice who delivered the judgment on 22nd April 1974 held:—

“Admittedly the lands belong to the first respondent. Tahsildar granted joint patta to both the first respondent and the Devasthanam. But the first respondent appealed and succeeded in getting patta for both the land and the building. Against that order Devasthanam appealed. But against the original order of the Tahsildar, the Devasthanam failed to file an appeal. In the circumstances the right thing to do is to direct grant of patta exclusively to the Devasthanam for the land, which will be in accordance with the provisions of the Act. But so far as the building is concerned, it will suffice to declare that it belongs to the first respondent.”

“We are unable to agree with the conclusion of the Tribunal that because the building belonged to the first respondent, the site on which it stands also should necessarily belong to him. That was not the interpretation which we have placed in this Court. The discussion by the Tribunal as to the character of the land also is not quite satisfactory.”

GRAMA NATHAM

43. In Rengaraja Iyengar (vs) Achikannu Ammal—1959—2. MLJ. 513, a question arose about a house-site in gramanatham. Dealing with this case Subramanyam Justice held:—

“It is contended that, in relation to buildings specific provision is made under section 18 of Act XXVI of 1948 and that, consequently unless a house site can be brought within the ambit of section 18, such house site should be held to be the property as to which title gets transferred to Government under section 3(b) section 18 deals, in my opinion with buildings wherever they may be situate whether in gramanathams, ryoti lands or panna or private lands. Section 18 has no particular application to building or house in gramanatham. A building in a gramanatham (or village habitation) is protected from transfer to the Government both under Section 18(1) of Act XXVI of 1948 and under the Madras Land Acquisition Act—Act III of 1905. The title to a house site in a gramanatham is protected from the Government by the operation of Madras Act III of 1905.”

32. A Division Bench of the High Court dealt with the claim under Section 15 relating to tank bed lands in the State of Madras (vs) Estates Abolition Tribunal—1959 (II) MLJ. 585. Delivering the judgment Balakrishnan Justice held:—

“There was no material on the basis of which the Chairman could have concluded that none of these lands formed part of the tank bed. The karnam, it should be remembered, specifically stated that those 12 items of the petitioner's lands were liable to submersion when the tank received its full supply of water. The Tribunal did not consider whether that was one of the factors to be taken into account in deciding whether these lands were part of the tank bed or whether though these lands lay in the foreshore of the tank, they did not form part of the bed of the tank”.

In rejecting the claims, the judge held:—

“To enable the Tribunal to deal with such questions properly, we shall explain some of the considerations which might be kept in view when disposing of claims of this nature. These considerations the Assistant Settlement Officer will have to take into account in similar cases. These considerations, are however not to be regarded as exhaustive.

“In respect of lands that are liable to submersion

When the tank is at F.T.L., the presumption, which is however rebuttable, is that those lands form part of the tank bed.

“But in a large number of cases this may not be so. Numerous decisions of this court proceeded on the basis that water stood in an irrigation tank does spread over and stagnate on other lands which are indubitably patta lands and do not therefore form part of the tank bed. The decisions also lay down that in such cases the ryots whose lands are submerged can make no grievances of it or claim any relief from payment of the assessed land revenue. That was on the ground that such had been the customary mode of irrigation in this country from time out of mind.

(In B.S.O. 16 paragraph I at page 85 of Vol. I these instructions appear:—

(Instructions similar to these have also been incorporated in the Revenue Settlement Manual).

“Before deciding what depth of water is likely to stand on any particular plot of land it is desirable to insist on accurate figures. It should not be very difficult to obtain such figures if levels are taken. General statements of villagers or of the karnams or even reports made by higher officers based on a single visit to the village made for the purpose will not have the same usefulness as accurate figures obtained after taking levels. In such cases it would be very desirable to have a plan prepared showing the levels and other necessary details. The period for which water is likely to stand on the land must no doubt to large extent be the subject matter of oral testimony, but a measure of check on the truthfulness or accuracy of these statements can be effected by taking into account the area of the tank, the area of the ayacut under the tank, the source or sources from which the tank derives its supplies, the custom of the village and other facts an officer of the land revenue department, the Minor Irrigation Department or the Public Works Department is expected to be familiar with. As we said, a map showing all these details should be of considerable help Fugitive cultivation, however, should not be treated as evidence that the land is patta land The use of the expressions like “Kulamkorvai” or “Kulam Punjai” may not be conclusive even on the question whether the land is liable to submersion or not, since that expression is understood in different senses in different places.”

33. As claims to patta arose in many cases in estates taken over under the Abolition Act, in respect of lands liable to submersion by tanks, the norms to be adopted by the settlement authorities were examined. On the recommendation of the Board, orders were issued in G.O. Ms. No. 425, Revenue, dated 18th February 1955 that in case of tank bed lands classified as such, submersibility for a period of 21 days in a year can be ignored while admitting claims to ryotwari patta for such lands. In actual application, however, this test of submersibility was applied by the lower settlement authorities in respect of all lands comprised within the full tank level of tanks and the claims for patta were disallowed invariably in respect of lands found to be submersible for more than three weeks, notwithstanding the fact that they were old patta lands.

34. A claim which was partly allowed and partly disallowed, applying the test of submersibility by the Assistant Settlement Officer, Koilpatti in his S.R. 2/66, dated 31st January 1969, came up for *suo motu* revision before the Board of Revenue which set aside the order in B.P. 2121/71, dated 13th May 1971 and directed the issue of patta for the

lands (which were old ryoti lands) and to ignore the facts of submersion. As the Board found on an examination of this case that a fundamental mistake had been committed by the settlement authorities in applying the test of submersibility to old patta lands, it exercised its powers of *suo motu* revision under Section 7 (c) and (d), set aside all the orders passed by the settlement authorities rejecting the claims for patta for Kulamkorvai lands and directed a fresh examination of the cases for grant of patta under Section 11 (a) wherever satisfactory evidence of title was forth-coming, notwithstanding earlier orders passed rejecting the claims. It further directed that where jurisdiction to reopen a past case was barred on account of a subsisting order of the Board, the Government, the Tribunal or the High Court passed on merits, such claims could be dealt with outside the scope of the Abolition Act under G.O. 2502, Revenue, dated 8th July 1958, G.O. 1312, Revenue, dated 25th July 1967 or G.O. 1300, Revenue, dated 30th April 1973 as the case may be.

35. The consequent re-examination of such cases by the settlement authorities, appointing special staff wherever necessary, resulted in the grant of patta in about 73,000 cases for a total extent of about 70,000 acres in the course of about one year. A further extent of about 18,000 acres to about 7,900 claimants was allowed on patta outside the scope of the Act applying the G.Os. last mentioned above.

3. Section 18 of the Abolition Act, 1948, *Vis-a-Vis* Section 13 of Act 80 of 1968.

36. In the “Explanation” to Section 13 of the Abolition Act, “Building” *per se* has not been defined, but it is stated that it includes the land on which it stands and any other building owned and enjoyed as appurtenant thereto. This wide definition of the term “building” has led to lot of doubts and interpretations and can be said to have raised the widest controversy among all the provisions of the Abolition Act, especially in cases where the building and the lands are held by different interests.

37. This provision was subjected to judicial scrutiny at various times and has evoked different decisions.

In Pandian (vs) Board of Revenue, 1960/74, LW. 649—Rajagopalan Justice has held:

“Thus what constitutes a building for purposes of Section 18 of the Act has to be gathered primarily from the scheme of that Act. Obviously, Section 18 is not confined to residential buildings as clauses 1 to 3 themselves of Section 18 make clear. Even with reference to a residential building, a hut whether in a rural or urban area with a thatched roof, would be a building, even if the walls of that hut had not come up to the roof. Clauses 4 and 5 of Section 18 secure for the owners right in a building other than those that fall within the scope of clauses 1 to 3. Clauses 4 and 5, it should be noticed, are not confined to dispossessed landholders but extend to others also who owned buildings in an estate before the notified date. The scheme of the Act was to substitute ryotwari tenure for Zamindari tenure for the cultivable lands. Special provision had to be made for land with superstructures thereon in view of the otherwise comprehensive provisions of Section 3 vesting everything in the estate in the Government with effect from the notified date. The first rule of interpretation is that the words of an Act should be construed as they are understood in common language; words are *prima facie* deemed to and that is the superstructures. As far as I am able to see, the legal position in this country regarding the respective rights of the lessor and the lessee in cases where the lessee has put up a superstructure on land which he has taken on lease is well established. The lessee in the absence of a contract to the contrary is the owner of the building put up by him while the lessor continues to be the owner of the land. Distinct ownership, one in the land and another in the edifice thereon, has been recognised, and can exist”.

In this view the settlement authorities proceeded to grant joint patta under Section 18(4) in all cases where the land and the building constructed thereon were held by different interests.

38. In Venkatasubramania Pillai (Vs.) Board of Revenue and two others (in W.P. 732 of 1961)—Veerasami Justice (as he then was) has observed:—

“It is true that when after the notified date the site would otherwise have vested in the Government pursuant to a notification under Section 3, the effect of Section 18 (5) would be that the owner of the building falling within the ambit of Section 18(4) would also be the owner of the site on which the building stands. But as it seems to me, the intention of sect not to divest the title of a private owner to the site and vest in the owner of the building the site. The section does not appear to contemplate a case where the building person and the site on which it stands to another, except a case of owner of a building and landholder owning the site”.

"It is not necessary that in order that the policy underlying Madras Act XXVI of 1948 be completely given effect to, house sites belonging to private individuals (that is, persons other than the landholder) in a gramamatham, should be transferred to the Government. It is not part of the primary objective of the Act to transfer to the Government land in which the proprietor had no interest at any time".

The same view was taken by Alagiriswami, Justice in S.A. 1805 of 1964, dated 8th November 1968.

44. The point to be noticed is that the learned Judge takes out of his observation Natham house-sites that belonged to landholders as forming part of the estate which alone are attracted by Section 3 (b) of the Act.

45. In the ryotwari settlement of estate villages, natham fields are kept as a whole, following the practice adopted in ryotwari villages, including all its components of temples, streets, channels, roads, burial ground, thrashing floor, grazing grounds and cattle stands and all similar portions of it put to communal user, whatever be its nature, and no attempt is made even to differentiate occupied and unoccupied house-sites for the sheer magnitude of the work involved inconsistent with the avowed purpose of implementation of the Estates Abolition Act as well as the revenue aspect of it, leaving the occupation to be regulated, as in the ryotwari villages, under the Boards Standing Orders. But in town sites, however, natham eye sketches are appended to the Field Measurement Books to indicate therein occupied house-sites levied ground rent.

46. Thiru Veeranan and four others claimed patta before the District Revenue Officer, Ramanathapuram for the tope site in S. No. 11 of Agaram Village treated as village site at settlement on the ground that an extent of 1.50 acres is enjoyed by certain harijans as their ancestral property. One Thiru Karupiah Pillai issued a notice of suit to the District Revenue Officer, Ramanathapuram claiming patta for an extent of 2.60 acres in the same village site. This is a supplementally surveyed village settled under the Abolition Act 1948 in fasli 1366. The land in O.S. 11 measuring 8.60 acres was correlated to R.S. No. 11 registered as village site following the same pre-settlement classification. The District Revenue Officer referred the matter to the Settlement Officer, Madurai to state whether the settlement authorities could adjudicate such claims. The Settlement Officer, Madurai reported the facts to the Director of Settlements, Madras who solicited instructions from the Board. The Director of Settlements, Madras stated that according to the instructions issued in Rt. 556, dated 10th July 1964 based on the orders of the Government in their memo. No. 49711/59, I.L.C., dated 23rd June 1959 the Settlement Officer could give a decision under Section 18 (4) regarding claims in Natham porambokes. The Director of Settlements also referred to the orders of the Board in B.P. Perm. 49, dated 1st February 1968 wherein instructions were issued with reference to the decision in 1959-2-MLJ. 513 that occupied village site or gramamatham was outside the purview of the Abolition Act and that the settlement hierarchy had no jurisdiction to entertain any claim. Referring to the same High Court's judgment, the Director of Settlements stated that the High Court has not held that poramboke lands were outside the purview of the Act, nor that the settlement authorities could not decide title to sites in the village natham, but in fact it had been accepted that Section 18 was applicable to occupied gramamatham also. The Director of Settlements further stated that the order of the Government referred to in B.P. Rt. 566 of 1964, dated 10th July 1964 was in conformity with the High Court's decisions and that the correct view would be that the settlement authorities are quite competent to deal with questions of title in gramamatham, whether occupied or unoccupied.

47. The Board (Thiru R. Thirumalai, I.A.S., functioning as Commissioner for Settlement of Estates) after examining the earlier orders and the report of the Director of settlements found that the instructions issued in Rt. 566, dated 10th July 1964 were issued without reference to and consideration of the decision of the High Court in Rengaraja Iyengar (vs.) Achikkannu Ammal—1959-2 MLJ 513. It was also noticed that on a reference from the Collector, South Arcot regarding the acquisition of lands for the Neyveli Lignite Project, Government had issued instructions that the land referred to by the Collector being natham poramboke, and as such lands have been excluded from 4 (1) notification, the Government in their Memo. No. 49711/59, dated 23rd June 1959 have informed the Collector that if there was no need to concede adverse possession he might submit draft 4 (1) notification for acquisition of the superstructure of the

buildings thereon without reference to the site. Subsequently Government also accepted in their Memo. No. 41814 (Revenue), dated 10th April 1964, the suggestion of the Board (Land Revenue) that if a dispute arises in estate villages with reference to title to the land claimed as natham poramboke, it is necessary that the settlement authorities give a decision and it is this order which was cited in B.P. Rt. 566, dated 10th July 1964 and also referred to by the Director of Settlements. But in the High Court's decision cited above it has been categorically held that sites in gramamatham do not vest in the Government under Section 3 (b) of the Act—The High Court has observed:—

"I hold that Section 3 (b) of Madras Act XXVI of 1948 does not have the effect of transferring to the Government title to the house site within a gramamatham belonging to a person other than a landholder when the estate in which the house site is situated is taken over under a notification issued under the Act." The words "other than a land-holder" makes a clear distinction between occupied and unoccupied natham, in estate villages. All unoccupied natham owned by the landholder on the notified date with reference to pre-settlement records shall vest with the Government under Section 3 (b) of the Act, while the said High Court ruling applies fully to occupied natham. In B.P. Perm. 49/68, dated 2nd February 1968 referred to by the Director of Settlements, the Board had occasion to consider a claim under Section 18 (4) of the Act for a land situated in village site and it was found that the land was an occupied land in the village site and that according to the above High Court's ruling the settlement forum had no jurisdiction under the Abolition Act to entertain such claims, much less adjudicate thereon.

48. In a subsequent decision in Kariappa Naicker (Vs.) the State of Madras in S. A. 1805/64 the Honourable Judge Thiru Venkatadri, as he then was, following the above ruling held:—

"I am afraid the courts below have committed an error in considering his property as poramboke. Further it has been settled by a number of decisions—Palaniammal (vs) Sethuramalingar—A.I.R. 1949 MS 814 that Gramamatham is not communal property in the sense in which thrashing floor or burning ground or other property is communal and is property reserved for the use of the community. In Rengaraja lyengar (vs) Achikannu Ammal (1959-2. MLJ 511) Subramanian, Justice observed that house sited in gramamatham, therefore, could not stand vested in the Government under Section 3 (b) of the Act. Therefore, after a consideration of this decision and the interpretation of the documents I am satisfied that the descriptions in the said documents clearly prove that these are house-sites and hence even after the Abolition Act, these could not vest with the Government."

49. In view of these judicial pronouncements, the Board held in B.P. Perm. 374, dated 22nd July 1969 that the issue regarding adjudication of claims in occupied nathams had become stare decisis and an occupied natham does not vest in the Government under Section 3 (b) and that the settlement authorities cannot deal with or entertain claims regarding the same.

50. The scope of Section 13 under Act 30/63 which relates to vestiture of buildings in Minor Inams and is identical with Section 18 under Act XXVI of 1948, was the subject matter of the appeals in S.A. 360/66, A.A.O. 46/67 and 62/69. This was a case where a successor to a lessee had put up a building on the land got on lease from the Inamdar and claimed sole right to patta for the building including the site thereon to the exclusion of the Inamdar. In disposing of these appeals, the Chief Justice held on behalf of the Division Bench:—

"We think that the courts below are right. So far as the ground based on Section 3 is concerned, it is true that the effect of the notification and taking over is that it abolished the title of the inamdar and vested the property absolutely free of all encumbrances in the Government. But it is also clear from Section 3 itself that, notwithstanding such extinguishment, the Act reserves certain rights under Section 3 (e) of the Act. But this is a matter between the respondent and the Government. We do not think it is open to the second defendant, who claims to have derived title from a lessee of the respondent to plead *justeri* merely on the basis of the notification under section 3."

"On the other ground raised on section 13, we are of the opinion that the effect of a combined reading of the two sub-sections of that section is that, unless the owner of the building is also the owner of the site, the building inclusive of the site will not vest in the owner of the building. In other words, the effect of sub-section (2) is not to make a statutory transfer of the land to the owner of the building where it has not earlier belonged to him."

This decision *ipso facto* follows the earlier decisions under Act XXVI of 1948.

51. Many more such decisions which influenced the implementation of the Act and have since become case laws are extracted in Appendix II under the heading "March of Law".

5. Amendments to the Estates Abolition Acts.

52. In the actual implementation of the Act several impediments and lacunae were noticed arising out of judicial comments in court proceedings which necessitated the enactment of the following amendment Acts:—

1. The Madras Estates (Abolition and Conversion into Ryotwari) Amendment Act, 1950.	Do.	Act I of 1950.
2.	Do.	1951 .. Act XVII of 1951.
3.	Do.	1951 .. Act XXXV of 1951.
4.	Do.	1953 .. Act XXXIX of 1953.
5.	Do.	1954 .. Act XXXIV of 1954.
6.	Do.	1956 .. Act XLIV of 1956.
7.	Do.	1958 .. Act XXXIV of 1951.
8.	Do.	1961 .. Act 18 of 1961.
9.	Do.	1963 .. Act 21 of 1963.
10.	Do.	1974 .. Act 49 of 1974.

THE MORE IMPORTANT AMONG THE AMENDMENTS ARE DISCUSSED BELOW:—

(i) *The Tamil Nadu Estates (Abolition and Conversion into Ryotwari) Amendment Act, 1956 (Act XLIV of 1956).*

53. This amendment Act brought out some important changes in the principal Act, in the wake of the experience gained in the implementation of the Act.

(1) It was found that there should be power to cancel or modify the order issued under the Act notifying any estate so as to avoid complication, if at a later stage such notification were found to be wrong or were struck down by courts etc. With this view sub-sections (5) and (6) were incorporated in section 1.

(2) It was found necessary to limit the rights of the landholder to such rights and privileges as are recognised or conferred on him by or under the Act and that such rights and privileges, if any, that accrued to any person prior to the notified date against the principal or any other landholder should cease and determine and should not be enforceable against the Government on the ground that the Government have stepped into the shoes of the landholder by taking over his estate. Accordingly sub-sections 3 (f) and 3 (g) were introduced.

(3) It was found that the landholders foreseeing the promulgation of the Abolition Act parted away with non-agricultural lands in their estates and had assigned such lands in favour of ryots for agricultural or non-agricultural purposes. There was no provision in the principal Act to recognise such rights. Section 19-A was, therefore, introduced to recognise such rights as discretionary measure on the part of the Government in *bona fide* cases.

(4) The provisions in section 20 of the principal Act relating to the recognition of rights of certain lessees and others were recast. Rights created by landholders in perpetuity, however, were declared as ceased and determined under section 3 (c) of the Act.

(5) Certain other provisions relating to compensation were suitably altered wherever necessary to define "ryotwari assessment" in relation to the determination of basic annual sum and total compensation, deposit of compensation and interim payments with the Tribunal, power of review by the Board in regard to basic annual sum and total compensation, etc.

(ii) *The Madras Estates (Abolition and Conversion into Ryotwari) Amendment Act, 1958 (Act XXXIV of 1958).*

54. One of the main changes introduced by this Amendment Act is the repeal of section 56 in the principal Act which related to certain disputes (viz.) (i) whether any rent due from a ryot for any fasli year is in arrear, (ii) what amount of rent is in arrear

and (iii) who the lawful ryot in respect of any holding is. Provision had been made in the main Act for the adjudication of such disputes by the Settlement Officer with a right of appeal to the Tribunal. In practice it was found that this provision worked against the interests of the ryots. As, under the Act, the main question of entitlement to patta for any land in favour of a ryot or a landholder had to be decided, it was thought best to leave the aggrieved parties in cases of rival disputes to seek redress under the common law. This Act, being essentially an agrarian reform, the proceedings thereunder should attain quick finality without protracting the proceedings. With this object in view, section 56 was repealed by this Amending Act.

(iii) *The Tamil Nadu (Abolition and Conversion into Ryotwari) Amendment Act, 1974 (Act 49 of 1974).*

55. Section 3 (b) in the principal Act declares vesting of an estate in the State on its notification. This section also specifies, by way of an inclusive definition, the various components comprised in that estate that vest in the state as a consequence of the notification. Ooranis and private tanks were not specified among the components so declared as vesting. In view of this, ryotwari patta came to be issued for ooranies and private tanks in estates taken over under the Act, if private claims therefor were put forth. During the estate administration such ooranies and private tanks were reserved for public use of the village community (viz) to augment their drinking water supply, washing of cattle or for irrigation, etc., as the case may be. These were granted on patta by the landholders in a large scale especially in the rain fed tracts on the eve of the notification of the estates. By the grant of patta for such ooranies and private tanks the interest of the community at large was affected and it resulted in serious disputes in the rural parts. The Government, therefore, wanted to set right this defect and brought out this Amendment Act by the insertion of Section 14-A in the Principal Act which is to the effect that ryotwari patta should not be granted in respect of private tanks or ooranies. The Act also provides that any ryotwari patta granted shall stand cancelled and for the purpose of compensation under this Act the private tank or oorani shall be deemed to be a land in respect of which neither the land holder nor any other person is entitled to a ryotwari patta under this Act. The Act also makes provision for the re-determination of compensation as a consequence arising in certain cases. Identical amendments to Act 26/63, 27/63 and 30/63 have also been made.

56. All the other amendment Acts relate to the minor alterations in the various provisions of the Act necessitated during actual implementation wherever necessary to spell out the implications in unambiguous terms.

57. To be fair to bonafide claimants, who might have failed to apply for ryotwari patta in time before the appropriate authority, Government passed orders to consider such claims, both from the ex-landholders and ex-ryots, outside the scope of the Abolition Act, so that pending proceedings may not be a handicap to the achievement of finality of the proceedings under the Act for purposes of final payment of compensation to the Landholders.

The Act also assured the payment as compensation to the land holders of ex-Zamin and under tenure estates, a total amount of 12½ crores of rupees in the erstwhile Presidency of Madras, deducting therefrom all Government dues that had accrued due to Government from the erstwhile land holders before the vestiture of the estate. If the compensation as finally determined fell short of this amount, the difference is to be apportioned *pro rata* among the land holders and paid as additional compensation. The compensation due for melwaram inam estates is payable besides this amount. The progress of payments so far made in respect of the ex-estates transferred to Andhra-Pradesh as well as those that remain in the residual Tamil Nadu reveals that there will be a substantial amount left to be paid as additional compensation to the erstwhile land holders.

58. The vestiture of the estates in the Government under the Act, affected the credit worthiness of the Land holders who had lost their means of livelihood and had to wait for compensation till the achievement of finality of settlement proceedings, as the

determination of Basi Annual sum had to depend upon the assessment fixed at settlement which in turn had to follow an elaborate process. To alleviate this hardship, provision was made in the Act, to work out in a rough and ready manner the probable amount of compensation that may be eventually payable to an estate holder, on the data available as soon as an estate is taken over and deposit one half of the anticipated amount of compensation in the Tribunals within six months of the take over of an estate, subject to adjustment in the compensation finally to be determined. The estate owners were also to get by way of mesne profits, a proportionate amount of the basis annual sum till the compensation amount is finally determined and paid. Belated payment of the mesne profits as above carries interest.

In relation to the ex-estate area, land ceiling laws were to be given retrospective effect, thus covering the inevitable delay in patta proceedings.

III. *The other Legislative measures relevant to the Abolition of estates is summarised below.*

The Madras Estates (Supplementary) Act, 1956 (Act XXX of 1956).

59. Section 9 of the principal Act provided for determination of the character of an inam estate, to find out if it was a rase of grant of both warreams or melwaram allows so as to enable its notification under the Act. Objection was raised if a creature of the statute had itself the power to decide the applicability of the Act to a given inam Estate. That Section was, therefore, omitted by Section 13 (c) of this Act, which created a separate machinery for the determination of this question with provision for appeals to Special Tribunals and Special Appellate Tribunal (High Court). This Act came into force on 3rd August 1957.

The Tamil Nadu Inam (Supplementary) Act, 1963 (Act 31 of 1963).

60. This is similar to that of Act XXX of 1956 created for the purpose of determination of Inam estates falling under Act 26 of 1963. This new Act is more comprehensive as it provides for an adjudication of tenures of estates and minor inams notified under Acts 26 of 1963 and 30 of 1963 also and it has to be invoked by aggrieved parties soon after notification is issued.

The Tamil Nadu Inam Estates (Abolition and Conversion into Ryotwari) Act 1963 (Act 26 of 1963).

61. Under the Tamil Nadu Estate (Abolition and Conversion into Ryotwari) Act 1948, Inams which were estates prior to the 1936 amendment of the Madras Estates Land Act (those consisting of melwaram grants only) alone were taken over while other Inam villages which constituted grant of land and land revenue were left out of its purview. In pursuance of the avowed policy to abolish all kinds of intermediaries, the Government decided to abolish the whole inam villages left out of the earlier Act and brought the above legislation. It covered also the inam estates (both whole inam and part inam grants) in the merged territory of Pudukottai, for which title deeds had been issued in the meanwhile under the Pudukottai Inams Act. This Act is similar in structure to that of the earlier Act of 1948 in setting out the provisions, providing machineries, etc., except in the matter of compensation for which a different formula was adopted.

62. This Act was challenged in the High Court. The validity of the Act was upheld by the Division Bench of the High Court in Subbachariar (vs.). The State of Tamil Nadu reported in 1967 I. M.L.J. 206. The further appeals of the Supreme Court were dismissed in 1971 SCP 161.

The Tamil Nadu Lease Holds (Abolition and Conversion into Ryotwari) Act, 1963 (Act 27 of 1963).

63. This Act provides for the termination of the leases of certain leaseholds granted by the Government (99 years lease in some cases and some permanently), the acquisition

of the rights of lessees in such leaseholds and the introduction of ryotwari settlement in such lease holds. In the schedule to the Act, 13 leaseholds have been enumerated the origin of which is referred to under "tenures" in chapter I of Part I.

The Tamil Nadu Minor Inams (Abolition and Conversion Ryotwari) Act, 1963.

64. There were 11,59, 263 TD. Minor Inams and service tenure grants covering an area of 1556.68 sq.m. scattered throughout the State. The Act provides for the abolition of these minor inams with effect from 1st July 1963 and the introduction of ryotwari settlement in the lands. It provides for grant of patta for the occupants of both melwaram minor inams and iruwaram minor inams while the melwaramdar who does not get patta is given compensation.

The Tamil Nadu (Transferred Territory) Ryotwari Settlement Act, 1964 (Act 30 of 1964).

65. This Act provides for the Survey and ryotwari settlement of lands in the Kanyakumari district and the Shencottah taluk of Tirunelveli district which were transferred to Tamil Nadu under the States Re-organisation Act. The total area for settlement is 505.92 sq.m. comprised in 74 villages. It provides for the abolition of basic tax structure fixed under the erstwhile Travancore-Cochin State Land Revenue rules and the introduction of ryotwari rates of assessment, based on the classification of different kinds of soils and irrigation sources.

The Kanyakumari (Sree Pandaravaka Lands) Abolition Act, 1964 (Act 29 of 1964).

66. Sri Padmanabha Swamy Temple at Trivandrum held certain lands known as "Sree Pandaravaka lands" in Kanyakumari district. The income from these lands was utilised for the upkeep of certain services in the said temple and some other group temples through Sanketham Department of the Kerala State. The Act provides for the acquisition of the temple's rights in these lands by the Government with effect from 1st March 1965 and for introduction of ryotwari settlement. The Act provides for grant of patta to the tenants in these lands and the payment of compensation to the temple.

The Tamil Nadu (Transferred Territory) Thiruppuwaram Payment Abolition Act, 1964 (Act 31 of 1964).

67. This Act provides for the extinguishment of the rights to receive and the liability to pay Thiruppuwaram in Kanyakumari district and the Shencottah taluk of Tirunelveli district. The Act came into force on 1st March 1965.

The Tamil Nadu (Transferred Territory) Jenmikaram Payment Abolition Act, 1964 (Act 31 of 1964).

68. The Jemmies, who were intermediaries were collecting in the Transferred Territory (i.e.) Kanyakumari district and Shencottah taluk of Tirunelveli district, certain amounts called 'Jenmikaram' from Kudiyaans. This Act provides for the extinguishment of that right with effect from 16th March 1965, on payment of compensation collectable from the Kudiyaans. Compensation and Tasdic allowance has been paid in all the cases.

The Kanyakumari Sreepadam Lands (Abolition and Conversion into Ryotwari) Act, 1972 (Act 11 of 1973).

69. This Act provides for the acquisition with effect from 11st July 1973 of the rights of the landholder on Sreepadam lands owned by Sreepadam Palace at Trivandrum, the income of which is enjoyed by the women members of the erstwhile royal family of Travancore. This covers an extent of 0.85 sq. mile and settlement has been completed in Fasli. 1383.

The Gudalur Janmam Estates (Abolition and Conversion into Ryotwari) Act, 1969.

70. The policy of abolition of all intermediaries between the Government and the actual cultivators (viz.) the zamindari, under tenure and Inam Estates and all minor inams and leaseholds, etc., has been achieved under the various legislative measures

detailed above and these lands have been converted into ryotwari lands in most cases by the grant of patta to the persons entitled thereto. However, the special system of landholding known as the "Janmi" system in vogue in the Gudalur taluk of the Nilgiris district known as wynaad is a relic of the Malabar land tenure which attracts the definition of estate in Article 31-A (a) (1) of the Constitution. The question of abolishing this special tenure in Gudalur taluk and introducing ryotwari settlement had been engaging the attention of the Government. The Revenue Divisional Officer, Gudalur was directed to make an enquiry in the matter and to submit a factual report. After considering his report, in consultation with the Board of Revenue, the Government decided to abolish the system of Janmam tenure in the Gudalur taluk on payment of compensation to the Janmis at a multiple of the average of the net annual income derived by the Janmis from the "Janmam estate". The Jenmi and the Verumpattamdar will be respectively entitled to ryotwari patta for any land on proof of personal cultivation by him for three agricultural years. In the absence of such proof, any other person who had cultivated the land for 3 agricultural years will similarly be entitled to ryotwari patta. Any person other than the Jenmi getting patta will be liable to pay to the Government in equated instalments contribution at the rate of 20 times the difference between the fair rent and the land revenue.

71. The Legislation in this regard received the assent of the President on 6th December 1969. But before notification could be issued specifying the date of commencement of the Act as provided for in the Act, some of the jenmis and lessees took up the matter to the High Court challenging the Constitutional validity of this Act. In Nilambur Kovilagam (vs.) the State, the Divisional Bench of the High Court upheld the validity of the Act by a common Judgement, dated 26th October 1970. After tracing the tenure of Jenmam Estates, vis-a-vis the effect of settlement and resettlements therein, the High Court observed:—

"We have made this extensive review which, as we think, establish:—

(1) Judicial decision over a long period, and therefore the Government, recognised that the Jenmi was the proprietor who had the absolute property right in the soil subject only to the payment of revenue.

(2) Jenmam right in the proprietor has never been, since Secretary of State (vs.) Ashtamurthi 13 M.A.D. 89, interfered with in the settlement or resettlement.

(3) The settlement and resettlement were meant merely for fixing revenue which was not on the actual basis of net produce or on the principles applicable to ryotwari assessment.

(4) The system of darkhast and rajinama (relinquishment) was given up after 1883 and if jenmam land was waste it was not assessed.

(5) The registration from 1894 was both of private jenmam and Government jenmam and they were classified separately; private jenmi paid no janmabogham but an occupier of Government jenmam land paid janmabogham.

(6) The janmabogham collected by the Government and the revenue paid to it were regarded as distinct entitles and the jenmabogham was collected in addition to the revenue, though both the items of charge were, after the re-settlement, merged into one.

(7) Pattas were given to jenmies from 1894 but they were only for the purpose of revenue and could not legally interfere with the private proprietary right of the jenmi in his jenmam land.

(8) The principle of settlement as finally adopted and the resettlement did not in any way affect the land tenures obtaining in the district and caused no prejudice to the proprietary rights of the landholders. We are of the view, therefore, that private jenmam lands have not through settlement and resettlement been converted into ryotwari lands. As a result, jenmam lands in the Wynad constitute jenmam estate to which the provisions of the Act are applicable. We are also of the view that because

of Article 31-A (2) (a) (i) of the constitution, jenmam right is an estate for the purpose of that Article and the Act is, therefore, protected by Article 31-A (1) from an attack based on violation of Articles 14, 19 and 31".

72. Some of the jenmis and lessees took up the matter on appeal to the Supreme Court of India. By a common Judgement, dated 19th April 1972, the Supreme Court disposed of the appeals. Though the Supreme Court upheld the vires of the Act, it held that the provision for the vestiture of forests existing in the jenmam estate is not protected by Article 31-A of the Constitution on the ground that there is no material on record to indicate that the transfer of forests from the janmi to the Government is linked in any way with a scheme of agrarian reform or betterment of village economy to satisfy the directive principle. The Supreme Court therefore held:

"As a result of the above, we uphold the vires of the Act except in one respect. The provisions of Section 3, in so far as they relate to the transfer of forests in Janmam estates to the Government, are not protected by Article 31-A and being violative of the Constitution this section is struck down".

73. Forest constitutes the major portion in the Jenmam estates. Since the provision for vesting of forest has been struck down, the Tamil Nadu Government have recommended to the Centre for inclusion of the Act in the 'Ninth Schedule' to the Constitution so as to enable it to implement all the provisions of the Act as they are. The reaction of the Government of India to the proposal referred to above is yet to be known. In the meanwhile arrangements are made for the survey of the Jenmam lands so as to restrict inroads into forests and claim for patta by pseudo occupants. The notified date was fixed as 27th November 1974 for taking over jenmam estates and their vesting. Against this some of the estate owners filed Writ Petitions in the High Court which were all dismissed and the states were ultimately taken over in the year 1976.

III. CONCLUSION.

The abolition of the intermediary tenures, chiefly the Abolition of zamindaries, brought the actual tiller of the soil into direct contact with the Government under the ryotwari tenure. It has enabled the correct maintenance of land records which is very vital for a country where private property in land is respected. The ryots in turn have been enabled to raise takkavi and other co-operative loans on account of the fixity of tenure ensured by these legislations. The incidence of Takkavi loans in estate villages was formerly very meagre, if not nil, because it involved a cumbersome process before a loan could be granted to an estate ryots. It had to be done after notice to the proprietor and taking his objections into account. Frequently it involved settlement of disputes whether the applicant was a tenant at will of the landholder's pannai land or if he had heritable occupancy right. The defective maintenance of the estate accounts was a major handicap. Even in cases when the landholder or proprietor gave clearance, it was necessary to survey the land offered as security, as in most estates, the villages were not surveyed and even if a survey had been done, the records had been maintained indifferently and the survey had consequently fallen far out of date. Disputes between landholders and ryots by way of rent suits and between one ryot and another on boundary disputes, were very frequent and they occupied most of the time of revenue and civil officers. Agriculture in the estate areas was very backward due to rack renting, the unstable tenure of estate ryots and lack of improvements. These conditions militated against land improvement in estate areas and proved a handicap in executing major and minor irrigation schemes. The estate tenants lacked initiative and incentive for fear of enhancement of rent by the landholder (under the pretext of crop sharing) if any investment was made in the land to increase the yield by adopting improved agricultural practices. The natural resources in estate areas were thus going to waste. The estate wastes and forests were exploited indiscriminately. The administration of big estates was generally oppressive, with the huge machinery of staff at their disposal, while small landholders were at the mercy of the ryots for collecting the warim due to them. Unlike the ryotwari villages, seasonal remissions were unknown in estate areas and the arrear rent accruing in years of bad season had a snow balling

effect on the indebtedness of the estate ryots. The scheme of the Estates Abolition Act which freed the ryot from liability to pay arrears of rent, whether covered by decrees or not, that accrued prior to fasli 1356, and the confinement of fixity of tenure at no extra cost to the ryot were far reaching reforms in the annals of estate administration. The survey of ex-estate villages and preparation of land records have given the quietus to the intrigues which the estate ryots were subject to for generations and helped to implement land reform measures successfully.

These reforms, undertaken in independent India and culminating from the Rent Reduction Act, have also strengthened Government administration. The Rent Reduction Act which severed direct contact between the landholder and his ryot did not benefit the Government as such, except to the extent of 10 per cent commission charged for the services rendered in collecting the rent and paying it to the landholder, a portion of the commission being paid as an incentive to the collecting agency. The Estates Abolition, however, added a large chunk of territory to the direct revenue administration of the State and correspondingly increased the total land revenue demand (less the incidence of peshcush or quit rent levied till then) a portion of which went to meet the cost of additional staff employed to manage the estate and to make interim payment due to the landholder till compensation for the estate was finally determined and paid on completion of survey and settlement operations. This brought a sizeable addition to the annual rent roll of land revenue, besides placing at the disposal of Government untapped resources like forests, waste lands, mines, etc.

The Inam Assessment Act that followed enabled the levy of full assessment on Inamdar's land, both in whole Inams and minor inams, with the difference that the Inam Assessment was in addition to quit rent in the case of whole Inams whereas in respect of Minor Inams it was in lieu of quit rent. Consequently when these Inams were abolished later in the year 1965, their impact on the land revenue demand was marginal in the case of whole inams (where the ryot's land became taxable for the first time) and negligible in the case of Minor Inams.

Some figures are given below to illustrate this point: The period reckoned with is a stable one, when the prevailing rates of assessment and water charge, etc., were more or less constant, due to a liberal attitude being adopted as of policy in the spur of the Grow More Food Campaign. Only the temporary reduction, of the percentage enhancement of assessment made at the last resettlement in consideration of fall in agricultural prices had been withdrawn from fasli 1353 due to the general prosperity of the agriculturists.

I. Land Revenue demand for fasli 1355 (1945-46) excluding local cess, surcharge and remissions for the ryotwari villages comprised in 12 districts in the residual Madras State, excluding Pudukkottai and Kanyakumari Districts, but including Dharmapuri portion of Salem district.	380 lakhs.
Deduct—Charge for water collected in estate villages	28 lakhs.
	352 lakhs.
II. Land Revenue demand for fasli 1363 for Ex-estate villages (including estates not taken over).	101 lakhs.
Deduct—(i) administrative charges on estate Manager's establishment since merged with district administration.	13 10
(ii) Peshcush and cesses	23.96
Total ..	37.06 or 37 lakhs.
Net increase in Revenue of Estates	64 lakhs.

Considering the fact that the total liability on payment of compensation for the estates, including the additional compensation guaranteed to the Zamindars under Section 54-B of the Act, amounts to Rs. 6½ crores (i.e., the incidence on the residuary State) the net increase in revenue ensures a return of 10 per cent on capital investment and thus the social reform is indirectly a profitable financial venture also.

The estimate made in fasli 1355 (i.e.) prior to the Estates Abolition, was that it involved a total expenditure of Rs. 160.97 lakhs in the composite State on district administration besides Rs. 201.66 lakhs on village establishment including those in estate villages, together accounting for 38.14 per cent of the total revenue and cesses collected. The incidence of this cost due to the increase in the strength of the district administration since then and the revision of the village establishment consequent on the abolition of estates and introduction of settlement in ex-estate villages and the revision of the pay scales effected from time to time, on the net land revenue collected should be much higher, especially because land revenue is considered to be an inflexible source of revenue related, as it is, to fixed extents of occupied land held on fixed money rates with the water potential having been exploited to the saturation point. But the district administration and the village establishment, forming, as they are, the backbone of the welfare State, any investment on them cannot be related in terms of monetary productivity by trying to assess the net gain to the State due to their employment.

ANNEXURE I.

Estates abolition.

(a) The Tamil Nadu Estates (Abolition and Conversion into Ryotwari) Act, 1948—Zamin Melwaram inam and undertenure estates notified and taken over under this Act:—

	Number of Estates.	Area in square miles.
Total number of Estates taken over	5,092	11,439.28
Area settled up to 31st January 1974	5,091	11,438.79
Balance	1*	0.49

*The remaining one case is under orders of stay and other legal proceedings.

(b) The Tamil Nadu Inam Estates (Abolition and Conversion into Ryotwari) Act, 1963—Iruwaram and part village inam estates have been abolished under this Act:—

	Number of Estates.	Area in square miles.
Total number of Estates taken over	2,106	1,709.55
Area settled up to 31st January 1974	2,009	1,388.98
Balance	*97	320.57

*All the 97 cases are under orders of stay and other legal proceedings.

(c) The Tamil Nadu Leaseholds (Abolition and Conversion into Ryotwari) Act, 1963—

	Number of Estates.	Area in square miles.
Total area taken over	13	32.11
Area settled up to 31st January 1974	13	32.11
Balance	..	..

(d) The Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Act, 1963:—

	Number of villages.	Area in square miles.
Total area for settlement	13,584	1,556.68
Area settlement upto 31st January 74	13,574	1,551.61
Balance	*10	5.07

* Of the Balance, 5 villages (2.79 sq. M.) are covered by injunctions. In the remaining 5 villages, settlement operations are in progress.

ANNEXURE II.

Extent of patta granted and persons benefitted under the Abolition Acts.

Name of the Act.	Particulars of grant of patta from 7th September 1949 to 1st April 1967.		Particulars of grant of patta from 1st April 1967 till 30th November 1973.	
	Number of persons granted patta.	Total extent in acres.	Number of persons granted patta.	Total extent in acres.
(1)	(2)	(3)	(4)	(5)
Tamil Nadu Estate (Abolition and Conversion into Ryotwari) Act, 1948.	23,38,798	44,90,067.35	8,10,197	14,74,152.58
Tamil Nadu Inam Estates (Abolition and Conversion into Ryotwari) Act, 1963.	..	..	3,34,041	4,99,093.07
Tamil Nadu Leaseholds (Abolition and Conversion into Ryotwari) Act, 1963.	..	..	6,078	13,892.59
Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Act, 1963.	..	..	5,10,820	10,32,533.83
Tamil Nadu Transferred Territory (Ryotwari Settlement) Act 30 of 1964.	..	..	3,72,989	2,46,445.89
Total	23,38,798	44,90,067.35	20,34,125	32,66,110.29

Organisational set up for settlement of estates.

74. The settlement of the estates taken over under Act XXVI of 1948 presented a formidable task. In the first place, with the discontinuance of resettlements since the year, 1937, the staff trained to do settlement work had been depleted, if it had not become extinct by the time the estates began to be taken over in the year 1950. Further, the estate settlement work was unique in that it partook the character of an original settlement, in all aspects except working out the money rates but this involved the exercise of finding out the appropriate resettlement notification suitable to the ex-estate area (if more than one resettlement notification was in force) and comparing the soils prevalent in the estate areas with those prevalent in the ryotwari areas. The rates adopted in the Rent Reduction Notifications were of no significance for this exercise as those rates were adopted by comparing the average rates and reduction was effected on a per centage basis. The process of settlement of estates acquired a statutory background for the first time as it was effected under section 22 of the Abolition Act and was therefore of quasi-judicial nature and into the process had to be compressed, decisions on claims to ryotwari patta which again were statutory in nature. The procedure had to be designed elaborately, meticulous to the last detail to make it fool proof. Officers and staff at various levels had to be recruited and trained. The essence of settlement was its time bound programme and as several aspects had to depend on finality of settlement, including determination of the additional compensation due to Zamin estates under section 54-B of the Act, the work had to be expedited to save the Government from the recurring liability of interim payments. This had to be dovetailed into the progress of survey operations and had to be based on the scanty village accounts built up from the dubious landholder's accounts, rent reduction chittah and other sources which could not be considered as bed rocks for their veracity. Most of the village officers of the estate areas were just triune officers with very little education, practically having no knowledge of maintenance of correct village accounts and with no capacity to identify the fields as they were seldom accustomed to do field inspections. Public opinion had to be created to ensure people's co-operation in the settlement operation to make it a success. With this dismal picture as the background, the Board of Revenue (S.E.) started about its functions with caution but conviction. It had to foresee its problems, review them in their legal implications and revenue practices and issue instructions to the Settlement Officers.

75. Thiru S. Venkateswaran, I.C.S., who held office of the Settlement Commissioner for quite a long time at the commencement of Settlement operations, brought to bear on his work his earlier experience as Special Settlement Officer when resettlement was being done. As Commissioner for Settlement of Estates Thiru S. Venkateswaran, I.C.S. contributed not in a small measure for the commencement of settlement work in a methodical manner and paved the way for the early introduction of settlement of the estates taken over by sagaciously dealing with the legal and other impediments. It was during his time and due to his experience that the Estates Abolition Act underwent major amendments (viz.). The Amending Acts XLIV of 1956 and XXXIV of 1958. These amendments put an end to the legal and other flaws brought to light during the course of implementation of the Act and provided mainly for finality of settlement proceedings, barring the jurisdiction of civil courts in respect of matters decided under the Act. He toured the State intensively making local inspections, discussed with the Settlement Officers and Assistant Settlement Officers their problems and gave necessary solutions. Several complicated issues regarding treatment of forest lands, tank bed lands and non-ryoti lands assigned by the landholders were settled after having due consultation with the Advocate General and the Government. The other Acts (viz.), 26/63, 27/63 and 30/63 were also enacted during his time following the pattern of the Estates Abolition Act and based on the experience gained in implementing the Act. Thiru S. R. Kaiwar, I.C.S., who succeeded him as Commissioner for Settlement of Estates also contributed from his vast experience to the speedy implementation of the provisions of the Acts. It was during his time, the High Court reviewed the provisions of Sections 64-C and 64-C (2) of the Act and held that they cannot bar the jurisdiction of the Civil Courts. He discussed the line of argument to be taken and briefed the then Additional Government Pleader Thiru V. Ramasamy (now Honourable Justice of the High Court) that the Act was under implementation for several years, if any radical view were to be taken in judicial thinking, it would upset all settled things, opening the floodgates of litigation between the parties and the Government and that the principle of *stare decisis* should be there in the interest of the public and the Government. However the High Court held that determination of the character of a given piece of land in an estate involved adjudication of title also as its ancillary and as such the civil court had jurisdiction. (The Government have filed appeals against this judgement in the Supreme Court and they are pending). He also toured the districts intensively and issued valuable instructions to the Assistant Settlement Officers and Settlement Officers on the problems faced by them day to day in implementing the Acts and how they should be careful in drafting statutory orders differentiating between a tenant and a ryot in deciding their claims, importance of Inam Fair Registers and their evidentiary value and how claims arising in hill areas should be dealt with. He evinced keen interest in the disposal of revision petitions, prescribed returns and reviewed them critically. He initiated the publication of the "Settlement Digest" incorporating important legal pronouncements and revisional orders which were sent to all Assistant Settlement Officers/Settlement Officers for their guidance. After him, Thiru S. Viswanathan, I.A.S., Thiru R. Tirumalai, I.A.S., Thiru P. K. Nambiar, I.A.S., Thiru V. Karthikeyan, I.A.S., Thiru N. Ananthapadmanabhan, I.A.S., Thiru M. S. Ram, I.A.S., Thiru K. S. Sivasubrahmanyam, I.A.S. and Thiru G. M. White, I.A.S. have held office as Commissioners for Settlement of Estates during different periods and they have, in their turn, made valuable contributions in quickening settlement proceedings consistent with the correct implementation of the Acts. It was those experienced and able Settlement Commissioners duly assisted by competent officers who held the post of Director of Settlements and Settlement Officers that formed the backbone of settlement work and contributed in no small measure in accelerating the work and achieving the avowed object of this primary agrarian reform.

Thiru C. A. Ramakrishnan, I.C.S., the First Director of Settlements followed by Thiru N. Subrahmanyam, I.C.S. (both of them who have since retired also functioned as the ex-officio Secretary to the Board of Revenue) made intensive tours of the ex-estate areas, contacted frequently the Settlement Officers and the Estate Managers, heard their

(1) State of Madras (vs) R. Subasingam & Co. M. Dr. S. (1969) 2 MLJ 581.

(2) B.P. Rt. No. 2606 (L) dated 29th April 1966. P. P. 2, dated 20th June 1967 (1967) 1 MLJ 1191.

views and analysed their problems and advised the Board on the issue of proper directions. Settlement accounts were so designed as to be meticulous to the last detail. The Officers and staff needed for settlement work were selected on their past record of proven integrity and capacity and were given intensive training in settlement work as well as the implications of the various sections of the Estates Land Act and the Abolition Act.

76. Two settlement parties were organised in the first instance, one at Nellore and the other at Madurai. After the partition of Andhra State, the number of parties in Tamil Nadu increased by stages with about 3 Assistant Settlement Officers in each party, and at the peak of settlement work there were as many as 5 parties functioning in the State. The man power needed by the parties could not be met from the normal strength of the staff in the revenue department of the districts concerned and recruitment of Settlement Inspectors from the open market had to be resorted to in a large measure. The Government condescended recently to regularise the services of those temporary Settlement Inspectors exempting them from the prescribed qualifications, to the extent necessary, and condoning their failure to get selected through the Tamil Nadu Public Service Commission. Continuity of the officers and their staff was ensured. No officer was to be normally disturbed from his position within a period of 3 years and one could be continued further for 2 more years, if need be, at one year at a time. The performance of every officer and member of the staff was intensively controlled by a system of checks and counter checks and care was taken to ensure that unauthorised entries did not creep in and there was no room for manipulation of settlement accounts. The Board also zealously safeguarded the interest of the officers and staff on deputation from the Revenue Department. Perfect liaison was had by the settlement parties with the Collectors concerned.

A gist of the instructions given by the Board on the implementation of the Act is given below:—

(i) TAKING OVER OF ESTATES.

Implementation of the Tamil Nadu Estates (Abolition and Conversion into Ryotwari) Act, 1948 (Act XXVI of 1948).

77. The Tamil Nadu Estates (Abolition and Conversion into Ryotwari) Act, 1948 (Act XXVI of 1948) received the assent of the Governor General on 2nd April 1949 and was published in the *Fort St. George Gazette* on 19th April 1949 when the Act came into force in the composite Madras state including the present Andhra Pradesh except the Telengana portion. Section 4 of the Act provided for the appointment of a Director of Settlement to carry out the Survey and Settlement operations in the Estates and introduce ryotwari settlement. Similarly Section 5 (1) provided for the appointment of one or more Settlement Officers to carry out the functions and duties assigned to them under the Act. Under the rule making power provided under the Act the posts of Assistant Settlement Officers were created and certain powers of the Settlement Officer were delegated to them subject to revision by the Settlement Officer except in cases where appeals were provided to the Estate Abolition Tribunals constituted under Section 8 of the Act. Separate miscellaneous Settlement Officers (in the grade of Deputy Collectors) were appointed to decide under Section 9 if an Inam was an Estate for purposes of the Act. The Act vested certain powers in the Government (e.g.) under Sections 3 (d), 3 (d) proviso, 6, 11 Pro, 18 (6) 19, 19-A, 20 (2) (a), 20 (3), 22 (2) (b), 23 (b), 27, 31, 21 (2) second proviso 32 (2) second proviso, 50 (3), 50 (4), 54 (1) (b) and 60 (1). The Government by a notification delegated their powers under these sections to the authority or authorities as specified in the notification subject to revision, either suo motu or on petition, or appeal, as the case may be. The consequence of a notification issued under Section 1 (4), is that the entire estate with all its component parts as included in Section 3 (b) would vest in the Government on and from the appointed day. Under such a notification, the major Zamindari estates in the State were notified to be taken over in the first batch on 7th September 1949 which can be said to be an epoch making event. This was followed up by more notifications which completed the notification to take over all the Zamin and under tenure estates in January 1951. The

bulk of the Inam Estates were notified in October 1951. To take over and to manage their interim administration, Estate Managers in various grades (viz), Deputy Collectors, Tahsildars or Deputy Tahsildars, depending upon the size of an estate or group of estates, were appointed under Section 6 (1) of the Act. They were told not to dispossess any person of his land, if in their view, he was prima-facie entitled to ryotwari patta.

A preliminary notice (vide Annexure I) was issued to every estate owner giving time of 3 weeks intimating the date on which the estate would be taken over as specified in the Gazette notification. The Government approved in G.O. Ms. No. 2079, Revenue, dated 10th August 1949 the instructions to be issued to the Estate Managers and Collectors under Section 7 (b) of the Act and it was communicated to them in B.P. Perm. 24, dated 30th August 1949 vide annexure II. The instructions covered the procedure for taking over of the estates with the records needed for their administration, organisation of the Estate Manager's offices, collection of land revenue in interim period pending settlement, closer relations with other officers, interim compensation payable to landholders and management of mining and other leases. Some of the U.T. estates notified were then under the management of Official receivers appointed by the civil courts. The Board after consulting the Government Pleader and after getting the orders of the Government in their Memo. No. 63141/J/49-2 (Revenue), dated 16th November 1949, issued instructions that the Collectors concerned should file petitions in the respective Courts requesting them to direct the official receivers concerned to hand over possession of those estates. As several estates had to be taken over simultaneously, the Board informed the Collectors in Board's reference S.E. 1/49-19, dated 25th August 1949, that while the bigger estates were to be taken over personally by the Estate Managers concerned, the smaller ones could be taken over by other local officials duly empowered by the Collectors concerned. In B.P. Rt. No. 4925, dated 5th September 1949, further instructions were issued to the Estate Managers/Collectors that if there were whole inam villages lying in the periphery of Zamin estates but managed by the landholders of Zamin estates themselves or held in possession by the grantees themselves, such estates should not be taken over while taking Zamin estates and that they should await the issue of a separate notification based on the statutory decision given by the M.S. Os., under Section 9 of the Act. They were also informed that in the meanwhile if the Rent Reduction Act had been applied to such inam estates the rent as reduced under Section 3 (4) of that Act should be collected by them. In respect of Zamin estates which spread over more than one district, the Collector, West Godavari requested instructions in his reference No. 7450/49, dated 5th September 1949, regarding the procedure to be adopted by him for taking over of such estates. The Board in Reference No. 2595/49, dated 6th October 1949, informed him and other Collectors that the Collector in whose district the major portion of the Zamin area lies should take over the estate and by mutual consultations they should appoint necessary staff for the management of the portion of the estate in the other districts also.

78. A question arose about the impact of the legal position regarding pending suits, appeals, decrees, execution petitions, etc., instituted by landholders and relating to arrears of rent under the Madras Estate Land Act, 1908, as such arrears were subject to the provision of Section 55 and became collectable by the Government. In G.O. Ms. 2898, Revenue, dated 14th November 1949 the Government informed the Board as follows and it was duly communicated to the Collectors/Estate Managers:—

(1) The effect of Section 55 (1) of the Abolition Act is that after the notified date further action cannot be taken in pursuance of the suits instituted or decrees obtained prior to the notified date. The arrears of rent sought to be recovered in the suits or covered by the decrees, will however, become recoverable by the Government as arrears of land revenue to the extent set out in the proviso to Section 85 (1) and will also be the first charge on the land.

(2) There is no question of their becoming barred by limitation since they are recoverable under the Revenue Recovery Act and the Government are entitled to collect arrears of land revenue for a period of at least 6 years. Consequently the question of taking steps to keep the claims alive during the period between the notified date and the expiry of the period specified in the provisos to Section 5 (1) will not really arise. The Manager is not debarred from taking coercive process for the recovery of the arrears of

revenue even before the expiry of the two years period specified in section 55 (1) but it is not necessary nor desirable for him, to take such processes until that period had expired and that the Manager can receive such payments which the ryots may voluntarily pay within that period.

(3) Some of the suits may even become infructuous by the operation of the Abolition Act, but that will be inevitable, depending on the circumstances of each case, (e.g.) Suits under Sections 20 (2) and 173 (1) of the Estate Land Act pending on the notified date will become infructuous and must therefore be deemed to abate on that date and that with regard to pending suits affecting the private interests of the landholder it is up to him to take necessary action.

79. Public opinion already having been created in favour of abolition of zamindaris, the actual implementation of the legislation which was the foremost among the welfare measures taken up by the popular Government met with the least resistance from vested interests. It was, therefore, possible to take over as per programme most of the notified estates including the bigger ones. Another reason for the non-resistance by the Landholders was that they were finding it more and more difficult to manage the estates with the new awakening among the ryots and their relationship interest which was getting strained day by day. The Rent Reduction Act had already interfered with the direct dealings "between the ryots and landholders" and the offer of compensation in lump which was by no means small, was itself adequate attraction to the landholders to part with their estates.

80. Some landholders, however, rushed to the High Court challenging the notification on Constitutional as well as other grounds, including the question of adequacy of compensation proposed to be paid on a sliding slab.

The High Court issued injunction orders restraining the Government from taking action under the Abolition Act in respect of a few of estates pending disposal of the writ petitions. Whenever stay orders of the High Court were received prior to the issue of notifications, such estates were deleted from the notification by the Government. The Collectors were requested to scrutinise the notifications and not to take over such estates for which they had received stay orders and simultaneously informing the Board/Government about it. They were also informed that in cases where the estates were actually taken over before the receipt of stay orders subsequently, those estates could not be managed by the Government, nor land revenue collected nor can it be returned to the landholder as the take over had become *fait accompli*. In such cases a stalemate was created in the interregnum in the administration of the estate, as neither the Government nor the land holders could effectively exercise their respective rights. The ryots though left free under that contingency had to face the prospect of having to pay accumulated arrears of rent, unless the Rent Reduction Act had been enforced in that estate and it was also free from stay orders. In such cases the Court was appraised of the predicament and its indulgence sought for vacation of stay orders. There were other cases where civil courts other than the High Court assumed jurisdiction and issued stay orders. The notified date in respect of such estates was construed as the date from which the estate was in the uninterrupted possession of the Government. In respect of estates taken over actually after the vacation of the stay order, the actual date of such taking over was to be deemed the notified date as per order of Government issued under section 68 of the Act. Since a large number of cases were covered by the order under Section 68 of the Act. Since a large number of cases were covered by the order under Section 68 which was administrative in character and it involved administrative difficulties in implementing the provisions of the Act with retrospective effect, especially in regard to various amounts to be recovered from the landholder vis-a-vis, the amount due to them, the Government decided to amend the provisions in the Act itself to make it clear that in cases affected by the stay orders issued by courts either prior to take over or subsequent to take over, the notified date will be the date from which the Government have been in uninterrupted possession of the estate. According a proviso was added under section 1 (4) and Section 2 (10) was suitably amended by the Amending Act XXXV of 1954 and was given retrospective effect from 19th April 1949. In pursuance of this amendment detailed instructions were issued in BP. 1947/51, dated 4th June 1955.

81. For some time the Miscellaneous Settlement Officers give statutory decisions under Section 9 on the tenure of Inam Estates and there were also appeals against their decision to the Tribunals. Based on their decisions, estates declared as Inam Estates were notified and taken over. In some cases which were taken up on appeal to the Special Appellate Tribunal (High Court) as provided for under Section 51 of the Act, it was held that an authority who was the creature of a statute had no authority to decide that the corpus of his decision (i.e. an Inam village) was or was not an estate to be governed by the provisions of the same Act. It further held in the circumstance that the Miscellaneous Settlement Officer's orders could at best be treated as administrative orders only, that such decisions were not binding on any one and that the ordinary civil court had jurisdiction over the determination of that question. A similar issue became relevant in respect of Inam Estates notified under the Tamil Nadu Estates Land (Rent Reduction) Act, 1947. The decisions of the High Court led to multiplicity of suits, challenging the notification of Inam Estates with the result that the Government had to contest those suits by going through all the normal processes of litigation by way of protracted proceedings in the trial courts, appeals, revision petitions etc., involving lot of delay and expenditure. The Government, therefore, decided to bring a self contained legislation to provide for a machinery for the expeditious determination of the question. Accordingly the Tamil Nadu Estates (Supplementary) Act 1956 (Act XXX of 1956) was enacted to create a special forum to adjudicate on the tenure of an estate for purposes of the Rent Reduction Act, 1947 as well as the Estates Abolition Act, 1948. Necessary consequential amendments were issued to the Rent Reduction Act/Estates Abolition Act. The Settlement Officers appointed for estate abolition work, were empowered to give decision under this Act, though as different functionaries, with right of appeal to the Tribunal. There was however one difference whereas, originally, the appellate Tribunal constituted under the Estate Abolition Act consisted of three persons consisting of a Chairman and two Members appointed by the Government, under the new Act the District Judge (District Court) constituted the Tribunal. Second Appeals were also provided to the special Appellate Tribunal (High Court) under Section 7 of the Act. This enactment produced quick results since even in suits arising before the Civil Courts, the issue touching the tenure of estates could be adjudicated upon only by this Tribunal and the case remitted with a finding to the Civil Court. This also gave an opportunity to the Government to examine past cases to file applications (in a large number of cases) where defective orders had been passed by the Miscellaneous Settlement Officers under section 9 or new facts had come to light since then. Based on the decisions given under this Act, many more Inam estates were notified and taken over piecemeal under the Abolition Act 1948.

82. The status of the Special Appellate Tribunal, as distinct from the High Court *per se*, was the subject matter of a decision in 9 LR (1963) MS 33.

It was a case where the landholder of Kudimeri village in Thanjavur district, sought leave under Article 133 of the Constitution to appeal to Supreme Court against the judgement of the Special Appellate Tribunal under Act XXX of 1956. This was disposed of by a Division Bench of the High Court which held:—

"It is not without significance that Article 136 of the Constitution providing for the Supreme Court granting special leave to appeal is worded differently from Articles 133. Article 136 reads:—

(1) Notwithstanding anything in this Chapter, the Supreme Court may in its discretion, grant special leave to appeal from any judgement, decree, determination, sentence or order in any cause or matter passed or made by any court or Tribunal in the territory of India."

It is quite obvious that the power of the High Court under Article 133 to grant leave to appeal is confined and restricted only to the judgement, decree or final order in a civil proceedings of High Court, and not of a Tribunal. We may also refer to the definition of the High Court under General Clauses Act X of 1897 which of course does not appear in the Constitution. Section 3 (25) defines High Court as:—

"High Court used with reference to Civil proceedings, shall mean the highest civil court of appeal (not including the Supreme court) in the part of India in which the Act or Regulation containing the expression operates."

"We have no hesitation in holding that, in view of the statutory provisions set out above, the Special Appellate Tribunal under Madras Act XXX of 1956 is not the High Court."

(ii) LAND ACQUISITION.

83. The implementation of the new enactment was a continuous process of education to the district officers and the Board had to equip itself to answer all odd questions as they were raised and issue suitable instructions (e.g.), the Collectors of East Godavari and Krishna raised a question early in 1949, immediately after the Abolition Act came into force, whether any compensation had to be paid to the Zamindars under the Land Acquisition Act for lands lying in the estates taken over by the Government under the Abolition Act. The Collector of Krishna further requested instructions whether communal lands in the notified estates required for P.W.D. channels may be transferred to P.W.D. without an order under Section 20-A of the Estate Land Act.

84. The Board examined those points in consultation with the Government and with their approval issued the following instructions in B.P. Ms. 324, dated 17th March 1950.

Section 3 (b) of the Estates Abolition Act lays down that with effect on and from the notified date and save as otherwise expressly provided in the Act, the entire estate shall stand transferred to the Government and vest in them free of all encumbrances. The land holder of a notified estate has, therefore, no manner of right in the estate after the notified date except those provided for in the Act under Section 3 (e). Also under section 25 of the Act, the compensation due to the landholder should be determined for the estate as a whole and not separately for each of the interests therein. Further, the compensation provided for in Section 40 of the Estates Abolition Act is for all the rights in the estates which are acquired under the Act. The question of melwaram compensation does not therefore arise after an estate is notified under the Abolition Act and as such no compensation need be paid to the landholder in respect of a ryoti land acquired under the Land Acquisition Act apart from the compensation due to him for the entire estate under the Abolition Act. So also no compensation need be paid for loss of Kattubadi and jodi or quit rent as compensation is paid for these items too under the Abolition Act. But, under Section 28 (1) of the Abolition Act, only the lands, occupied by any person other than the landholder on the notified date have to be taken into consideration in the matter of calculation of the basic annual sum on which the compensation due to landholder is to be determined. If for instance, a piece of wet land, which would bear an assessment at the time of settlement is now acquired, only the present occupiers of the land will get compensation for this land but not the landholder, because at the time of the settlement, this land would not be bearing any assessment by virtue of the change in its classification due to acquisition. This would be a clear loss to the landholder and it would be unfair to put him to that loss. The Board, therefore, directed that a list of such lands showing the survey number, extent and classification should be prepared and maintained by the Collectors and the Settlement Officers and the assessment that would have been levied on these lands should be separately worked out at the time of the settlement by the Settlement Officers and the aggregate value of this assessment should also be taken into account for working out the compensation payable to the landholder under the Abolition Act.

85. As regards communal lands in the notified estates required for the Public Works Department channels or for any other public purpose, they may be transferred to Public Works Department or other poramboke according to the purposes for which they are required without enquiry under Section 20-A of the Estates Land Act, since this Act stands repealed in its application to notified estates under Section 3 (1) of Act XXVI of 1948.

86. The Board found that land acquisition proceedings were initiated in one case and award passed, even before a decision had been taken by the appropriate authorities as to whether the occupant of the land was prima facie entitled to patta and before a decision was taken under Section 11 pro. of the Act. The Board informed the Collectors in its reference No. 2140/56, dated 4th June 1955, that in an estate taken over by the Government, land acquisition proceedings should await a decision whether the occupant is prima facie entitled to patta for the lands concerned and should be proceeded with only after the concerned authority had given its decision under the appropriate section regarding entitlement to patta.

87. It became essential and urgent at that time to acquire a vast stretch of land in ex-estate villages for the waterspread of the Krishnagiri Reservoir. Survey and settlement of the affected villages had not been completed. In his letter No. 17048/55, the Collector, Salem solicited instructions regarding the procedure to be followed for acquisition of lands in this case which again raised in general, the question of the procedure to be followed in respect of lands to be acquired in the estates taken over under the Abolition Act. The Collector stated that he understood from the Settlement Officer that the final Settlement enquiries were over in all the villages under the Krishnagiri Reservoir Project area and that it may not be necessary to wait for the handing over of fair accounts to Revenue Department to pass the land acquisition awards. The Collector considered that the award could be passed even prior to the handing over of the settlement accounts to the Revenue Department. As a general proposition, the Collector suggested that the Land Acquisition Officer can proceed with the acquisition work after the Assistant Settlement Officer made statutory enquiries and gave binding decisions and that it was not necessary to await till the actual introduction of the ryotwari settlement in the areas concerned.

88. The Board issued the following orders for the guidance of the Collector in B.P. Rt. No. 2411, dated 6th December 1956:—

“(i) In view of his statement that the final settlement enquiries were over for all the villages covered by the Krishnagiri Reservoir Project, the Collector of Salem can proceed on the basis of the rough settlement accounts as revised with reference to the orders at the Final Settlement Enquiry and that there is no need to wait till the fair accounts are handed over by the Settlement Party.

(ii) The following procedure may be followed in future:—

The Land Acquisition Officer concerned may refer the lands proposed to be acquired to the Assistant Settlement Officer for the necessary statutory decisions by sending a copy of the 4 (1) notification to him. The Assistant Settlement Officer may be asked to take up statutory enquiries in these cases in advance, as a special case and he may be asked to communicate the orders with the approval of the Settlement Officer, to the Land Acquisition Officer concerned. Once a decision of the Assistant Settlement Officer with the Settlement Officer's approval is received, the Land Acquisition Officer may as well proceed with the other formalities of the land acquisition proceedings without waiting for the introduction of the Settlement in the village. Section 11 or Section 15 inquiries, as the case may be, should be conducted and registration as wet, dry or manavari should be decided by the settlement party and then the Land Acquisition Officer can proceed with his work.

(iii) The Collector of Salem had opined that the fact whether a land is to be treated as wet or dry is not likely to affect the land acquisition proceedings for the reason that the Land Acquisition Officer, while fixing the compensation to be awarded, will be guided only by the sales of similar lands. This position as stated by him was not correct as right to registration as wet and right to irrigation from a particular source without payment of a separate charge directly for water will affect the compensation.”

89. In its L. Dis. 43138/57, dated 12th November 1957, the Board further explained as follows:—

“The previous approval of the Settlement Officer will be purely informal and this is only with a view to see that the decisions of the Assistant Settlement Officers are not perverse and Government interests are not affected. By giving such informal approval the Settlement Officer need not be deemed to have exercised his revisional powers. There can be no question of administrative approval in respect of a statutory decision under the Abolition Act. There can be no objection to the Assistant Settlement Officer communicating a copy of his orders to the Land Acquisition Officer, with the approval of the Settlement Officer. If this procedure is followed, it will safeguard the interests of the Government as the Settlement Officer will be in a position to take suo motu proceedings to revise the order passed by the Assistant Settlement Officer (under Section 11 of the Abolition Act), if he finds that the order is prima facie incorrect. The

Settlement Officer will merely peruse the orders of the Assistant Settlement Officer and if he finds that the Assistant Settlement Officer's decision is prima facie correct, he will give his approval for communicating the decision to the Land Acquisition Officer. This will not involve the exercise of revisional powers on the part of the Settlement Officer. The Settlement Officer should see the Assistant Settlement Officer's order and give his informal approval”.

(iii) SECTION 11—PROCEEDINGS JURISDICTION.

90. Prior to 1955, there was no time limit prescribed by rules for filing revision petitions in claims for ryotwari patta put forth by ryots for ryoti lands under Section 11 of the Abolition Act. The Board submitted to Government that there should be a time limit under this section also so that there might be finality to the orders so as to complete the introduction of settlement in the estates taken over as early as possible. Accordingly the Government issued necessary Rule under Section 67 (2) of the Act in G.O. 3190 (Revenue), dated 17th October 1955 providing for revision petitions under Section 11 to end with the Settlement Commissioner in the settlement hierarchy. As per this rule, the Government have not reserved jurisdiction to pass orders in respect of claims falling under that section. However the aggrieved petitioners are having recourse as a last chance to the writ jurisdiction of the High Court, which is the special original jurisdiction of the High Court.

91. The Assistant Settlement Officer, Salem raised a question whether the grant of grass patta for a land could be regarded as one made for agricultural purposes entitling the holder to patta under Section 11. The Board examined the matter with reference to the provisions of the Estates Land Act (viz.) Section 6 (2) and 3 (1) denoting the distinction between pasturage fees and ordinary rent leviable on ryoti lands and found that the Abolition Act too maintained the distinction between assignment for agricultural and non-agricultural purposes. The Board felt that the grant of lands, for the pasturage of cattle or for being used as meadows, made by the landholders cannot be regarded as grants made for agricultural purposes. This was accepted and approved by the Government in G.O. Ms. No. 1433 (Revenue), dated 4th May 1955.

(iv) IMPLICATION OF SECTION 56.

92. As the Government took power under Section 55, to collect arrears of rents on behalf of the landholders, it also provided in Section 56 for the machinery empowered to dispose of in a summary manner, the issues arising incidental thereto (viz):—

- (1) Whether the rent due from a ryot for any fasli year is in arrear,
- (2) What amount is in arrear and
- (3) Who the lawful ryot in respect of a holding is.

93. In its actual implementation however, there was no uniformity of approach and some conflicting decisions were given by the Tribunals raising legal conundrums regarding the scope of Section 56 vis-a-vis Section 11. The Board examined the question and, in the light of the discussions it had with the Advocate General, issued the following instructions to all collectors/Managers in B.P. Rt. 1852, dated 4th November 1955.

94. “In B.P. Rt. No. 1907/53, dated 22nd March, 1953 instructions were issued regarding the scope of section 56 and section 11 in relation to each other. Consequent on some conflicting decisions of the Estate Abolition Tribunals and the legal conundrums regarding the scope of these sections, the Settlement Commissioner has examined the question again, and in the light of his discussions with the Advocate-General, he has ordered the issue of the following revised instructions on the subject in supersession of all the previous instructions on the subject.”

95. “Section 56 of the Abolition Act has been included in the Chapter on miscellaneous provisions and comes immediately after Section 55, which deals with the collection of arrears of rent due to the land holders that had accrued before the notified

date. Section 56 provides the machinery for deciding disputes as to whether any rent due from a ryot for any fasli year is in arrear and, if so, what the amount of arrear is and also disputes as to who the lawful ryot in respect of any particular holding." Section 56 therefore relates to a particular holding in question and provides for adjudication as to arrears of rent due on the holding and who the lawful ryot in respect of that holding is. The Advocate-General has agreed with the Settlement Commissioner that it is neither necessary nor reasonable to interpret section 56 in a literal manner and say that it will not apply, if the dispute had in fact arisen even before the notified date. Under the Abolition Act, the Government are concerned with the collection after the notified date, of arrears of rents which had accrued before that date and also the collection of current land revenue due to Government. Therefore it is that section 56 begins with the words: "Where after an estate is notified". Section 56 will, therefore, apply, if, after the estate is notified, there is a dispute to be settled between two or more ryots, as to whom the holding belonged immediately before the notified date and also to disputes as to what arrears of rent are due in respect of that holding. Section 56 is really concerned with certain rights and obligations under the Estate Land Act and as that Act has ceased to be in force with effect from the notified date, a special machinery is provided in section 56 for the adjudication of such disputes. During the interim administration of the estates, succession and transfer of registry will have to be traced from the person who was the lawful ryot in respect of that holding immediately before the notified date. Section 56 will therefore apply also to disputes as to who the ryot who is liable to pay the land revenue under Section 23 in respect of a particular holding is:

96. "Section 11, on the other hand, is concerned only with the following question in respect of individual ryoti lands:—

1. Whether any person is entitled to ryotwari patta in respect of that land, and if so,

2. Who that person is.

97. "Normally, the only parties to the dispute under Section 11 will be the claimant and the Government; but there may be cases in which there is more than one claimant in respect of a particular land. But Government will be a party in all cases in the sense that, if no one is entitled to ryotwari patta in respect of a particular ryoti land, that land will be at the disposal of the Government. All claims for ryotwari patta in respect of ryoti lands must, therefore, be dealt with under section 11 irrespective of the number of claimants and the disputes between them. Under Section 11 (a) a Settlement Officer has the power to determine the person in whose holding the particular land should have been properly included immediately before the notified date, and persons aggrieved by the Settlement Officer's decision can go up in revision to the Director of Settlements and the Board. If there is no issue as to the right of ryotwari patta and the dispute is only as to who the lawful ryot in respect of a particular holding was immediately before the notified date, either for the purpose of determining the liability to pay arrears of rent or for any other purpose, the disputing parties should be asked to move the Settlement Officer under Section 56. If a ryot denies that he is in arrears in respect of the rent payable by him or disputes the amount of arrears claimed from him, he can and should move the Settlement Officer under that section. The Officer making an inquiry under section 11 need not reserve or refer, any case for disposal under Section 56. If he is satisfied that ryotwari patta should be conceded and there is a subsisting decision under section 56, he should adopt the decision as far as the person to whom the patta should be given is concerned.

98. Section 56 was really concerned with certain rights and obligations that had arisen under the Estates Land Act and brought forward as a rule in the implementation of the Abolition Act. In course of time it was found that this section gave rise to protracted proceedings involving issues of a civil nature, unconnected with the implementation of the Abolition Act and adversely affecting the introduction of ryotwari settlement. The State's primary concern is to realise the land revenue due from the lawful ryot. If anybody else, other than the person to whom patta is issued, claims title it is for them to settle the dispute between themselves in the ordinary process of law (e.g.) the suit

for possession of ryoti land in a notified estate was held to be entertainable by Civil court. In order to cut short Government work and to achieve finality of settlement proceedings prescribed by Section 64-C of the Act, this section 56 was subsequently deleted by Section (1) of the Amending Act XXXIV of 1958.

In Krishnaswamy Thevar (vs) Perumal Konar reported in 1961-I, MLJ, 168, the effect of Section 56 prior to its repeal was dealt with as follows:—

"The precise question for determination in that case was whether having regard to section 56 the suit for possession of a ryoti land in a notified estate could be entertained by a civil court and the answer is affirmative".

Referring to the subsequent repeal of Section 56 the Court observed:—

"Hence forward the question has really become academic because with the disappearance of Section 56, there can be no basis for the plea that the jurisdiction of the Civil Court has been ousted".

(v) PROCEDURE FOR ASSIGNMENTS.

99. The Government prescribed the procedure for the assignment of lands in Zamindari estates which will vest in the Government on their taking over under the Act. In G.O. Ms. No. 160, Revenue, dated 18th January 1950, the Government formulated the procedure as detailed below:—

1. Occupied lands falling under Section 11 pro. If the land had been assigned by the landholder after 1st July 1945 but it was cultivable land, assigned bonafide, following the normal procedure in vogue in the estate prior to the notified date, and if it continues to be with the grantee or his heirs, it may be assigned in their favour by order of the Board of Revenue.
2. As per the existing rules other vacant lands at the disposal of the Government are to be assigned in the order of priority (viz.) political sufferer, ex-servicemen and landless poor persons.
3. Small landholders who had no appreciable income, if they are dispossessed from the land, should be equated to landless poor and the land assigned to them under the general assignment policy.
4. Bought in lands falling under Section 12 (b) (iii), for which the landholders of zamin Estates will not be entitled to a patta (lands purchased by landholder at sales for arrears of rent) will vest in Government and they should be disposed of following the procedure applicable to bought in lands under BSO 15.
5. For lands in Zamin Estates brought under personal cultivation by the Landholder after 1st July 1939 the landholder will not be entitled to patta under Section 13 (b) (ii). If the land is small in extent and if he has no other lands, he should be treated as landless poor and the land assigned to him.

(vi) CASES FALLING UNDER THE "PROVISO" TO SECTION 11.

100. For deciding the claims to ryotwari patta falling under section 11 pro. the Board prescribed in B.P. Ms. No. 2655, dated 26th July 1953, a form for submission of proposals by the Assistant Settlement Officer calling for details about the land (viz.) its classification, extent, whether cultivable, whether it is close to any irrigation source, or liable to submersion, and whether the land would be required for communal use, etc. Particulars were also to be given about the assignee (viz.), his period of occupation, the circumstances under which he was admitted into possession, the details of other lands owned by him, whether the assignment was bonafide or any undue favouritism was shown to him by the landholder, whether the normal procedure prevailing in the estate was adopted and if alienated such other details about the owners with details of the date of alienation, whether it is by sale or otherwise, and if so to what amount, whether there is any objection from any quarter, whether the assignee or aliene has effected any improvement. After scrutiny of all the points as per the statutory requirement under Section 11 pro., the assignments were ratified by the Board in bonafide and deserving cases. In other cases, the estate managers were directed to dispossess the assignee and take over the land under section 3 (d) of the Act.

101. A question arose about the manner of exhibition of section 11 pro. cases in the village accounts. The Board found that while in some cases actual occupation was evident by cultivation and fencing, etc., there were a number of cases where some of these lands were lying waste without any form of physical occupation. The Board considered whether such cases should be continued to be exhibited in the chittah 10 (1)

account or whether they should be eliminated. The Board felt that entry of such lands in the body of the chittah, 10 (1) account, would create a wrong impression that the Government had recognised the occupant as ryotwari pattadar, and that they could not be treated also as encroachments and booked to B Memo pending final orders of the Board. The Board, therefore recommended to Government that the only alternative is to continue them in 10 (1) account in a separate section with the heading "Assigned after 1st July 1945" like conditional assignments till a final decision is taken. After the grant of patta is decided the entry should be deleted and added to the regular holdings. If the individual is not entitled to patta, as described in the enquiry, the entry will have to be deleted from 10 (1) account and thereafter the occupation in the lands will be treated as encroachment and brought to "B" Memo. The Government approved the Board's suggestion in G.O. Ms. No. 114, Revenue, dated 18th January 1954.

102. The cases falling under Section 11 pro. reported to the Board were considerably large and involved much work to the Settlement Commissioner. The period after 1st July 1949 was the height of grow more food activity which was responsible for widespread extension of cultivation. The impending abolition of Estates had triggered off a wave for acquiring estate land which was available in plenty and this opportunity was availed of by the enterprising landholders to encash their interests in estates. Such assignments ranged from odd bits to compact blocks and the beneficiaries included bonafide occupants and benamidars. Project areas where land value had shot up were the centres of such assignments. The Board, therefore, decided to empower the Director of Settlement Madras to examine and dispose of cases assigned by landholders after 1st July 1945 to individuals other than the members of his family or other relatives subject to the limit of 5 acres of wet or garden land or 10 acres of dry and to submit other cases to the Settlement Commissioner including those involving complicated issues and this was approved by the Government in G.O. Ms. No. 2470 (Revenue), dated 28th August 1954. The rules were suitably amended.

103. In G.O. Ms. No. 2828, Revenue, dated 13th September 1955 the Government on a reference from the Board accepted that the decision whether to allow patta or not under section 11 pro. should be based only on the position that prevailed at the time the assignment was made and not on subsequent developments which could not have been foreseen then and that refusal of pattas in such cases with reference to the present or probable future conditions or needs will be unjustifiable.

(vii) ESTATES WITH MIXED TENURES.

104. It was noticed that there were mixed tenures in some estates taken over. Mandapam village in Ramanathapuram Zamindari was an instance in point. It was half ayan and half chatram Inam, but not identifiable on ground by metes and bounds. The ayan portion had alone been taken over leaving out the Minor Inam portion (that minor inam since stands abolished under Act 30/63). Referring to a case of post 1945 assignment in this village, the Board issued the following instruction:—

"The Board considers that in such cases all the instructions that had been issued in respect of other similar cultivable holdings will automatically apply to the cases covered by post 1945 assignment orders. The attention of the Additional Assistant Settlement Officer, Aruppukottai is, in this connection invited to the instructions issued in G.O. Ms. No. 239, Revenue, dated 28th January 1953 in which it was ordered that in the survey of the estate village taken over under the Abolition Act, in which a portion is "notionally inam" and not marked on ground by metes and bounds, the fields held by each ryot in the village should be sub-divided into inam and ayan subdivisions in the proportion which the inam and ayan portions of the village bear to each other in the estate village, provided the ryot or the inamdar concerned has no objection to such subdivision. It was also ordered in the same Government order that if the ryot or inamdar objects to the subdivision, the field should not be subdivided, but the entry relating to it in the land register should be "one third or one half or other specified fraction of the entire survey number" according to the proportion which the ayan portion of the village bears to the entire village and should also show the total assessment of the field. In the present case, the village being half ayan and half inam and

the lands in question being waste, like other cultivable lands in the village, they are actually divisible into two equal portions, one portion being ayan and the other inam and for sub-divisions on ground during survey and issue of ryotwari patta under Section 11 all the instructions that have been issued in respect of other cultivable holdings in such villages will automatically apply to them. In the particular instance referred to by the Additional Assistant Settlement Officer, half the field assigned in G.O. 68/1-A measuring 11.90 acres should be treated as 'ayan' and the other half 'inam'. The issue of ryotwari patta can be ordered only in respect of 11.9/2 or 5.95 acres. The attention of the Additional Assistant Settlement Officer was also invited to the further instructions issued in G.O. Ms. No. 104 (Revenue), dated 15th January 1955 regarding the treatment of wastes and porambokes in portions of estates which are "notionally" minor inams not marked on ground.

105. In regard to the actual location of the ayan portion referred to above on ground with reference to ryotwari patta for S. No. 68 (1) if all the parties concerned including the assignees and the estate Manager agree to it, the field should be divided into two equal halves and ryotwari patta issued for one half of it, and it should be numbered as 68/1-A/1 and appropriate taram assessment fixed on it during settlement field work. If however there is objection from any party concerned to such actual subdivision of the field on ground, the only feasible course will be to follow the procedure ordered in respect of other cultivated fields in such villages (viz.) to accept only notional subdivision and issue ryotwari patta for an extent equal to half the total extent of the survey field in question indicating in the ryotwari patta the appropriate taram assessment for such half portion."

Consequent on the abolition of minor inams also subsequently under Act 30/63 such problems have since sorted themselves out and settled.

(viii) Claim for patta for forest lands.

106. The question of forest lands in the estates taken over loomed large where there were claims under sections 11, 11 pro. and 19-A. In respect of forest lands in Sivagiri estate of Tirunelveli district subjected to proceedings under section 63, the Government referred the matter to the legal opinion of the then Advocate-General.

107. The opinion of the Advocate-General communicated in G.O. Ms. No. 2805, Revenue, dated 7th July 1961 is extracted below:—

"The short question is whether these are cases for issue of ryotwari patta under section 11 or for being dealt with under Section 19-A. Section 19-A was introduced by Act XLV of 1956 published on 6th April 1957 but is deemed to have come into force on 19th April 1949. The Policy of Section 19-A is only to allow permissive possession on terms on the lines envisaged in sub-section (2).

The parties can have no claim from acceptance of any dues in terms of the deeds by any Government officials after the notified date. The decisions in 1946-2: MLJ. 371 and 1.L.R.M. 268 to 279 cover this point. To the same effect is the ruling in England in L.R. 19511 A.C. 837 to 845.

On the new petition presented to Government, I advise that as a matter of correct procedure it should formally be dealt with and disposed of by the proper authorities under the Act and Rules. According to delegation of powers (Acts and Rules 1958 Edition pages 58-59) it is a matter for decision under Section 3(i) provisionally by the Manager and under Section 11 by the Settlement Officer with revision, etc. as provided by the Rules. Normally the question of patta will arise in the course of the settlement operations; hence it is that no application by the ryot is provided for. The particular reason why I suggest that this should be dealt with by the proper authorities is as follows:—

The matter of patta under Section 11 is a strictly legal right and falls for quasi-judicial decision by the statutory authorities. It would be inappropriate for the Government itself to deal with it in first instance. That course may throw doubts as to why the Government considers one case while in the normal course it is the authorities constituted under the Act and the Rules that should consider the matter. Secondly, if the decision is adverse to the party, he may take the matter to the High Court in writ proceedings. It is better that there is a considered decision by the proper authorities starting with the Assistant Settlement Officer.

On the merits, I give my views subject to this namely, that the Assistant Settlement Officer should give the parties hearing at which these points should be put to the parties or their counsel and they should be given an opportunity to answer and satisfy the authorities. There should be no objection to the parties or their counsel being allowed to peruse this opinion.

Section 11 provides that every ryot shall be entitled to a ryotwari patta in respect of all ryoti lands included in his holdings. By section 3 (16) of the Estates Land Act "ryoti land" means cultivable land. Section 6 reads that every ryot who shall be admitted into possession of cultivable land shall have a permanent right of occupancy. Section 11 enables the ryot to use his holding freely. The concept of "cultivable land" in an estate is that it is fit for agriculture at the time of the admission into possession.

3. "The Government have examined the report of the Collector in consultation with the Chief Conservator of Forests, the Board of Revenue (Land Revenue) and the Board of Revenue (Settlement of Estates).

4. "The Board of Revenue (Settlement of Estates) has pointed out that the orders of the Assistant Settlement Officer, Madurai in his S.R.1/57, dated 17th January 1958, confirmed by the Director of Settlements, declaring the entire Gandamanaickanur ex-Zamin area (except those cultivated with valid title) as forest had been set aside by it in its Reference (B1) 5168/58, dated 14th August 1959. The Board of Revenue (Settlement of Estates) has, therefore, held that the lands which have been treated as forest without proper enquiry on the merits of the individual case and on the basis of the general orders passed by the Assistant Settlement Officer in 1958 will have to be taken up for a denovo enquiry and the claim for patta settled. The Board has also held that where such a specific enquiry was already held, the case need not be reopened. Government agree that this procedure has to be gone through in the first instance and the extent and location of lands prima facie available for assignment determined after the Settlement proceedings before the original appellate and revisionary authorities have run their full course and the orders passed have become final.

5. "Out of the lands in the Gandamanaickanur ex-Zamin area that thus become prima facie available for assignment after the procedures under the Estates Abolition Act are gone through, there will be cases eligible for assignment "outside the scope of the Abolition Act" with reference to the provisions in G.O. No. 2502, Revenue, dated 8th July 1958, G.O. No. 1312, Revenue, dated 26th July 1967, G.O. No. 641, Revenue, dated 28th February 1970 and G.O. No. 1300, Revenue, dated 30th April 1971. These cases should be disposed of after the statutory claims under the Estates Abolition Act are settled.

6. "Government direct that the remaining extent of lands in the Gandamanaickanur ex-Zamin area lying below the elevation of 2,400 feet that becomes available with Government after the disposal of the statutory claims and the claims "outside the scope of the Abolition Act" referred to in paragraphs 4 and 5 above shall be assigned to the encroachers subject to the following conditions:—

(i) The assignment shall be only to eligible landless persons.

(ii) The assignment in each case shall be subject to a ceiling of 3 acres of dry land or 1½ acres of wet land. In computing the extent for the purpose of the ceiling, the entire lands owned by the individuals shall be taken into account.

(iii) All other conditions of assignment under the Darkhast rules shall apply.

(iv) Any other special conditions that may be considered necessary shall be prescribed by the Government, Board of Revenue and the Collector.

7. The Collector should take special care to see that no assignment is made in the case of benami encroachments where rich persons are really behind the occupation.

8. The Board of Revenue (Settlement of Estates) is informed that in view of the above orders the instructions in the last sentence of B.P. Perm. No. 400/71, dated 31st July 1971 that the area left after exhausting the statutory claims would be handed over to the Forest Department shall stand cancelled."

(ix) TREATMENT OF SURVEY EXCESS IN HOLDINGS IN INITIALLY SURVEYED AREAS.

114. Ad hoc instructions were issued by the Director of Survey and Settlements regarding the treatment of claims of alleged survey excess in areas under Section 11 (a), 11 pro. and Section 19-A of the Abolition Act, 1948. Instructions had been issued to allow 45 per cent of the excess area in all initially surveyed villages. The Board had

occasion to go through those instructions when a claim was set up based on the above instructions. The Board considered that no claim could be based on such direction since it had neither statutory validity nor universal application without reference to the facts and merits of each case. In order to avoid untenable claims in future, the said instructions were cancelled, so far as they related to the grant of the survey excess in the initially surveyed villages. The Board also directed that the formula that each case to be decided on its merits, will be the operative rule thereafter.

(x) TREE TAX.

115. The Board found some technical difficulty about the adoption of rates of tree tax in vogue in ryotwari areas for trees in porambokes situated in estates taken over since the estate owners had adopted varying rates which in some cases were lower. The Board, therefore, sought Government orders in the matter. In G.O. No. 563, Revenue, dated 9th February 1956, the Government ordered that if the landholder was collecting tree tax at rates higher than those prevailing in ryotwari areas, then the higher rates should be adopted at least for the three fasli years mentioned in sections 30 and 34 of the Abolition Act, 1948. If the landholder was however collecting only lower rates of tree tax, then only the lower rates need be collected for those three faslis as any loss to the Government by collecting the lower rates will be more than counter-balanced by the reduction in compensation and there is no reason why the Government should collect a higher rate just to give the landholder more compensation (in calculating the miscellaneous revenue). The Government, therefore, directed that in the case of trees standing on poramboke lands in the estate areas taken over by the Government, the tree tax should be collected at the rates levied by the landholder during the three relevant faslis which were taken into account for calculating the net miscellaneous revenue under sections 30 and 34 and hereafter only at the rates levied in the ryotwari areas.

116. The Board also examined the propriety of collection of tax on trees standing on ryoti lands in estates taken over and inclusion of the same in the Basic Annual Sum and issued the following instructions in B.P. Ms. No. 845, dated 19th July 1957.

In respect of trees on patta lands and enjoyed by the pattadars themselves, the Board pointed out that the levy of tree tax by the landholder was indisputably legal and that section 23 of the Act would permit such collection during the three relevant faslis referred to in Sections 30 and 34, unless such collection was disallowed by the Rent Reduction notification. The attention of the authority was also invited to the orders of the Government referred to above and it was pointed out to them that the tree tax due for these three faslis must be treated as miscellaneous revenue and taken into account for calculating the basic annual sum, advance compensation and final compensation in respect of the estate concerned.

Regarding trees on patta lands and enjoyed by persons other than the landholder, the Board pointed out that in those cases also the income would count for miscellaneous revenue for purposes of calculating the Basic Annual Sum and compensation.

(xi) Assignment for non-agricultural purpose.

117. The original Section 19 of the Act dealt with the right to ryoti or non ryoti land sold for non-agricultural purposes before 1st July 1945. In the implementation of the Act it was brought to notice that the estate owners had admitted into possession by way of large scale assignment of lands for non-agricultural purposes both ryoti and communal lands. There was no provision similar to Section 11 pro. of the Abolition Act to deal with such cases of admission into possession of non-ryoti land or ryoti land for non-agricultural purposes. To save the right of the persons so admitted into possession bonafide by the landholders, the principal Act was amended by Act XLV of 1956 by which the Old Section 19 was substituted by the existing Section 19 and Section 19-A was newly inserted. Like Section 11 pro. this is also a discretionary section, the power having been vested with the Government, which was subsequently delegated by rules framed in G.O.P. No. 833, Revenue, dated 1st May 1957 to the Assistant Settlement Officer subject to revision by the Board and the Government, as the case may be.

In sharp contrast to this are the provisions of Section 19-A. Being retrospective, section 11 and 19-A should be read side by side. Section 19-A also speaks of admission into possession; the language of section 6 of the Estates Land Act has to be read into Section 11 which speaks of "ryoti land" ryot, and "holding."

The claimant will get a patta under Section 11 if he was admitted into possession of ryoti land, i.e. cultivable land. If what he was admitted into possession of was communal land or forest, the case falls under Section 19-A, and he has no rights except such rights if any as may be freshly conferred by a Government direction under that section. The section deals with three types, (a) communal land, (b) forest land and (c) other land which is not ryoti land. Ex-hypothesi if the land is communal land or forest no question whether it is ryoti land, i.e. cultivable land will at all arise. That the admission into possession was for purposes which would fall under the definition of agriculture makes no difference. Reading section 11 and 19-A together, the question to be asked is—was the land let into possession of which the claimant was admitted "ryoti land", i.e. cultivable land or on the other hand communal land or forest or other non-ryoti land.

Since dictating this opinion I consulted the Additional Government Pleader and he has brought to my notice that Sri Alagar Raja has filed a writ petition, W.P. No. 942 of 1959 which is pending in the High Court and in which counter-affidavit has not yet been filed. The attitude taken by the petitioner is that the question of patta has to be determined under Section 11 of the Act and that cannot be combined with an enquiry under Section 63. While I consider that the Board is acting in a strictly legal manner, it seems to me that there is no need to persist in a section 63 enquiry when the documents clearly show that at the time of the admission to possession, the lands were forest and situated inside the forest, access being granted by a pathway. In the circumstances I consider that without further delay the parties may be offered an enquiry under Section 11 by the Assistant Settlement Officer himself unless the parties specifically agree to a Section 11 enquiry by the Board, the enquiry under Section 63 being dropped. On this basis a short counter-affidavit may be filed in Writ Petition No. 942 of 1959 offering an enquiry under Section 11 by the Assistant Settlement Officer or by the Board (enquiry under Section 63 being dropped.)

108. Subsequently thereafter the question of grant of patta in respect of forest lands was first considered under section 11 or section 11 pro. of the Act, as the case may be of the Abolition Act, and only thereafter a decision was given in terms of the provisions of Section 63 vis-a-vis other forest land enactments placed in the statute book by then.

109. Gandamanaickanur Zamin comprising the entire old Narasingapuram village was notified and taken over by Government on 5th March 1954 under the Tamil Nadu Act XXVI of 1948. This old Narasingapuram group was subsequently surveyed as Myladumparai, Kadamalaikundu and Megamalai revenue villages. Originally the Assistant Settlement Officer, Madurai took up an enquiry under Section 63 of the Abolition Act, 1948 and by his order in S.R. 1/57, dated 17th January 1958 declared that the entire village of Narasingapuram except the lands which have been cleared and made cultivable with valid title and without violating the provisions of the Madras Forest Act XXVIII of 1949 will be forest and that the excepted land will be classified as lands lying within the forest. Against this there was a revision to Director of Settlements, Madras who in his order in A.P. 2/58, dated 2nd July 1958 confirmed the order of the Assistant Settlement Officer, Madurai. There was a further revision to Board of Revenue (Settlement of States) which after considering the facts and evidence on record set aside the lower authorities' orders in its S.E. (B1) 5168/58, dated 14th August 1959 and observed as follows while remanding the case to the Assistant Settlement Officer:—

"There will be no difficulty in disposing of on the merits claim to any land in this village under Section 11 or 12 or in disposing of applications for indulgence under Section 19-A. The claimant in each case will adduce all the evidence relied upon by him and there will be no difficulty in deciding in any concrete case whether the land was forest immediately before the notified date. The validity of the title of the land can and should be examined with reference to Madras Acts XIV of 1947 and XVIII of 1949. Precise orders can and should be passed under Section 63 in respect of the hills and forests which are still intact and also in respect of lands not lawfully cleared and which should be retained as forest poramboke."

When the same matter came up before the Board once again in revision it observed as follows in B.P. Perm. 400, dated 31st July 1971:—

110. "Legally it means that the entire area is not forest and that the rights of parties for patta under Act XXVI of 1948 have to be considered by the Settlement authorities before it is handed over to the Forest Department for actual maintenance. Even if it was declared as forest, patta can be granted in certain cases either under Section 11 of the Abolition Act or under Section 19-A of the Act. The Settlement authorities have not considered the impact of the Board's order while implementing it. In fact it is on record that a large extent of lands have been treated straight away under Section 11 (a) of the Act as waste or poramboke including forest porambokes. The recent trend of the judicial pronouncements is to the effect that the pre-existing right's

continue even after the notified date and even after the vesting of the estate contemplated under Section 3 (b) and the consequential vesting of the rights. In the light of the order of the Board in SE (B1) 5168/58, dated 14th August 1959, which still holds the field, lands now classified as forest cannot be deemed to be so, unless a specific order is passed under Section 63 of the Act. In view of this the Settlement authorities will have no right to decline the grant of patta on the ground that the entire extent has been declared as forest. The Board considers that lands treated as forest porambokes at the F.S.E. or under section 11 (a) of the Abolition Act, 1948 cannot be allowed to stand as they are in conflict with the statutory order of the Board. Areas which have been treated as forest without proper enquiry will be taken up for denovo enquiry. Where orders have been passed after going into the merits of the case on the ground that no claim for patta has been established such cases need not be reopened. Recently the Board in its proceedings B.P. Perm. 212/71, dated 13th May 1971 has directed the Settlement authorities to examine the claims relating to Kulamkorvai lands and grant pattas. It therefore follows that similar benefits should also be extended to the persons who are in occupation of the ex-zamine areas notified and taken over in Madurai district. The Board therefore under the powers conferred on it under Sections 7 (a) and (c) of the Estates Abolition Act, 1948 set aside the subsisting orders which are in conflict with the order of the Board in S.E. (B1) 5168/58, dated 14th August 1959 and directs a denovo enquiry of such cases by the Settlement authorities.

111. "In cases not falling under the above category the Collector may apply the principles of assignment outside the scope of the Abolition Act, 1948 including the recent Government orders in G.O. Ms. No. 1300, Revenue, dated 30th April 1971 and assign such lands as will be qualified under such conditions to the tenants. After exhausting such claims, if any area is left, which can be developed into forest, such extent can be handed over to the Forest Department."

112. Subsequently the Government took a policy decision regarding the regularisation of encroachments and assignment to landless poor persons in Gandamanaickanur ex-estate forests in Madurai district. They issued orders in G.O. Ms. No. 2621, Revenue, dated 13th September 1971 to the following effect after taking into consideration the said order of the Board.

"The Gandamanaickanur ex-Zamin Forests extending over 150 square miles in Periakulam taluk, Madurai district, were taken over by the Forest Department for interim administration on 2nd March 1956. They were later declared as Reserved Lands under Section 26 of the Tamil Nadu Forest Act on 10th September 1957. It has not been possible since then to complete the settlement operations and issue notification under Section 4 of the Tamil Nadu Forest Act, declaring the Government's intention to constitute the lands into a reserve forest as there have been unauthorised cultivations in the above areas. With a view to regularise these encroachments directions were issued that a contour line at an elevation of 2,400 feet should be drawn throughout the area and that the encroachments lying below this contour line might be regularised by leasing out the encroached lands for cultivation to bonafide landless encroachers and that, in respect of lands lying above this contour line, no further encroachments should be allowed. Orders were also issued constituting a committee of officials and non-officials for considering the applications of landless poor encroachers and regularising their occupations."

113. "The Collector of Madurai has reported that no applications for lease have been received so far since the encroachers want the lands to be assigned to them outright. He has reported that up to elevation of 2,400 feet, there are 7,964 cases of encroachments covering an extent of 18,342.17 acres. The encroachers have represented to the Collector that they have been in occupation of these lands for more than 20 years and that they have laboured hard and spent a good deal of money to bring these lands under cultivation. The Collector has, therefore, recommended that the encroachments below the elevation of 2,400 feet may be assigned to the landless poor encroachers."

118. The Assistant Settlement Officer, Karaikudi raised a question whether house sites not built over and which were outside village site poramboke (i.e.) held as part of patta lands could be dealt with under Section 19 or Section 19-A of the Act. The Board examined this point and in its L. Dis. No. 5859/58, dated 28th October 1958 informed him that Section 19 will apply only to ryoti land which is cultivable and if assigned by landholder for non-agricultural purpose such as building a house, shop, etc. It was also pointed out that in all unobjectionable cases where no public interest was involved the Assistant Settlement Officer may presume that the original character of the land was ryoti and may issue orders under Section 19 itself instead of sending all such cases to Board for passing orders under Section 19-A. Cases of communal porambokes whether abandoned or still required for communal purposes should be reported to the Board under Section 19-A of the Abolition Act, 1948.

119. A doubt arose about the levy of land revenue on such lands under Section 23 (b) pending ryotwari settlement under Section 22 and its relevancy to Sections 30 and 34 of the Act. When the Government was addressed in the matter, they informed the Board in G.O. No. 1059, Revenue, dated 12th March 1958 that they are advised that the existing policy in implementing Sections 30 and 34 is neither irrational nor of doubtful Constitutional validity and that no change in the existing procedure was necessary.

(xii) LEASES.

120. The Board examined the question whether Section 20 of the Abolition Act would apply to cases of sales or lease conveying rights for ever and issued the following instructions in B.P. Ms. No. 1034, dated 30th April 1956:—

- I. If the melwaram over the land concerned was permanently granted along with the forest, mines, quarry, fishery, ferry, etc., the grantee would be a owner of the part of the estate represented by that land, within the meaning of Section 3 (5) of the Estates Land Act and that such a person would be a landholder just like a Darmila Inamdar. Section 20 of the Act would not apply in such cases and the grantee will get his compensation as a landholder out of the compensation for the estate fixed under Section 25 of the Act. Even if such a grantee has to pay periodically, annually or at other intervals, some amount to the grantor (landholder), it would not detract from his legal status as a landholder.
- II. If the right granted in perpetuity related only to forest, mines, etc., and not also to the melwaram over the land itself, the grantee would not be a landholder but even so, Section 20 will not apply and the case would fall under Section 3 (c) and the grantee would accordingly be entitled to his share of the compensation fixed for the estate under Section 25—vide Section 3 (e) read with Sections 42 (i) and 44 (1) of the Abolition Act.
- III. If such a right was granted only for a limited period—whether for a long or short period—and if it is terminated under the third proviso to Section 20, compensation should be paid only as laid down in Section 20 (2) and such a person will not be entitled to any share in the compensation fixed under Section 25.
- IV. If the right is for a limited period and relates to “private land” of the landholder, it cannot be terminated under the third proviso to Section 20 (1), and the grantee will be entitled to enjoy the right for the full period of the grant and no question of compensation will arise.”

(xiii) Fishery rights

121. Thuraikadu village in Thiruthuraiipoondi taluk of Thanjavur district was notified and taken over by the Government under the Abolition Act, 1948 on 1st October 1951. R.S. No. 124 measuring 2.04 acres is a tank classified as such in the R.O.R. register. The fishery right in this tank was brought to sale by the Government

on 15th March 1953. The trustee of Sri Varadarajaperumal temple of Sembadathankadu objected to the sale on the ground that the tank belonged to the temple. The trustee filed a suit in O.S. No. 101/54 on the file of the District Munsif, Thiruthuraiipoondi requesting order restraining the Government from interfering with the rights of the temple in leasing out the fishery in the suit tank from fasli 1364 onwards and for certain other reliefs. The District Munsif dismissed the suit with costs to the Government. The District Munsif held that the suit tank vested in the State and that the plaintiff was not entitled to the fishery rights from the notified date (i.e.) 1st October 1951. The temple filed an appeal in the District Court at Thanjavur.

122. Earlier in G.O. No. 1699, Revenue, dated 20th May 1955 the Government agreed with the Board that the claims of the temples for ryotwari pattas for tanks in the estates taken over by the Government should be decided by the Settlement Officer under the Abolition Act. The Government also ordered that pending such decision, the rights which the temple might have been exercising over the tank prior to 1st July 1945 should not be interfered with. The District Judge whose attention was invited to these orders wanted to know the attitude of the Government in this case. The Collector, Thanjavur raised a doubt whether the said Government order should be given effect to in this case after the suit had been decided against the claims of the temple. The Collector suggested that if it was considered necessary to give effect to the policy laid down in the Government order a compromise might be effected between the Government and the temple. The Board informed the Government that the District Munsif had rightly held that the Devasthanam was not the owner of the tank before the notified date and that though the Devasthanam had acquired fishery right by adverse possession such right stood extinguished under Sections 3 (b) and 3 (c) of the Act. The Board, however, pointed out that a right acquired by adverse possession against the landholder cannot in law be placed in a lower footing than a right created by the landholder, and that the fishery right of the Devasthanam had to be recognised under Section 20 of the Act which was overlooked by the District Munsif. It was also pointed out that the Devasthanam had acquired before the notified date, a permanent right to enjoy the fishery and it had been leasing the fishery year after year for a long time as set out in the plaint. The Board, therefore, suggested that the appeal could be compromised, the terms being that the appellant temple should admit that the tank is a poramboke tank belonging to the Government, but that the Government agree to the Devasthanam continuing to enjoy the fishery right in the tank as hitherto. It was also pointed out that the fishery right was nothing very valuable as the auction held in fasli 1362 fetched only Rs. 9 and Rs. 16 in fasli 1363 and, therefore, it was not necessary to consider the termination of the fishery right by payment of compensation under Section 20 of the Act and that even if there was any doubt about the applicability of Section 20 to rights acquired by adverse possession against the landholder, the Board did not think it would be inequitable, in cases like this involving small tanks, to concede the fishery rights of temples, if they had been enjoying that right before the notified date as a matter of right as against the landholder.

123. In G.O. No. 1197, Revenue, dated 13th March 1956 the Government accepted the recommendations of the Board for the compromise of the appeal suit as suggested by it. As regards the question of conceding similar fishery rights of other temples in small tanks, the Government ordered that each case should be examined on merits. The Government further informed that they were advised that a right acquired by adverse possession against a landholder cannot be said to be a right within the meaning of section 20 of the Act because that section contemplates creation of a right by the landholder consciously by his own volition and does not include an act of omission on his part (viz) omission to prevent the acquisition of a right by a trespasser.

Claims for patta for communal lands in the transferred territory.

124. It was brought to the notice of the Board that during the Settlement of the transferred territory under Act 30/64, the Settlement authorities had ignored registry in certain cases and, guided by the state on ground in general had recorded those lands as Poramboke, thus affecting the claims of owners. The Board impressed on the Settlement authorities that they had no power to decide the question of title to the lands while effecting settlement of the tract, and issued the following instruction in B.P. Perm. 383, S.E., dated 15th September 1973.

"The significant factor is that the right of a Pandaravagai holder is equivalent to a ryotwari holder obtaining in the State of Tamil Nadu and such a tenure and the right thereof could not be abridged or taken away by any Settlement process unless abolition of tenure itself is undertaken. The Act in question does not contemplate any such change in tenure in respect of Pandaravagai lands. In view of this, the transfer of pathways and similar lands in such Pandaravagai lands as poramboke is opposed to the very provisions of the Act. The Board (Settlement of Estates), therefore, under the powers conferred on it under Section 7 read with Section 17 of the Tamil Nadu (Transferred Territory) Ryotwari Settlement Act, 1964 sets aside such orders passed by the lower Settlement authorities. This would mean that all subsisting orders classifying Pandaravagai (patta) lands as porambokes will stand cancelled. The Settlement and revenue authorities are hereby authorised to carry out necessary corrections and changes in all the survey and settlement accounts."

ANNEXURE III.

Reference (i) from the Board of Revenue No. S. No. 19/49-2, dated 22nd July 1949.

(2) G.O. Ms. No. 2079, Revenue, dated 10th August 1949.

Resolution No. 24, Press, dated 30th August 1949.

The Board issued the following instructions to Managers of Estates and the Collectors of the districts under section 7 (b) of the Madras Estates (Abolition and Conversion into Ryotwari) Act, 1948:—

A. INSTRUCTIONS TO MANAGERS.

1. Preliminary.

Managers and their executive subordinates should be thoroughly conversant with the provisions of the Madras Estates (Abolition and Conversion into Ryotwari) Act, 1948. The work involved in the administration of estates taken over by the Government under the Act is in the nature of a pioneer enterprise and there should, therefore, be no lack of initiative and drive on the part of the Managers. The Managers must act at all times in such a way as to make the ryots feel that there has been a change for the better. The Managers and their Executive subordinates should be accessible to ryots and towards this end they should tour extensively all over the estate or estates in their jurisdiction. Matters such as repairs to irrigation works, putting down of oppression by petty officials and the like should receive their prompt attention.

As zamindari areas will ultimately become ryotwari the Managers should at all times act in such a way as to achieve progressive approximation towards this end. Except in cases where the Estates Abolition Act or the rules thereunder or any other law for the time being provide otherwise, the Manager should act in the spirit if not letter of the Standing orders, Manuals, etc., governing the administration of ryotwari areas. The Board expects the Managers and Collectors to draw upon their revenue experience in dealing with matters arising in the management of estates.

2. Taking over of Estates.

The idea underlying the taking over of estates under the Act is only to run the current estate administration. The Managers should have nothing to do with the landholders' cash, the cash balance in the treasury of the estates, jewels, kept in the estate treasuries, and old regalia, weapons, etc., contained in Estate Museums. When buildings containing the above and similar items are taken over, care should be taken to see that these items are handed over to the landholder of the estate after taking a receipt from him or in the alternative that the landholder is asked to remove the items before the buildings are taken over.

As regards dispossession, under section 3 (d) (Proviso) of the Act, of ryots and landholders from lands other than those to which Prima facie they are entitled to ryotwari patta, the Managers need not go into the question elaborately, as it is the business of the settlement Officers finally to settle dispute and doubtful cases. So far as the management of estates is concerned the main thing is to ensure that land revenue is collected on all lands occupied by ryots. Any person who claims to be actually in possession of land may, in all cases where there is no counter claim, be allowed to continue in possession. The interests of Government relate mainly to the question of land revenue. After final ryotwari settlement, the Government will always be in a position to collect the ryotwari assessment from the person liable to pay with effect from the notification under section 1 (4) of the Act.

3. Organisation of the Manager's Office.

(i) The Huzur Offices of big estates like Vizianagaram may have systems of correspondence of their own. Further there will be Tana Offices corresponding to Taluk offices and in some cases Supervisors' offices corresponding to Divisional offices. After ryotwari settlement, these offices will have to be completely disbanded, as all the revenue work relating to what were previously zamindari areas will be attended to by the regular Government Revenue Officers. It is unnecessary, in the short period between the assumption of management of estates and the introduction of ryotwari settlement, for the office systems prevailing in the estate offices to be radically changed and a new system (viz., the Tottenham system) introduced. It is left to the Managers to make up this question with reference to the circumstances prevailing in each estate.

(ii) Regarding staff also, the requirement will depend upon the circumstances prevailing in each estate office. The Managers should in regard to this matter be guided by the rules issued by the Government under section 60 (2) of the Act. It may be more economical to retain the efficient portion of the estate staff rather than employ Government staff, which, in general, will be more costly, as estate employees are generally poorly paid compared to the corresponding Government employees. Technical staff, such as Engineering staff, Educational staff, Forest staff, etc., may have to be retained *in toto*, if for no other reason at least because the staff position in Government technical departments is itself very difficult and qualified technical personnel are not available.

(iii) As regards the stationery articles required for the use of the Manager and subordinate offices, it is generally the practice for estates to buy their requirement privately, even in the cases of estates under Court of wards. Till such time as the Superintendent of Stationery is in a position to supply all the estates with necessary stationery, the Managers may purchase stationery as was previously being done by the landholders. Similarly, they may arrange to get the forms required for the purposes of collection of land revenue, etc., printed locally till the Superintendent, Government Press, is able to supply the necessary printed forms.

The general principles laid down in the Stationery and Printing Manuals, in regard to local purchase of stores and local printing should, however, be followed.

4. Collection of land revenue.

(i) Soon after the Manager takes over the management of an estate under section 3 (d) of the Act, he should notify in the villages of the estate the fact that the Government have taken over the estate under the provisions of the Act with effect from the date (to be specified) and the ryots should hence forward pay the land revenue on their holdings to the Manager or to the officers authorized by him in that behalf and not to the landholders. The ryots should also be apprised of the kistbandi of the district concerned or the portion thereof they have to follow for the payment of their revenue to the Government.

(ii) Section 23 of the Act provides for the determination of the land revenue due before ryotwari settlement is brought into force. According to sub-section (a) (ii) in cases where the rent has been reduced under the Madras Estates Land (Reduction of Rent) Act, 1947, the land revenue payable to the Government will be the rent which should have been payable to the landholder immediately before the notified date, by a ryot holding similar land with similar advantages in the neighbourhood. But in such cases only 75 per cent of the rent should be collected as land revenue according to the Press Communique, dated 6th May 1949 (copy annexed). In determining the land revenue under this section the Manager should take into account the rent already paid by the ryots to the landholder before the notified date on production of valid proof of payment as prescribed in the rules under the Act.

(iii) In collecting the arrears of faslis 1357 and 1358 and subsequent faslis under section 55 (1) of the Act till such time as the reduced rents are fixed, the Manager should bear in mind the principles enunciated in the Press communique referred to above.

(iv) As regards disputes of the nature referred to in section 56, they have no doubt to be referred to the Settlement Officers for decision. But many alleged disputes can in practice be settled amicably by the Manager or his subordinate, if all the parties concerned are brought together and if a summary enquiry is made in the villages. Only disputes which cannot be so solved need be referred to the Settlement Officers. Otherwise, the Settlement Officers will be swamped with too many references which will mean delay in the collection of rents, not to mention inconvenience to ryots.

(v) Experience of rent suits tried under the Estates Land Act, 1908, has shown that many of the suits need not have been instituted at all, if only the landholder had shown the chitta, and other relevant accounts to the aggrieved ryot and convinced him of the amount really due from him. The withholding of rents by ryots to landholders was often not due to the ryots' inability to pay, but due to the mere fact that the ryot was nursing a grievance that the landholder was indulging in malpractices. Till things get settled, there will be much scope for village officers to indulge in malpractice in the matter of collection of rents. The Managers and their subordinates should, therefore, move about briskly during the collection season and personally check the collection accounts and verify kist receipts.

(vi) One important point to remember in connection with estates is that the revenue registry in estate villages will, in general, not correspond with the actual enjoyment of holdings. Thus if a patta stands in the name of one person, the actual fact may be that the pattadar died decades ago and that as a result of succession and alienations, the present enjoyers may number as many as 15 or 20 persons. The apportionment of rent between these persons is in general done by the estate collection agent, who often will not do it in an equitable manner for various reasons. The Managers should, as far as possible, bring the revenue registry up-to-date in such cases in order to ensure justice and equity.

(vii) With effect on and from the notified date, the Managers should arrange for the lease of the usufructs of trees standing on porambokes and the right of fishing in the landwaters in estates in accordance with the rules on the subject prevailing in ryotwari areas in the district concerned.

(viii) The Manager should also take steps to see that the miscellaneous revenue derived by the landholder is properly assessed as this will be relevant for calculating the interim payment to be made to the landholder as also for calculating the compensation to be ultimately paid to him.

(ix) The Managers should send up through the Collector of the district very urgently after taking charge proposals regarding the interim payment to be made to the landholder under section 50 of the Act.

(x) The Managers should soon after taking charge of an estate, submit proposals for taking over such office furniture as is available with the landholder in his present office and as is needed for the Manager's Office on payment of a fair price.

5. Relations with other Government Officers especially those working under the Special Officer for Rent Reduction and the Director of Settlement.

The Managers should bear in mind the fact that they are in the nature of caretakers of the estates and that it is only a matter of a few years before the estate areas become integrated with the ryotwari areas. Apart from the Grow More Food drive and other similar important and urgent items of work, officers of the regular Government departments will be frequently requiring necessary statistics, data and other similar information from the Managers. In particular, survey officers, the Special Officer for Rent Reduction and the Director of Settlement will have a lot to do with the Managers. The Managers should render prompt and speedy assistance to all these officers, whenever requested by them and should also issue similar instructions to their subordinates.

6. Compensation payable to landholder.

According to section 28 (1) of the Act, the gross annual ryotwari demand in respect of lands referred to in section 27 (i) and (ii) should be the total of the ryotwari assessments imposed, in pursuance of a settlement effected under section 22, on the lands occupied by any person other than the landholder on the notified date. So the landholder is entitled to compensation only in respect of such of those lands for which persons other than the landholder are entitled to ryotwari pattas. But lands which are already under Kudavaram occupation but which are shown as smaller in extent than they actually are stand on a different footing. In respect of such lands, the landholder will get the benefit of the increased extent and revenue as ascertained by survey and subsequent settlement.

7. Mining Leases.

The landholders who are themselves working the mines in their estates should be allowed to continue to work them, and mining leases or licences should be granted to them for the purpose.

8. Instructions to Collectors.

Under section 6 (2) of the Act, Managers of estates are subordinates to the District Collector. Collectors will be guided by the general principles laid down in the instructions to the Managers above in discharging their statutory duty of supervising the work of the Managers and issuing instructions to them. In cases, however, where the Managers are of the rank of Collectors, Collectors should not ordinarily cancel or revise any orders, acts or proceedings of the Managers without the prior approval of the Board of Revenue.

A copy of the instructions issued to the Managers by the Collector under section 6 (2) should be submitted to the Board of Revenue for perusal. Excepting confidential or secret instructions, the rest should be made known to the landholders, ryots and the general public. Except in an emergency no such instructions should be issued to Managers of Collector's grade without the prior approval of the Board.

As soon as possible after the estates in his districts are notified under the Act, the Collector should make arrangements for the peaceful taking over of estates and their records and for their management and should report the fact of the assumption of office by the Manager appointed for the estate.

Though Collectors have many urgent items of work to attend to, they should give high priority to their work under the Madras Estates (Abolition and Conversion into Ryotwari) Act, 1948.

Under section 3 (b) of the Act, village sites in estates being communal lands will vest in the Government free of all encumbrances and the Government will be at liberty to assign land in these village sites for house building. Plots of village site which had

been assigned by landholders between 31st October 1939 and 26th June 1947 should accordingly, after the estates are taken over, be formally assigned by the Revenue authorities under the Board's Standing Orders to the persons to whom they had been originally assigned by the land holders, their legal heirs or the persons to whom the original assignees or their legal heirs had transferred the plots bonafide for value.

The Madras Estates (Abolition and Conversion into Ryotwari) Act, 1948—Sections 1 (4) and 2 (10) of the Act—Amended by Madras Act XXXIV of 1954—Implementation of the Amendments to the Act—Instructions issued.
Reference.—No. (S.E.) B. 1947/51, dated 6th June 1955.

The attention of the Director of Settlements, Madras, the Collectors of all districts and the Managers of Estates is invited to sections 2 and 3 of Madras Act XXXIV of 1954 published in Part IV-B of the *Fort St. George Gazette*, dated 19th January 1955. According to section 2 (10) of Act XXVI of 1948 as amended by Madras Act XXXIV of 1954, where the operation of the notification has been stayed or interrupted by order of court, the date from which the Government have been in uninterrupted possession of the estate, shall be the 'notified date' in relation to that estate. The Board issues the following general instructions in the matter of implementing sections 1 (4) and 2 (10) of Act XXVI of 1948 as amended by Act XXXIV of 1954

2. (a) There are two classes of estates which are affected by the stay orders of the High Court as shown below:—

(i) Estates in respect of which the stay order was received before the notified date and so, on the notified date, the estates were not taken over.

(ii) Estates in respect of which the stay order was received after the notified date and so, on the day when the stay order was received, the estates had already been taken over.

In the first class of estates, the Government had proceeded on the basis that all the consequences under the Abolition Act did not follow from the original notified date, but only on and from the date when they were actually taken possession of, after the stay order was vacated and had taken the following action as:—

(1) The estate was not taken over on the notified date.

(2) The period during which the stay order was in force was excluded for purposes of calculating the period of six months for depositing advance compensation under Section 54 (A) (1) of the Abolition Act.

(3) Interim payments under section 50 of the Abolition Act were made to the principal landholders and others only for the fasli year in which the estate was actually taken over and for the succeeding faslis.

(4) The collection under section 3 (4) of the Rent Reduction Act continued to be made by Government and after deducting the amount due to Government as peshkush, collection charges, etc., the balance was paid to the landholder. So Government proceeded on the basis that the landholder is liable to pay peshkush cess, etc. to Government during the faslis when the stay order was in force.

(5) The landholder was allowed to collect miscellaneous revenue.

(6) The landholder was considered to have the rights he had over the estate except the right to collect rents which had to be collected by Government on his behalf under Section 3 (4) of the Rent Reduction Act and paid to him until the fasli in which the estate would be taken over.

(7) The period which would be taken for calculating the net average miscellaneous revenue is not the fasli year in which the estate is notified to be taken over and two the stay order is vacated and the two succeeding fasli years.

In respect of all the above items, for all practical purposes, action was taken on the basis that the notified date is not the date on which the estate was originally notified to be taken over but the date on which the stay order was vacated. So with regard to these items, the action taken already is in accordance with the recent amendment to the Abolition Act, and no difficulty arises in implementing the provisions of Act XXXIV of 1954.

(b) With regard to the following items, however, the Government proceeded on the basis that the notified date was the original date on which the estate was notified to be taken over and the provisions of the Abolition Act took effect from the original notified date:—

(1) Estates Land Act ceased to have force in the estate from the notified date. The Madras Preservation of Private Forest Act and the Madras Estate Communal Forest and Private Lands Act (XIV of 1947) have ceased to apply to the estate from the notified date.

(2) (a) With regard to the leases granted by a landholder before the notified date, the rents that accrued after the notified date had to be paid to the Government. If the landholder had received them, he had to surrender them to Government. Suits should be filed if necessary to recover them either from the landholder or from the lessee.

(b) Leases granted subsequently to the notified date were considered as void and therefore a suit for damages for use and occupation should be instituted against the lessee.

(3) It was ordered that if any damage had been done to the forest between the original notified date and the date on which the estate is taken over suits should be filed to recover compensation for the damages done to the forest.

As a result of the amendment to the Abolition Act, action taken with regard to items 2 and 3 above is not in order and has to be cancelled and the position taken with regard to item No. 1 also is not correct. So, even in respect of those items, there is no serious difficulty or complication in giving effect to the amendment and Collectors should take action at once with regard to items 2 and 3.

(4) Certain complications arise only in the second class of estates in which the stay order was received after the estate had been actually taken over. In these cases, the Government proceeded on the basis that all the provisions of the Abolition Act applied from the notified date. However, all acts of management had been suspended during the period of stay. So, during this period, neither the landholder nor the Government managed the estate. But when the stay order was vacated, action was taken on the footing that Government could exercise all the rights which the Act entitled them to do and to carry out all the obligations which the Act enjoined on them to do, with effect on and from the original notified date. The injunction orders received in respect of the second class of estates are of the following nature:—

(a) Restraining Government from taking possession of the estate.

(b) Restraining Government from taking all further proceedings under the Abolition Act.

As the estates had already been taken over the stay orders virtually became inoperative and it was considered that it was not necessary to return the estates. The estates were not, therefore, returned to the land holders.

With regard to cases falling under the clause (a) above, in the absence of any orders restraining all further proceedings under the Abolition Act, the Basic Annual Sum and Advance Compensation were worked out under Section 54-A and deposited within the statutory period of six months, from the notified date and interim payments were also deposited for the fasli year in which the estate was taken over and for subsequent faslis. No action is called for with regard to the Advance Compensation which has

The Supreme Court referred to the status of holders of these inams based on the following decisions:

- [1] *Brahmayya [Vs] Achiraju* ILR 45 Ms 716. This decision was based both on the ground that the inamdars were in the position of owners of parts of an estate and that further they were also persons entitled to collect rent, within the inclusive portion of the definition.
- [2] *Narayanaraju [Vs] Suryanarayanan* 66 I. A. 278 "Construing Section 3(b) in the light of the law as then accepted, when a notified estate vests in its entirety in the state under the provision, a minor darmila inam which forms part of it also vests in it."

From these decisions and other considerations the Supreme Court held:

"The result then is that when the darmila inam only does not relate to the entire village out only to a fraction of it, it must be held to retain its character as part of the estate in the hands of the inamdar, and when the estate is notified under section 1(4) of the Act, the inam will vest in the state under Section 3(b)."

131. The supreme Court next took up the contention that the Act makes no provision for award of compensation. The Supreme Court held:—

This contention is clearly erroneous. The material provisions relating to the award of compensation are sections, 25, 27, 37, 44—It leaves untouched the right of the minor darmila inamdars to claim compensation under Section 44. The contention of the respondent that the Act provides no compensation to them, and that they should therefore be held to fall outside the Act must accordingly be rejected. We have held that the part of the estate belonging to a darmila inamdar would vest in the Government.

132. Referring to the provisions of Section 3 (b) and 3 (c) vis-a-vis section 20, the Supreme Court observed:—

"In other words, section 20 has no application to transactions by which a person becomes a landholder by reason of ownership of even a part of the estate being transferred to him, and that being the character of a darmila minor inam it is not protected by Section 20. . . . Under Section 3(a) of the Act the Madras Estates Land Act stands repealed on and from the notified date, and as it is by virtue of this Act that the tenants became entitled to occupancy rights, the inamdars would not on notification be free to object to the tenants and settle their own with them. We cannot accede to a contention of the respondent which results not merely in frustration of the object of the Act but further produced consequences, the reverse of what were intended. On the other hand the contention of the appellant that minor inams fall outside Section 20 and would vest straight away in the State under Section 3(b) will have the effect of extinguishing the rights of the inamdars and enabling the State to issue ryotwari pattas to the tenants in occupation. We prefer to accept this contention, as it fully effectuates the intention of the legislature. In the result we must hold that the 1/16 portion of the Karuppur forming a darmila inam will vest in the Government under Section 3(b) of the Act and that the only right of the inamdars is to the share in the compensation under the terms of the Act."

To bring out the intention as propounded by the Supreme Court clearly, Section 20 of the principal Act was replaced by a new Section 20 with sub-clauses (1) to (3) with Explanation by Amendment Act (XLIV of 1956).

III. SECTION 3 (b) - VESTING OF AN "ESTATE"

133. That the entire estate vests with the State under Section 3 (b) on and from the notified date including the various component parts described therein was the principle upheld by the judiciary in a number of cases.

- State of Madras (Vs.) *Srinivasa Iyengar* (1956 II MLJ. 63 (S.C.)
Zamindar of Ettayapuram (Vs.) The State (1954-SCJ. 282)
Chidambaram Chettiar (Vs.) Aliar Rowther (1957-I. MLJ. 244)
Appanna (Vs.) Rajah of Ramanathapuram (1958-I. MLJ. 244)
State of Madras (Vs.) Karuppiiah Ambalam (1959-I. MLJ. 185)
Soosai Udayar (Vs.) Andiyappan (1959-I. MLJ. 196)
State of Madras (Vs.) Kamakshia Pillai (1960-I. MLJ. 276)
 C.M.P. 5156/57 and S.A. 620/57 (unreported)
Saraswatjo Rao (Vs.) State of Madras (OLRR 1956-MS. 233)
Veerappa Chettiar (Vs.) State (AIR 1954 SC. 605).

(1) B.P.Ms. 341, dated 4th November 1958.

134. While so, a question arose in *Mohammed Mustafa (Vs.) Udayanachi-animal-ILR* (1968) L. MS. 723 (relating to Perayur Village in Ramanathapuram District) whether the pannai lands in the village could be proceeded against in execution of the mortgage decree. That issue was examined by the Division Bench of the High Court in A. S. 359/1961 in the background of the provisions of the Act XXVI of 1948. After referring to the scheme of the Act and its various provisions, the Chief Justice who delivered the judgment in this appeal held:—

"We shall presumably deal with, what in our opinion is the effect of section 59. The scheme of the provision which we have briefly referred to, is as we think, that with effect from the date of notification or the date prescribed therein, the entire estate is transferred to and is vested in the Government. But this, as we mentioned, is subject to the provisions providing otherwise. What are those provisions and what is their effect? Notwithstanding the vesting of the entire estate, possession of lands for which ryotwari patta shall have to be granted is not to be disturbed unlike the rest of the estate which is notified and taken over. The provisions relating to grant of ryotwari patta show that once the character of the land is determined, patta should perform issue. In other words, the persons in possession of lands for which he is entitled to a ryotwari patta will get patta not as a matter of grace but as of right which is recognised by these sections. Sub-sections 11 to 14 to our minds make it clear that the vesting of the estate absolutely in the Government on and from the notified date is subject to those provisions, namely, that the person who shall be entitled to a ryotwari patta will not be disturbed from possession and once the character of the land is determined as ryoti or those described in any of the Sections 12 to 14, in recognition thereof such person in possession of such lands shall be granted ryotwari patta. In effect both possession and a title of person who is entitled to a ryotwari patta are saved from the effect of the notification under section 3(b) and the ownership in such lands continued in the quantum landholder, notwithstanding the notification and the fact that it is subject to determination of the character of the land for which he will be entitled to a ryotwari patta. The only change, however, brought about is not to the ownership but to the tenure of the land for which ryotwari patta is granted. Before notification such land was subject to payment of peshkush and after the notification, its character as private or ryoti land is destroyed and it will be held after the notification and determination of its character and grant of ryotwari patta as ryotwari land subject to payment of assessment as finally settled under Section 22."

135. After a comparison of the Bihar and Uttar Pradesh Land Reforms Acts, the Chief Justice further held:—

"Far from sections 12 to 14 of the Madras Act saying that the properties for which ryotwari patta was issued shall be resettled or shall be deemed to be resettled from the date of the notification, they merely direct that when once the character of the land is determined to be pannai or private ryotwari patta shall be granted. We think the issue of patta is in recognition of the title that inhered before the notified date and continued to inhere in the landholder thereafter to the private lands but only with this difference that after the notification the tenure of the land is no longer pannai or private but, on grant of ryotwari patta, becomes ryotwari land subject to payment of assessment."

136. The view prior to this decision was that the vesting of an estate under Section 3 (b) with its components was absolute, unconditional and complete and all rights recognised under the Act were those that had a fresh origin from the notified date. This later decision has to a great extent influenced the same High Court to take the view ever since that the decision of tenure under the Abolition is ancillary to title based on antecedent rights from prior to the notified date without loss of continuity and as such civil courts have jurisdiction to try a suit despite the bar provided for under Section 64-C and 64-C (2) of the Act.

IV. VESTING OF TREES.

137. In writ appeal Nos. 252 and 253/69, the Division Bench consisting of Chief Justice and Gokulakrishnan Justice had to consider the legality of taking over palmyrah trees in Melmandai 2/3 Zamin estate. The petitioner/appellant prayed for the restoration of the trees or to pay him just and adequate compensation for the trees. The Chief justice who delivered the judgement held:—

"The entire scheme of the Act justifies the view which this court has taken in numerous cases, that the effect of a notification is to vest in the State all the rights in the estate, unless an exception has been provided for in the Act. It is true that Section 3 (b) does not specifically refer to trees on land. But it does refer to all kinds of lands, and as a matter of fact, the opening words of the sub-clause are "the entire estate". Having said "the entire estate" the sub clause clarifies that it includes certain matters. Even assuming that trees have not been referred to in the inclusive provision, the words "entire estate" would include the trees as well. Ryoti lands undoubtedly vest in the State upon notification and if trees stood on such lands, they would also pass to the State. As a matter of fact, the appellant himself seems to have proceeded on the basis that the trees have vested and it was on that basis, he claimed compensation for the trees. But the point is whether the income from the trees would come under miscellaneous revenue as component in the compensation of the Basic Annual Sum for the purpose of assessing compensation. We are of the view that income from trees would fall under the category of miscellaneous revenue."

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already been deposited. It is not also necessary to revise the Advance compensation already deposited merely for the reason that the relevant period for the calculation of the M.S. Revenue dimer as a result of the amendment to section 1 (4) of the Abolition Act. In so far as even in the absence of stay orders, only the three faslis period prior to the notified date was taken into account for purposes of Miscellaneous Revenue in calculating advance compensation, there is no harm in allowing the calculation so made to stand. In cases where stay orders had been received subsequently, the Board considers that there is no particular harm in leaving unrevised the Advance Compensation already deposited. The relevant 3 faslis period should be taken into account according to the present amendment to section 1 (4) at the time of the calculation of the final compensation and the necessary adjustments then made. But with regard to the interim payments deposited already, they should be adjusted towards the interim payments, for the fasli in which the estate came into the uninterrupted possession of the Government and the subsequent faslia.

In the case of estates falling under clause (b) (i.e.) where Government have been restrained from taking any further proceedings under the Abolition Act, no deposit of Advance compensation or interim payment has been made, considering that such deposit would constitute an act of management under the Abolition Act. In such cases the Director of settlement should deposit Advance Compensation and interim payment after the Government get uninterrupted possession of the Estate.

If any land revenue had been collected from the ryots under section 23 of the Abolition Act during the period when the stay order was in force, it has to be treated as collection under the Rent Reduction Act and, after deducting the peishkush collection charges, cess, etc., due to the Government, the balance should be paid to the landholder. If any arrears of rent fell due prior to the notified date, they have to be treated as collection under section 3 (4) of the Rent Reduction Act instead of as collection under Section 55 of the Abolition Act. Action should be taken to revise the D.C.B., both under section 3 (4) of the Act XXX of 1947 and section 55 (1) of Act XXVI of 1948 wherever necessary and to propose necessary alterations to the accounts.

The Madras Preservation of Private Forest Act would continue to be in force during the period of stay and if there had been violation of the provisions of the Act, the Government can take action for prosecuting the landholder but they cannot take civil action against him for any damage done to the forest as the estate would be considered to have been in his ownership during the period of stay.

(5) Section 10 of the Amending Act XXXIV of 1954 merely removed any doubts as to the legal validity of any act or order done or issued before the receipt of the stay order, but the position must be reviewed and the necessary adjustment made with reference to the amended notified date on the basis that the Abolition Act did not at all apply to the estate before the said date. Action should be taken to settle accounts with the landholders accordingly in respect of what was done or not done during the period before the amended notified date and outstanding Government dues should be adjusted out of any payments due to the landholder.

6. The Collectors, the Estate Managers and the Director of Settlements are requested to take action urgently in accordance with the above instruction.

March of Law

I. VESTING OF ESTATES.

Taking over of villages held under Mirasi Tenure.

125. The tenure which is akin to Ekahopha Miras in the Chingleput district implies the vesting of both melwaram and Kudiwaram in the tenure holder and it is prevalent in Thanjavur, Salem and Chingleput Districts.

126. When under the Abolition Act, 1948, the mirasi village Nazarethpettai in Chingleput district was notified under Section 1 (4), the notification was challenged by the estate owner. The Special Appellate Tribunal (High Court) after dealing with the mirasi tenure and the facts of that case held in Varadappan (vs.) the State of Madras ((1962) 1. MLJ. 405) that the village was not an inam estate within the meaning of Section 3 (2) (d) of the Estates Land Act as the culmination of the mirasi tenure was from the first occupant based on the theory of origin of land, viz. cultivated land was the property of the person who cuts away the wood or who first cleared and filled it.

127. In another case, the tenants in the estate Baburayampatti of Chingleput district, a mirasi village claimed patta under Section 11 (a), but the landholder/Devasathanam objected to the claim on the ground that all the lands were its iruwaram lands. There were protracted proceedings which finally ended in W.P. Nos. 1920-1924/67. By order, dated 20th April 1967, Justice Venkatadri allowed the writ petition. In delivering the order, he too referred to the incidence of mirasi tenure, but from the facts of the case he held :—

"In one of the earlier cases on the subject *nhorla* [Vs] *Kondam Naidu*-26 MLJ, 169" a Division Bench of this court had to deal with mirasi tenure in the very same district of Chingleput, wherefrom the present case has arisen. The bench observed that a Payakari by continued residence in the village and cultivation of the same lands for three generations acquired a permanent right of occupancy. In the same decision *Sadasiva Iyer*, Justice one of the learned Judges constituting the Division Bench observed.

"It seems to me now that a person cannot be held to own the Kudiwaram right in its true and complete sense unless he has also got the power of alienation of right of Occupancy and unless he does not acknowledge himself to be merely the tenant of a person really owning the Kudiwaram right. In the present case several instances have been brought to my notice when those fixed cultivators have dealt with the land independently in their own right and way by mortgage, gift and sale."

"The system of mirasi tenure in Chingleput district is an obscure, obsolete and archaic one. In view of the complexity of the mirasi rights, in view of the liberalised legislation conferring benefits on the occupants of the soil, and in view of the continuous and uninterrupted possession by the tenants of the lands, I am of the opinion that the mirasi tenure has to be interpreted according to the present state of affairs and according to the present day needs of the society. In view of the above consideration, I think the tenants do have occupancy right in the lands."

128. These decisions have set at rest doubts regarding the applicability of the Estates Land Act and based on it, the Estate Abolition Act to villages held under Mirasi Tenure in these districts.

DARMILA INAM VIS-A-VIS SECTION 20 OF THE ABOLITION ACT, 1948.

129. A portion (15/16 part) of Karuppur in Ramanathapuram Zamindari was inam and the remaining portion (1/16 part) of it was ayan granted as Darmila Inam. The inam portion of Karuppur was notified under Act XXVI of 1948 as under tenure. The rights of holders of darmila or post settlement inams of portions of a village under the Abolition Act, 1948 came up for consideration in regard to the remaining 1/16th portion of it (which constituted a Dharmila Inam) in C.M.P. No. 8302/50 reported in (1952) II. MLJ 314. The High Court held among other things, that post-settlement minor inams or other inams included in the assets of Zamindari at the time of permanent settlement would be protected under Section 20 of the Abolition Act (as it then stood) and that the rights thereunder can be enforced against the Government and that the rights of the minor inamdars had to be terminated on payment of compensation under Section 20 (2) of the Act. In this view the High Court quashed the notification issued under Act XXX of 1947 and Act XXVI of 1948.

130. This was taken up on appeal to the Supreme Court by the State in C.A. 219/1954. By judgment, dated 21st October 1955, the Supreme Court allowed the appeal. Delivering the judgement, Venkatrama Ayyar Justice held :—

"Two questions that arise for decision in this appeal are :—Are post settlement minor inams within the operation of Madras Act XXVI of 1948 (2) If they are, are they governed by section 20 of the Act. Referring to the contention of the State that post settlement minor inams within the zamindari would vest in the State as part of it under section 3 (b) of the Act, the supreme Court further considered the issue.

"The point for decision is whether post settlement minor inams are parts of the estate out of which they were granted. If they are, then they will vest in the Government under section 3(b). If they are not they will remain unaffected by the notification of the parent estate."

V. COMPENSATION FOR COMPONENTS OF AN ESTATE THAT VEST ON NOTIFICATION.

138. In W.P. No. 3397/67, the landholders of Pottithatti estate of Ramanathapuram district claimed separate compensation for the masonry sluice, granite weir, channel, etc., on the grant of ground rent patta under Section 18 of the Abolition Act, 1948. Delivering the judgment Ismail Justice held:—

“The present writ petition is pressed with reference to the conclusion of the Board of revenue that there is no provision in the Act for the payment of compensation for the construction of masonry sluice and granite weir with shutters, irrigation channel and tank. Admittedly there is no provision as such in the Act. All that the Act enforces is the payment of compensation under section 24 of the Act, as prescribed and provided for in the statute itself. Section 37 of the Act states that the total compensation payable in respect of any estate shall, except in the case governed by section 38, be determined in accordance with the prescribed scale which states that the compensation should be so many times the Basic Annual Sum determined as provided for in the Act. Consequently the Board of Revenue rightly held that there was no provision in the Act for paying separate compensation for masonry sluice and granite weir with shutters irrigation channel and tank”. The learned counsel of the petitioners however requests me to consider the construction as one falling under Section 18 of the Act. For such cases separate machinery and procedure are contemplated for determination of that question”.

There is also the bar in Section 25 which states that the compensation shall be determined for the Estate as a whole, and not separately for each of the interests therein and a formula has been laid down for calculating the compensation due for each estate. The adequacy of this amount of compensation cannot be called into question as the Act enjoys Constitutional protection.

VI. PROCEDURAL ASPECTS.

(i) *Revisional Jurisdiction of Higher authorities in orders passed by them earlier while occupying a lower post in the hierarchy:—*

139. In *Trustee of Mariamman Temple v. Director of Settlements, Madras, 1949* ~2 MLJ. 37. Ramakrishnan J. delivering the order held:—

Ramakrishnan Justice delivering the order in this case held:—

“It is clear that the situation besides involving Gilbertain Paradox, which should be strongly deprecated in matters of this kind, is also opposed to the principles of natural justice. The power of revision being a statutory one, the officer exercising it should carefully see whether the order sought to be revised was passed by himself at an earlier stage, when he occupied a lower position in the official hierarchy and if that was the case, he should have taken steps to ensure that the matter was taken up for disposal by some other person. Since such a procedure has not been followed in this case, the order of the respondent is clearly not maintainable”.

(ii) *Power to condone delay in cases where the application of Section 5 of the Limitation Act has not been specifically barred.—*

140. In W.P. No. 2544/68 filed by one Rajasekharan against the order of the Director of Settlements under Section 11 (a), Justice Kailasam had to deal with the power of Director of Settlements to condone the delay before a lower authority while allowing the case in favour of the first respondent. Dealing with this issue in the order, dated 7th January 1969 he held:—

“The learned counsel for the petitioner submitted that the order of the Director of Settlements is liable to be set aside on the ground that he had no jurisdiction to excuse the delay in filing the revision petition before him. He submitted that G.O. No. 5261, dated 5th December 1961 governed petitions arising out of Sections 18 and 19 of the Madras Estates (Abolition and Conversion into Ryotwari) Act, 1948 and that G.O. No. 139, Revenue, dated 9th January 1963 is not applicable in that it provides that the authority may excuse the delay in filing a revision petition for sufficient cause, whereas G.O. No 5261, dated 5th December 1961 is silent about the matter.

I am unable to agree with the contention of the learned counsel for G.O. 139, Revenue, dated 9th January 1963 is the later and appears to be applicable to all the petitions. As both the Government Orders should be construed avoiding any conflict, I am unable to say that the authorities had no power to excuse the delay. This contention is rejected”. This was taken on appeal in W.P. No. 186/69. The Chief Justice delivering the order on 18th June 1969 held:—

“We see no reason to interfere with the order passed by the learned Judge. One of the points raised is that the Director of Settlements has no power to excuse the delay in respect of a revision application filed beyond thirty days. But G.O. No. 139, dated

9th January 1963 clearly provides for excusing the delay provided the officer is satisfied that there was sufficient cause. The learned Judge read this and the other Government Order and was satisfied that the power to excuse the delay was there. We are inclined to accept this view”.

(iii) *Bar of power to condone delay in cases where the application of Section 5 of the Limitation Act has been specifically made inoperative by rules.*

141. The same question was taken up in *K. V. Krishna Iyer v. the panchayat Board and others* in W.P. No. 2232 of 1968. By an order, dated 5th January 1970, Justice Ismail allowed the writ petition holding that the Director of Settlements had no power to condone the delay in respect of revisions preferred under Section 5 (2) of the Act. In delivering the orders he held:—

“Hence 5 (2) is a general provision, while the rule made by the Government in G.O. 3190 (Revenue), dated 17th October 1955 is a special provision dealing with the orders made under Section 11 of the Act. On the general principle that a special provision excludes the applicability of the general provision, with regards to the orders made under Section 11 of the Act, it is the rule mentioned above that is exclusively applicable (and not the rules issue in G. O. 139 (Revenue) dated 9th January 1963). Therefore the ‘Explanation’ of the rule excluding application of section 5 of the Limitation Act, will govern even the revision petitions preferred to the Director of Settlements and the Board of Revenue against the orders of the Settlement Officer in revision preferred against the orders of the Assistant Settlement Officer made under Section 11 of the Act. Consequently even the Director of Settlements had no power to condone the delay in preferring the revision petition to him falling under the rule made in G. O. No. 3190, (Revenue), dated 17th October 1955.

This was taken on appeal by the State in W.A. No. 98 of 1971. Delivering the judgment (Division Bench) the Chief Justice held:—

“The question in this case is whether in respect of a revision from an order of the Assistant Settlement Officer granting patta under Section 11 of the Madras Act 26 of 1948, there is in him or the Director of Settlements, the power to condone the delay in filing the revision petition. Ismail Justice held that there is no such power. We are in entire agreement with this view. A specific rule has been framed under the rule making power provided in Section 67 on the reference to Section 11 that the revision petition to the Settlement Officer or a revision to the Director, should be filed within a specified time. The application of Section 5 of the Limitation Act has been expressly excluded. That means neither the Settlement Officer nor the Director of Settlements has the power under Section 5 of the Limitation Act to condone the delay. It is true that there is no limitation provided for a revision under Section 5 or 7 of the Act. But the order in the instant case will not fall within the purview of the power under Section 5 or 7 because of the specific provision providing for a revision against orders passed under Section 11 of the Act”.

(To overcome this, necessary amendment to the provisions of Section 5 and the rules framed thereunder has been proposed to the Government).

(iv) *Revisional Powers of the Board of Revenue on an order passed by a Settlement Officer under Section 19-A:—*

142. The claim of ryotwari patta for S. No. 16/1 pro. in Pattanam village, Salem district was disallowed by the Board on the ground that the Kuttai therein was an irrigation source and that it had vested under Section 3 (b) of the Act in the State. In this case, the Board had taken up suo motu action to revise the order of the Settlement Officer wherein he had allowed patta under Section 19-A after rejecting the claim under Section 11 (a) of the Act. This decision of the Board was challenged before the High Court in W.P. No. 893 of 1969 on two grounds (viz.) (1) on merits and (2) on the jurisdiction of the Board to revise the order of the Settlement Officer suo motu. Ismail Justice dismissed the writ petition by order dated 30th April 1970. In this order he held:—

“As already said, even the settlement Officer did find that prior to the notified date the land in question was only an irrigation source not withstanding its treatment as ryoti land if so the basis for the contention of the learned counsel disappears and hence there is no substance in this contention.

As far as the point relating to the jurisdiction is concerned, it arises out of the language contained in section 19 A of the Act as well as the notification issued by the Government delegating its powers under that section to different authorities.....

In exercise of this power conferred on the Government, the Government have delegated their power under Section 19-A to different officers, namely, the Settlement Officer and the Director of Settlements subject to certain restrictions and qualifications. One of the restrictions subject to which the power has been delegated is “the Board of Revenue (J. E.) shall have power to revise any order of the Director of Settlements or Settlement Officers suo motu or on application”. Consequently in terms of this restriction or condition, the Board was perfectly competent to revise the order passed by the Settlement Officer, Salem dated 28-6-1967. But the argument of Mr. Santhanaswami is that when the Government delegated its powers to the Settlement Officer at the same time it cannot clothe the Board of Revenue, authority subordinate to the Government. I am unable to see any substance in this contention. Certainly, it is open to the Government to delegate its powers

not to any authority but to several authorities at different levels. In stead of delegating the power to several authorities at different levels, it is equally open to the Government to delegate it powers to one authority, subject to supervision of another authority to whom the power is delegated but who will be subordinate to the Government itself. This is exactly what the Government have done in the present case, namely to delegate the authority to the settlement Officer under certain circumstances that delegation being subject to the power of supervision by the Board of revenue. Neither on logic nor authority, I am able to find anything illegal or wrong in the Government delegating its powers under Section 19—A to a Settlement Officer, subject to a power of revision conferred on the Board of Revenue”.

(v) *Implication of section 7 of the Abolition Act, 1948.*

143. Section 7 provides for the controlling powers of the Board of Revenue in the implementation of the Act.

The High Court has held in a number of decisions about the vast powers of the Board under Section 7, which is “inclusive” in nature.

W.P. No. 694 of 1964 and 2698 of 1966.

W.P. No. 86 of 1964.

W.P. No. 876 of 1965.

While so, in W.P. 1037/68, Alagiriswami, Justice held that this power of the Board would ensure only as long as Settlement proceedings were in progress and that after ryotwari settlement is effected the Board could not exercise its power to revise an order even when a patta was granted by mistake years ago and that a line should be drawn for exercise of such power coterminous with the conclusion of the settlement proceedings under section 22 of the Abolition Act. This case was once taken up by the Board for *suo motu* revision as the representations made proved that patta was granted for a tank bed land based on mistake of fact and was found to be against the principles of the High Court laid down by Ramachandra Iyer, Chief Justice in Writ Petition 1055/58 followed by Justice Veeraswami, as he then was, in Writ Petition 900/60 wherein they had dealt with a claim under section 12 (a) of the Act in which patta was negated on the ground of limitation by the Assistant Settlement Officer and on appeal by the Tribunal. Both the judges had found that the right to obtain a ryotwari patta was not lost and observed:—

“Section 21 of the Act empowers the Government to conduct the survey of an estate. Section 22 provides for a settlement. It is inevitable that the character of the land should be ascertained when a survey and settlement are made under the provisions of the Act. That apart, there may be cases where a record of rights would have been prepared for the estates under the provisions of the Estates Land Act, 1908. If the Survey conducted under Section 21 of the Abolition Act discloses that a particular land belonged to the classes mentioned in Sections 12 to 14 it will be the duty of the Government independent of an enquiry conducted by the Settlement Officer under Section 15 to grant a ryotwari patta to the landholder”.

Veeraswami Justice concurred with this view and had said in continuation that the only lacuna was that the aggrieved party has no right of appeal to the Tribunal constituted under the Act due to the limitation prescribed by the Statute.

144. In the background of this legal position and as the decision of Alagiriswami Justice ran counter to those decisions, an appeal was filed by the State in W. A. 4258/71. In reversing the decision of Alagiriswami Justice, the Chief Justice who delivered the judgment of the Division Bench held:—

“However unreasonable the delay in invoking the powers of revision may be, limitation is a creature of statute and when the legislature did not think fit to provide for limitation for exercise of the powers under Section 7(c), we do not see how the Court can take upon itself to prescribe the period of limitation. It is contended that the power of revision was invoked by a petition. That may be so, but the exercise of the powers could as well be *suo motu*, as the Board might choose.”

As a corollary, the same principle applies *mutatis mutandis* to the *suo motu* powers of revision exercisable by the Director of Settlements under Section 5(2) of the Act.

145. For Implementing the decisions in Writ Petition 1055/58 and Writ Petition 900/60 where the appeal to the Tribunal was time barred it was found expedient to have recourse to G.O. Ms. 2502, Revenue, dated 8th July 1958 to grant patta outside the scope of the Act to a landholder who had failed for bonafide reasons to apply for patta or prefer his appeal within the time limit prescribed by the Act or rules framed under the Act. The same concession was extended to the ryots also under G.O. Ms. No. 1312 (Revenue), dated 26th July 1967 so as to enable the just claims for patta being considered even if out of time, without upsetting the finality of the proceedings under the Act in respect of an estate. G.O. Ms. 1300, Revenue, dated 30th April 1971 gave a further chance to all such claimants to seek remedy outside the Act.

(vi) *Ex-gratia Assignments—O.S.A. Revisional Power.*

146. In another case, Thiru Ramiah Nadar who failed to apply under the Abolition Act for Patta for S. No. 23/2 in Maravankulam Village of Madurai District sought assignment of the land before the District Revenue Officer who rejected his petition. His appeal to the Board was also rejected. Against this he filed W.P. No. 956/71. By judgment, dated 3rd November 1972, Justice Ramaprasada Rao allowed the writ petition relying on the decision of the Division Bench, in W.P. No. 458/71, above referred to.

147. The decision was taken to the notice of the Government requesting orders whether any appeal is necessary. The Government after examining the matter issued orders in G.O. Ms. No. 3809, Revenue, dated 20th June 1973 to the following effect:—

“The intention of the Government is to grant pattas to as many persons as possible under the Estates and Inams Abolition Acts. This will be evident from the facts that the time limit for furnishing applications for assignment under G.O. 1300 (Revenue) dated 30th April 1971 outside the scope of the Abolition Act has been extended up to 30th June 1973. It has, therefore, been considered that the Board shall be liberal in the interpretation of the rules and in using the discretion vested in it in entertaining time barred applications and that applications for assignment filed under the provisions of the Abolition Acts should not be rejected merely for the reason that they are time barred and that such cases should be dealt with on merits.”

148. Similarly in W.A. No. 33/69 filed against W.P. 4538/65 involving the claim for issue of patta for certain lands in Bodinaickanur West Hill village of Madurai district, the Board suggested to the Government that the writ appeal may be placed before a Full Bench for getting an authoritative ruling regarding claims to patta in forest lands. The Government after examining the Board's proposal issued the following orders in G.O. Ms. No. 3061, Revenue, dated 31st May 1973.

“The Government consider that the object of the Abolition Act, 1948 was to take over the lands from the land owners (Zamindars) and to give them to as many cultivators as possible and that there is no need to take up the matter to the Full Bench.”

In the same spirit in G.O. Ms. No. 727, Revenue Department, dated 19th February 1974, the Government negatived the proposal of the Board of Revenue (Settlement of Estates) for filing an appeal in the Supreme Court of India against the decision of the High Court, Madras in Second Appeal No. 28/69. The Government added that in similar cases pattas should be granted to the eligible persons instead of fighting in the Supreme Court.

(vii) *General Powers of revision of the Director of Settlements and Board (Settlement of Estates).—*

149. The Board of Revenue (Settlement of Estate) sought Government's clarifications with regard to admission of belated petitions and the powers of revisional authorities under the provisions of the Estate Abolition Act, 1948 in the light of the judgment of the High Court, Madras in W.P. No. 2332/68, dated 5th January 1970 and W.P. Nos. 707 and 708 of 1957, dated 29th January 1960. The Board pointed out that as the rules relating to claims coming under section 11 specifically prohibit the time barred applications and revision petitions from being admitted by the Settlement Officer, the latter authorities in exercise of the revisional powers, viz., (the Director of Settlements and the Board of Revenue) cannot condone the delay in the submission of the application or

The above observations cannot help the appellants in this case as it has not been made out that the lands in question have been properly included in their holding or they ought to have been so included.

(iii) *Claims under Leasehold right.*

Thiru Doraisami Naidu and others filed W.P. No. 962/62 against the order of rejection of the authorities in the settlement forum and the Government of their claim for ryotwari patta for certain lands in Bellampalli village of Salem district in which he had the limited leasehold right of collecting the usufructs of tamarind trees. By order, dated 12th July 1962 Srinivasan Justice allowed the writ petition. The State filed W.A. No. 255/65. The Division Bench by order, dated 5th August 1971, allowed the State's appeal. In allowing the appeal the Chief Justice held:—

"We have seen the recitals of the lease deed which give merely a right to collect the usufruct from certain tamarind trees. Even the number of trees is mentioned. It is contended by M. V. Rangaswami that the lease deed has created interest in immovable property. We are unable to accept this contention. All that it provides for is but a licence to enter upon the land for the purpose of collecting the usufruct from the tamarind trees. Even Srinivasan, Justice has not said that the first respondent was let into possession, but he seems to think that 'one can well imagine that some kind of possession relevant to the enjoyment of the right must have been conceded or granted to the petitioner.'"

With respect, we are unable to follow this observation. A licensee may enter upon a land for the purpose of collecting the usufructs without being let into possession in the sense of that expression. Unless it can be said that the first respondent was let into possession no claim for patta could accrue."

IX. SECTION—19-A.

(i) *Claims of occupants of porombokes and communal lands.*

155. The Panchayat Board, Nadium in Thanjavur District filed Writ Petition No. 2294 of 1966 in the High Court against the Board's order passed under section 19-A of the Act directing the third respondent to remain in possession of certain lands. This was disposed of by Ismail, Justice on 18th June 1969. In delivering the order he held:—

"Learned counsel for the petitioner contends that the petitioner Panchayat has laid a metalled road on portions of S. No. 142/5 part and S. No. 227 (part) which had been a cart track for very a long period and used by the harijans, and there is a pond in that area used by the harijans for bathing purposes and these lands being communal lands had vested in the panchayat and therefore the Panchayat was entitled to a notice before the Board of Revenue allowed the claim of the 3rd respondent. However the learned counsel for the petitioner admits that none of these S. Nos. has been classified as poramboke land at the settlement, but they have been classified as waste land. The question of any communal land vesting in the Panchayat in a taken over estate can possibly arise only after the claims of all those persons who are entitled to rights under the provisions of the Estates Abolition Act 1948, are satisfied, and again the question of any land vesting in a Panchayat cannot arise unless that land happens to be a communal or poramboke land."

(ii) *Admissibility of claims of persons.*

156. The issue related to the grant of patta under section 19-A of the Abolition Act, 1948 for a non-ryoti land, otherwise communal land. It was held in this decision by the High Court in Chinnasami Gounder (vs) The Director of Survey and Settlement, Madras. (1971-I. MLJ. 235).

"so long as the land continues to be communal land and is being used as such, Government have no power under Section 19-A, to permit any person to be in occupation, even if such permission is granted subject to conditions".

(iii) *Character of land and not its description is relevant.*

157. In delivering the order in the case Saraswathi Bai (vs) The Chairman, E.A.T. (1956 I. M.L.J. 200). Justice Rajagopalan held:—

"It is the use to which the land was put and not its name that should matter. The character of a given piece of land as poramboke may not conclude the question. Though it is a relevant factor, the evidentiary value of such a description is to be decided on the facts of each case".

(iv) *'Forest'—Section 3 (b), 11 Pro. 19A and 63 of the Act.*

158. The term "Forest" has not been defined either in the Madras Estates Land Act, 1908 or in the Abolition Act, 1948 though however "forest" is one of the component parts of the estate that vest in the State on and from the notified date under section 3 (b) of the Act. Section 19-A lists forest among non-ryoti lands, admission to which by a landholder will not entitle the possessor to patta or other rights—*ipso facto*—unless otherwise directed by the competent authority.

159. Though "Forest" has not been defined in the Abolition Act, a number of Acts were passed to protect private forests from denudation before the Abolition Act was placed on the Statute Book. There was first the Madras Preservation of Private Forests Act, 1946, enacted as a temporary measure, and followed by the Madras Preservation of Private Forests Ordinance, 1949 which was replaced by the Madras Preservation of Private Forests Act, 1949 (Act XXVII of 1949) and also the Madras Estates Communal, Forest and Private Lands (Prohibition of Alienation) Act, 1947 (Act XIV of 1947).

In Act XIV of 1947:—Forest is inclusively defined "Forest lands" includes any waste land containing trees and shrubs, pasture land and any other class of land declared by the (State) Government to be forest land by notification in the "Fort St. George Gazette".

In Act XXVII of 1949:—Sec 2 (a) "Forest includes waste or communal land containing trees and shrubs, pasture land and any other class of land declared by the (State) Government to be a forest by notification in the Fort St. George Gazette".

160. In dealing with this issue which came in question before the Board in a revision preferred under Section 19-A of the Abolition Act, Thiru S. R. Kaiwar, I.C.S., as Commissioner for Settlement of Estates observed in B. P. Perm. 587, dated 14th October 1966.

"In actual administration of the Madras Estate Land Act 1908, of which I claim to have some experience in the earlier years of my public service, ryoti land, notwithstanding the definition, was always related to and interpreted as relating to, the right of the ryot in the said land for a permanent occupancy right. There was never in any view any question of any one claiming absolute rights in forest lands as ryoti. Forest land, though cultivable after considerable expenditure by clearing and reclaiming the land was not ordinarily considered to be within the meaning of the definition "ryoti" land. It generally occupied a midway nebulous position. For the landholder apparently had absolute rights to convert forest lands to ryoti land, or alternatively he could clear it and treat it as his panna land. There was no such absolute presumption that forest land was always ryoti land. It is to fill up those lacunae in the Madras Estates Land Act 1908, that subsequent enactments were placed in the Statute Book to place this matter beyond doubt.

It is worthwhile recalling that after the report of the Estate Land Committee of the Madras Legislature (The Prakasam Committee) and the debates of the L. A. in 1939 during the regime of the First Congress Ministry in the earlier years of the implementation of the Government of India Act 1935, it became clear that the days of the landholders who held their estates were numbered. Everyone was aware that soon after the Second World War, as soon as the new Popular Governments assumed powers, the Abolition of the Permanent Settlement over the whole country was bound to take the highest priority in the matter of legislation. Therefore many landholders resorted to merciless exploitation of their estates; sometimes leading to acts of Vandalism such as destruction on a large scale of forest for immediate financial gain, and irretrievable damage to catchment areas of rivers and irrigation projects. It is in this situation the Acts relating to Preservation of forests cited by me above were passed".

161. Though "Forest" has not been defined in the Estates Land Act, in interpreting "Agriculture" under Section 3 (1), the Courts have held:—

In C.I. T. Madras (Vs.) Manavedan Thirumalpad 1930 M.S. 764 it was held that a person who merely takes a contract in forests for the purpose of felling trees and selling timber is not to be regarded as deriving agricultural income".

Section 6 (2) provides that admission to waste land under a contract for the pasturage of cattle and admission to land reserved bonafide for raising a garden or top or forest under a contract for the temporary cultivation thereof with agricultural crops shall not by itself confer upon the person so admitted a right of occupancy. This would clearly show that acts such as pasturage, growing of forests, or the planting of trees are not regarded as falling within the term 'Agriculture' under the Act. Section 51 (2) which provides that any stipulation in a patta in respect of cultivation or of harvesting by a ryot shall be void would seem further to indicate that the Act uses the expression "Agriculture" only in a very restricted and literal sense.

revision petition to the lower authority and admit the application or revision petition by invoking the provisions of Section 5 or Section 7 (c) or (d) as the case may be, which relates to the inherent powers of those authorities to cancel or revise any of the orders, acts or proceedings of any Settlement Officer other than those in respect of which an appeal lies to the Tribunal.

150. It added that as the rules relating to the cases falling under Sections 18 (4), 19, etc., do not specifically prohibit time-barred applications or revision petitions being entertained by the Settlement Officer or the Director of Settlements or the Board of Revenue, they have implied powers to condone the delay and admit the time barred applications or revision petitions.

The Government informed the Board in Memo. No. 13172/J1/72-7, Revenue, dated 28th December 1973 that they are advised if a time limit has been prescribed in the Act or the rules and if there is no provision in the Act or the rules for the condonation of delay in the submission of the application or revision petition, by the authority competent to entertain those applications or revision petitions, they cannot entertain any application or petition after the time limit is over.

151. Section 5 (2), Section 7 (c) and Section 7 (d) relate to the general powers of the Director of Settlements and the Board of Revenue to cancel or revise any of the orders or acts or proceedings of the lower settlement authorities other than those on which an appeal lies to the Tribunal. These provisions can be invoked by any person against the orders passed by the settlement authorities in cases falling under any of the sections 11, 18, 19, etc. For preferring the petitions invoking the powers under Sections 5 (2) or 7 (c) or 7 (d) separate rules have been issued fixing the time limit. These rules also provide for condonation by the Director of Settlements or the Board of Revenue of the delay in preferring the petitions under sections 5 (2) or 7 (c) or 7 (d). Even if an application or petition has been rejected under the specific provisions of the Act, such as sections 11, 18, 19, etc., the party can invoke the provisions of the Sections 5 (2) or 7 (c) or 7 (d) and prefer a petition to the Director of Settlements or the Board of Revenue against the order of the lower authority and there is no bar to the petition being entertained and disposed of by the appropriate authority on merits even though the petition might have been rejected under the specific provision of the Act namely Sections 11, 18 or 19, etc., on grounds of limitation. These clarifications will also be applicable to similar provisions under Acts 26 of 63 and 30 of 63.

VI. SECTION 15(2) AND THE PROVISIO THEREUNDER.

152. *Determination of the lands for which the Land holder is entitled to patta under Sections 12 to 14 on appeal to Estate Abolition Tribunal—Condonation of delay on the score of mistake of fact "mistake" in this context explained.*

Sri Paleswaraswami Devasthanam (vs.) the State of Madras.

[1962-2-MLJ (S.N.) 81]

The Assistant Settlement Officer allowed patta under section 12, read with section 5 (1) to the Land Holder for a land liable to submersion under a tank. The claim was not contested before the Assistant Settlement Officer at that time and the Estate Manager Abolition Tribunal with a petition to condone delay stating that it was caused due to mistake of fact. The appeal by State was allowed by the Estate Abolition Tribunal condoning the delay. Against it the Land Holder Devasthanam filed W.P. No. 502/60. The order was delivered by Justice Veeraswami (as he then was) in this case. After considering the facts and the scope of section 15 (2) he held:—

It was under this proviso the first respondent (the State) filed the appeal nearly five years after the date of decision of the Assistant Settlement Officer with a petition to excuse the delay. The contention of the petitioner in this Court is that the facts as sworn to in the affidavit of the Estate Manager before the Tribunal and further set out in the grounds of appeal to the Tribunal can in no sense be said to constitute a mistake of fact on the part of the first respondent within the meaning of second proviso under section 15 (2) just referred to. The argument is that the facts in the Estate Manager's affidavit of the memorandum of grounds amounted to nothing more than a confession of omission, ignorance, or negligence on account of which no objection was taken before the Assistant Settlement Officer to the grant of patta to the petitioner for the lands in question. It is therefore necessary to determine what precisely is meant by *mistake of fact* in the second proviso to clause (a) of sub section (2) of Section 15.

Kerr on Fraud and mistake of Fact—Seventh Edition at page 149 observes:—

"Mistake of fact is a mistake not caused by the neglect of legal duty on the part of the person making the mistake, and consisting in unconsciousness, ignorance not caused by other party, from forgetfulness of fact, past or present, material to the transaction which does not exist or in the past existence of a thing which has not existed".

In another place the same author refers to the observations of Lord Moulton that a mistake means that parties intending to do one thing have by intentional error done something else. *Roles (vs.) Pascall and sons 1911-K.B. 982* was a case arising under section 2 of the English Workmens Compensation Act, 1906.

The mistake pleaded in that case was of course not one of fact but of law namely ignorance of the existence of the Act, *COZAN hardy, M. R.* of the Court of appeal dealing with the import of the word "Mistake" thus observed:—

"A mistake means that man takes a wrong view to the constitution or effect of the Act of Parliament if it is so, a mistake of law. Mistake of fact may be that notice is given to some person whom the workmen believe to be the agent or person entitled to receive notice when he was not. But mistake is not identical with ignorance".

"What are the facts here? I have already set them out in the words of the Estate Manager himself in his affidavit and memoranda of appeal filed by the State before the Tribunal. It is plain from these facts that no objection was taken by him to the issue of patta for the items in question because according to him it was only discovered years later that these items were liable to submersion for over three weeks. If that was so it was a case of discovery of new facts, not a case of mistake of fact. Want of diligence, ignorance or negligence is not a mistake of fact. If the facts in relation to which the delay is sought to be excused are held to constitute proper grounds, therefore, it is obvious that practically and in effect there will be no period of limitation at all for the Government to file appeals before the Tribunal. This effect will prevail only if it is clearly within the scope of and ambit of the true meaning of the words 'mistake of fact' in the second proviso to clause (a) of Sub-section (2) of Section 15. I have no doubt that it is not the effect or intention of the proviso. In my opinion the Tribunal took an erroneous view of the scope of these words 'mistake of fact' in the section and the effect of the facts and circumstances relied on by the fourth respondent for condoning the delay. In this view the petition is allowed and the order of the Second respondent (Estate Abolition Tribunal) is quashed".

VIII. SECTION 11 (a).

153. *S. No. 235 of Eripurakarai village was seashore land used as salt pan, the claim for ryotwari patta for which under Section 11 (2) was negatived. In the Madras High Court, the rejection of patta was upheld by Rajagopala Iyengar, Justice in W.P. Nos. 818 and 813/1957. There were writ appeals in this case in W.A. Nos. 33 and 34 of 1960 in which Ramachandra Iyer, Chief Justice who delivered the judgement held:—*

"The lands are described in the R.O.R. of the village as Samudravali Veppal. They were formed as a result of the recession of the sea. No evidence was offered that the lands were either cultivated or even capable of cultivation—Very probably they are swamps, where sea water stagnates. It is in evidence that for some years the lands have been utilised for the purpose of manufacture of salt. As we stated earlier it is more likely that the lands are in the nature of swampy ones where salt alone could be manufactured. We agree with Rajagopala Iyengar, Justice that so far as the lands in question are concerned, they are neither cultivated nor cultivable lands."

(i) *Claims to Salt Pan.*

154. In W.A. No. 325/64, the High Court had to consider the claim for ryotwari patta for a Kuttai—vis-a-vis grass patta in Vallipuram village of Salem District. The claim was negatived by all the authorities in the settlement heirarchy and it was upheld by the High Court in W.P. No. 409/62, dated 29th June 1964.

Delivering the Division Bench Judgment Natesan, Justice held:—

"But the point to be noticed is, that under section 11 of the Abolition Act a ryot in an estate is entitled to a ryotwari patta in respect of ryoti lands which, immediately before the notified date, were properly included or ought to have been properly included in his holding. Here the finding is that the lands in question were held only under grass patta. The appellants cannot claim that the lands are ryoti lands which ought to have been properly included in their holding. Admittedly there has been only occasional cultivation during the off season. The lands are not permanently cultivable for all practical purposes. The Full Bench decision of this court in *Lakshmiipathy Naicker (vs.) the State of Madras* in 1959-2-MLJ.254 at page 259 which has been relied on by the appellants cannot, in our view, be of help to them." It is observed therein as follows:—

"Under Section 11 of the Act a ryot would be entitled to a ryotwari patta in respect of the ryoti lands properly included or which should have been properly included in his holding. If a ryot were to construct a tank upon a portion of the holding, it would be an improvement to the ryot's holding within the meaning of Section 3(4) of Act I of 1908, and it would only enhance the value of the holding rather than make it cease to be a ryoti land. It would not vest or revert to the landholder on the ground that not being cultivable land, it could not properly be within his holding."

162. Some of the revision petitions, as referred to above, were the subject matter of decision by the High Court both under Section 11 pro. and 19-A in respect of claims relating to forests. In Writ Petitions 26 and 221 of 1963, on a claim falling under Section 11 pro., Veerasami Justice as he then was held:—

“Under the proviso, what the Government has to do is to see whether the land in question is a ryoti land, secondly whether the person claiming patta was admitted into possession by the landholder, thirdly whether he was so admitted on or after the specified date, and fourthly whether the transaction was bona-fide and was supported by consideration. If these matters have to be answered in the affirmative, there would be no further discretion vested in the Government to deny ryotwari patta”.

Alagiriswami, Justice in W.P. Nos. 2406 and 2862 of 1966 was of the view that the ‘proviso’ proceeded on the basis that after the estate had been taken over, all rights in the estate would become vested in the Government though certain existing rights are saved, and that under the substantive part of Section 11 ryots are entitled to patta in respect of lands which are included or should properly have been included in the holding, but the Government have got an absolute discretion to grant patta or not in cases falling under the proviso.

163. Both these orders were appealed against by the State in W.A. Nos. 74-112/65 and W.A. 384 and 533/69. These appeals were disposed off by a Division Bench on 24th December 1970. The Bench held:—

“We have already pointed out that the assumption that the entire rights of a ryot had vested in the Government under section 3 of the Act is not justified, and the rights of the ryot in respect of his ryoti land stand unaffected by the legislation. But this is different from stating that the ryots will be entitled to a ryotwari patta in the hands of the Government. Obviously, in a case in which the admission into possession of a person by the landholders, on or after 1st July, 1945 was a sham transaction and never intended to be acted upon and made for the purpose of defeating the objects of the Act, the Government would be entitled to take the stand that the landholder continued to be in possession of the lands and his rights vested in the Government under section 3 of the Act. It is unnecessary for us to attempt to enumerate the circumstances under which the Government may refuse to grant a patta. Whether a refusal by the Government to grant a patta is justified or not will depend on the particular facts of the case. In this view, we are unable to wholly agree with the view of either of the learned judges. While under section 11, it is necessary that the person who is entitled to a ryotwari patta should be a ryot and the land a ryoti land and the ryot admitted into possession by the landholder, it may not be necessary that the transaction should be supported by consideration. There may be transactions like bona-fide gifts to the members of the family or servants who have faithfully served the landholder with the intention of genuinely conferring occupancy rights and we do not see how those transactions though unsupported by consideration could be invalidated”.

164. The Division Bench also examined the term “cultivable” based on various decisions and finally adverting to the decision of the Supreme Court in *Athmanathasami Devasthanam (Vs.) Gopalaswami* (1964-I. MLJ. 42) held:—

“The Supreme Court, in considering the question whether the lands in the suit were cultivable lands, held that on the mere fact that they had not been cultivated for a long time and that they were waste lands covered with shrubs, jungle and the like it cannot be held that they were uncultivable lands, and that land which can be brought under cultivation is cultivable land, unless some provision of law provides for holding otherwise in certain circumstances. The Court found that the lands in the suit were sought to be brought under the Grow More Food Campaign and this must have been as the land in suit was brought under cultivation without any undue expenditure of money and labour. “The test therefore that is laid down by the Supreme Court is that the land should be such that it could be brought under cultivation without undue expenditure of money and labour. If on the dates when the landholder admitted the petitioners or the predecessors-in-title into possession of the lands, the lands could come under the classification cultivable lands the petitioners would be entitled to a patta other wise not,

165. Dealing with the question of validity of alienation of forest land in estates, the Division Bench after considering the impact of the various enactments relating to forests held:—

Section 9 of Act XIV of 1947) prohibits the land holder from selling mortgaging, converting into ryoti land, leasing or otherwise assigning or alienating any communal land or forest land in his estate without the previous sanction of the District Collector, on or after that date on which the Act came into force (viz.) 27th day of June, 1947. But section 4 (1) (iii) provides that nothing contained in the subsection shall be deemed to invalidate any transaction in respect of any forest or private land not exceeding twenty acres in extent, entered into, in the case of forest land, before the date on which the impartible estate in which the land is situated is notified. The transaction in these cases were admittedly entered into before 27th June 1947 in respect of forest lands not exceeding 20 acres. The alienations concerned in these petitions are, therefore, not prohibited under this enactment”.

166. Venkatadri Justice had to deal with W. P. Nos. 1878 to 1881, 2128, 2197-2198 of 1964 against the rejection of claims under section 19-A for forest lands assigned

by the landholder during the pendency of proceedings for the notification of the estates. In dealing with the cases in the common order, dated 11th April 1967, he said:—

“It is universal knowledge that almost all the Zamindars rushed to court as soon as the Abolition Act came into force and initiated proceedings which were pending for considerable time. It is true that during this period the erstwhile landholder made assignments, effected transfers and also conveyed the properties to their relations and others. Merely because all these assignments and transfers were effected during that period, it cannot be said that these transactions would not bind the State. These transactions will have to be considered in the light of particular facts of each case and the attendant circumstances. The reason given by the authorities for showing that the assignments were not made bona-fide are not convincing. When a landholder tries to salvage as much of land as possible from and out of the estate within the four corners of the Act he is only within his rights”.

167. Alagiriswami Justice (as he then was) dealt with W.P. No. 2299/68 relating to a claim for forest land in Agaamalai village of Madurai district which was negated by the Board and Government under Section 11 of the Act. In his judgment, dated 19th January 1970 he held:

“The mere description of the land in the assignment order as dry land cannot be decisive of the question. Moreover, it has been pointed out in the counter affidavit that the land was not brought to village accounts before assignment, as it was on ground forest and forest lands were not accounted for in the Zamin accounts. That is why we have got to be careful in matters of this kind. The mere description of the land as dry may not be decisive on the subject and unless the Zamin records show that the Zamin authorities made a clear distinction between the forest on the one hand and the dry land in the sense of ryoti land on the other no weight can be attached to the description. The fact that this land was not brought to village accounts before the assignment order itself shows that it was not dry or ryoti land. In any case, the assignment order describing the forest land as dry land carries on its face its condemnation”.

(v) *Fishery Rights. Section 20 and 3 (b).*

168. In S.A. 633/57 the High Court had to consider the question of fishery rights claimed in Kulamangalam village in Thanjavur district. A Division Bench of the High Court disposed of the State's appeal reported in 1960-I M. L. J. 276. Though both the judges delivered separate judgements they concurred in their findings. In this decision it was held:—

“Where a land which was an estate originally and which has ceased to be so by virtue of the provisions of the Madras Estates (Abolition and Conversion into Ryotwari) Act, 1948, and which has become ryotwari, attracting all the enactments applicable to ryotwari lands, the aggrieved parties should resort to the same remedies as are open to ryotwari ryots (viz) apply to the Revenue authorities for proper remedy. Section 3 (b) of the Act vest the entire estate in the Government which would comprise the tanks and the fishery rights in the former estate. The customary rights of the ryots to fish in the tanks could not avail against the Government after the vesting of the estate in the Government. The fact that no compensation is provided for in respect of such rights or that no provision is made in the Act for recognition of such rights is no ground to hold that such rights do not vest in the Government”.

(v) *Chank Fisheries—Ramnad Zamindari—Section 20—Termination of lease held valid.*

169. The Raja of Ramnad granted a lease on 1st July 1946 to the lessees of Kilakarai the right of fish chanks in the gulf of Mannar and in Palk bay abutting the Coast of the Zamindari for a period of 10 years on an annual rent of Rs. 14,000. On the coming into force of the Abolition Act, 1948, the Ramnad Zamindari was notified and taken over by the State on 7th September 1949, in consequence of which, and acting under Section 20 of the Act, the State terminated the lease with effect from 13th March 1951. The lessees filed a writ petition, C.M.P. 4229/51 in the High Court, Madras challenging the order of termination of the lease as unconstitutional and illegal. A Division Bench of the High Court heard the case and disposed it of by an order dated 24th February 1953.

170. The judgement of the Division Bench was delivered by justice Venkatarama Iyer. The Court examined the following three main arguments made by the petitioner-lessees:—

1. The Act in so far as it relates to fisheries in the sea is beyond the competences of the Madras Legislature as the seas are outside the territory of the State.
2. The Act is also incompetent as being legislation on inter. State commerce which is exclusively within the competence of the union under entry 42 of the Union List in Schedule VII to the Constitution.
3. Even if the Act is a valid piece of legislation the termination of the lease on 13th March 1951 is bad because three months' notice was not given as required under section 20 of the Act.

171. The Court after referring to the history and the Law on the subject held :

"The true position, therefore, is that a right to the fishery in the seas came up into the picture only as forming part of the assets included in the Zamindari under the Sannad issued under the Permanent Settlement Regulation of 1802 and that it had no existence apart from it. When the regulation was repealed and the Estate abolished by a competent authority of legislature, the rights appurtenant thereto, including the rights to the fishery in the seas, came to an end with it and that is clearly incidental to the Legislation. It is not without significance that a question of the right to fishery in the seas arises only with reference to the Zamindari of Ramanad and that itself is sufficient, to show that it is only incidental and it is not the pith and substance of the Legislation.

172. The Court then took into consideration and decided the limits of the State regarding the territorial waters and held:—

"Whatever theory might ultimately find acceptance with a family of the nation as to the true basis of the right which States possess over territorial waters there cannot be any doubt that with reference to the rights of fishery, the marginal belt must be regarded as part of the territory of the littoral State. The contention of the petitioners that the limits of a State extend only to its land and that the rights of the fishery over the sea, even if they be in the territorial water are extra territorial in character must accordingly be over-ruled.

A look at the map of the locality in Nelson's Madurai District Gazetteer shows that there is a ring of islands off the coast of Ramanathapuram within a distance of about 6 miles and if the facts are fully investigated it might well be the fishing area in question is within territorial waters, in accordance with the rules.

173. The court then dealt with the arguments that even on the above conclusion the Act was ultra-vires because it was only the Centre in the Union and not the State, that had the competence to Legislate on territorial water. The court examined the provisions of the Government of India Act, 1935 as also the provisions of the Constitution and held:—

"The true position is that over the same territory the province has powers of legislation in respect of subjects enunciated in list 2 and the centre over those mentioned in list 1 with a concurrent power over the subjects set out in list 3. In this view, the territorial waters if they belonged to British India, must belong to the several littoral States from which the marginal sea takes off, and under entry 24 of the provincial list, it is only the provinces that have competence to enact laws with reference to fisheries".

174. The Court then considered the competence of the State in issuing the order of termination of the lease, dated 13th March 1951. The Court after dealing with the Constitutional provisions as also the rulings on the subject held:

"There is no presumption that because legislative jurisdiction was vested in the Dominion Parliament proprietary rights were transferred to it. On this principle there is no need to determine whether the right to the territorial water vested in the State. It is sufficient that the power to legislate on fisheries therein is granted to them".

175. Inter-alia, the Court also held, adverting to the reasons already given, that "we must hold that Act XXVI of 1948 is intra vires of the powers of the Madras Legislature." On the question of inter-state trade the Court held "there is no need to deal with this contention at any length. Act XXVI of 1948 was passed when the Government of India Act was in force and there was nothing in that Act corresponding to entry 42 in the Constitution. Moreover, the notice, dated 13th March 1951 against which the petitioners complain, is not as already stated, law as defined in Articles 245 and 246 and no question of any legislative incompetence with reference to entry 42 arises, nor is the impugned Act a legislation on inter-state commerce in any sense. And further it is an extravagant contention to put forward that law as to fishing, for which specific provision is made in Entry 21 of the State list, is a law relating to inter-state commerce. This contention is also overruled".

176. Lastly the Court examined the contention that the termination of the lease by notice dated 13th March 1951 is bad as it does not give three month's notice as required by Section 20 of the Act. After referring to the provisions of Section 20 the Court held:—

"The true effect of the Section can be stated in three propositions: :—

1. Rights validly created prior to 1st July 1945 will be valid.
2. Such rights, however, may be determined under third proviso if it is in the public interest to do so and in such cases compensation will be payable under Section 20 (2).
3. Rights created after 1st July 1945 if they are for a period "exceeding one year" are liable to be voided under the second proviso".

In this view, we are of opinion that the notice, dated 13th March 1951 falls under the second proviso and is valid. In the result, the petition is dismissed with costs.

(vii) *Katcha Theevu.*

177. One of the offshore possessions of Ramanathapuram Zamindari viz. the "Katcha Theevu" an uninhabited island was the source of international dispute between India and Sri Lanka. This island is located 11 miles off Rameswaram (and 18 miles from Pamban) (i.e.) midway to Thalaimannar and its total extent is 285.20 acres. A church dedicated to St. Antony exists on the island which invites every year Catholic fishermen as Pilgrims both from India and Sri Lanka during its annual festival in the month of March or April. The admiralty chart of India exhibits this islet though it is not shown in the printed map of Ramanathapuram District. There are 2 G.T. Stations in this islet, but not in the maintenance list of the Survey Officers of Madras Government. In the Ramnad Samasthanam accounts, this islet was grouped with Keelakarai. In the present survey it is measured as S. No. 1250 in Rameswaram village. Press reports were circulated in Ceylon early in the year 1956 that Sri Lanka Government was proposing to use the island for bombing practice and our High Commissioner objected to it on the question of territorial jurisdiction. It was found that, when the question of delimiting the Palk strait as between India and Ceylon Governments for purposes of marine fishing off the coast of Madras arose even as early in 1921, the Ceylon Government had staked its claim to this island. This issue was discussed at a conference of the officials of the two Governments who met at Colombo on 25th October 1921. Though the Ceylon representatives quoted from papers of their earlier correspondence with the Government of India, claiming ownership, the controversy was not pursued at the conference as its purpose was the delimitation of territorial waters for fishing purposes and not to decide territorial claims. It was also suggested at the conference that the delimitation of the territorial waters should follow the median line subject to an incursion beyond the line, so as to include Kachatheevu and three miles to its westward in Ceylon limits. In view of the objection raised by India at the conference the agreement limited itself to chank and pearl fisheries and did not cover the issue of territorial limits.

178. A further investigation into the matter was taken up. There was no mention in the Ramanathapuram Manual about this island as being attached to Ramnad Zamindari, nor was it listed among the villages granted to the Zamindar by the Sanad, dated 22nd April 1803 nor was there evidence of its assets having been taken into account in fixing the peshcush at the permanent settlement. The Raja of Ramnad explained this omission by saying that only the more important islands were mentioned in the Sannad, but gave positive proof that he exercised control over this islet from early times without interruption. There was a lease of Chai roots in this island registered as Document No. 510 of 1880 by Muthuswami Pillai and Md. Abdul Kadar Marakkavar in favour of Ramnad Samasthanam. Again there was another deed No. 134, dated 4th December 1885 by Muthuswami Pillai in favour of the Court of wards which was then in management, for collection of dye (chai) roots for a period of 5 faslis from 1895 to 1899. It is mentioned as one of the 23 islands listed in the year 1911 as belonging to that Samasthanam. The right of collecting chanks for a period of 25 years prior to June 1936 was taken from the Zamindar on lease by the Government Fisheries Department and again for another period of 5 years from the year 1941 to 1946. Sri K. T. M. Company of Keelakarai enjoyed the lease between the year 1936 to 1941 and the further lease of S. V. M. and Company for the year 1946 onwards that subsisted at the time of the take over of the Estate was terminated by Government (and it was the subject matter of the Court Proceedings mentioned above). All these leases specified, inter-alia, Kachatheevu. After the estate was taken over on 7th September 1949, the Special Tahsildar, Ramanathapuram leased the fishery right in this islet for Rs. 15 for fasli 1359 and there were no bids in the subsequent leases for the faslis 1360 to 1362. The lease was subsequently stopped due to strategic reasons. There is a copper plate inscription in the Rameswaram temple that the "Sethupathi" had assigned for performance of the "Friday service to Goddess Parvathavardhani" his "royalty" of 3 kalams of pearls due to him for Pearl fishery of Mannar Bay.

179. The Government of India considered that the dispute regarding the territorial jurisdiction of this islet was a minor matter and should not stand in the way of international relationship and the larger interest of amicable settlement of the problem of people of Indian origin living in Ceylon. At a meeting of the Prime Ministers of India

and Sri Lanka held in January, 1974 at Delhi, it was resolved that this decade old dispute should be settled as part of a general settlement of the boundary of both the countries in the historic waters between Palks straits and Adam's Bridge where the declared international boundary of 12 miles from the coast of both the countries overlapped each other. This was followed up by a meeting of the officials of India and Sri Lanka at Delhi when they decided to adopt the median line as the line of demarcation with a deviation around Katchatheevu including it in Sri Lanka's limits, thus virtually accepting the stand taken by the Ceylon Government even earlier at the conference of the officials of the two sides held in Colombo on 25th October 1921.

VIII. ADMISSIBILITY OF LEVY OF WATER CESS IN ADDITION TO INTERIM ASSESSMENT SECTION 23 (A) (I) OF THE ABOLITION ACT (VIS-A-VIS) SECTION 3 OF ACT XXX OF 1947.

180. The quantum landholders of Eaganivayal, Egaperumallur, Thedakki and Nattappattu of Thanjavur District filed W. P. No. 707/54 (1954 II. M.L.J. 636) in the High Court questioning the validity of the levy of C. M. P. water cess in addition to the assessment on their wet lands which was provisionally fixed, pending settlement in accordance with the provisions of Section 23 (a) of Act XXVI of 1948 read with Section 3 of Act XXX of 1947. Justice Rajagopalan disposed of the case by order, dated 2nd August 1954.

In delivering the order, he held—

"I can sum up this portion of the case by stating that there was no real basis for a charge of discrimination at all and even if the difference in rates could amount to discrimination, that would be justified on the basis of reasonable classification. It was principally on the liability to pay water rate in addition to the highest wet rate in the district or taluk that the learned Counsel for the petitioners relied to sustain the charge of discrimination. In addition to the assessment payable under Section 23 (a) (i) of the Act, the petitioners are subjected to a liability to pay water rate. Section 3 of Act XXX of 1947 had nothing to do with what was payable to the Government, Section 23 (a) (i) of Act XXVI of 1948 directed that what was determined as rent lawfully payable under the Reduction of Rent Act should be payable as assessment to the Government. That again takes no account of the liability to pay water rate. The liability to pay water rate is under Irrigation Cess Act. It may be that the petitioner's land was classified as wet, and that implied an obligation on the part of the landholder to provide facilities for irrigation. Whether those liabilities devolved upon the Government, who have taken over the estate does not arise for determination in these proceedings. If water is taken from a source other than the authorised source, the liability to pay water rate arises under the Irrigation cess Act. It is not the case of the petitioners that either before the abolition of the estate or subsequent to it they were entitled as of right to take water from the C.M.P. The learned A.G. was correct in his contention that the liability to pay water rate is not a relevant consideration at all in determining the validity of Section 23 (a) (i) of the Act. Section 23 (a) (i) of the Act and Section 2 (A) of Act XXX of 1947 are valid and they do not offend Article 14 of the Constitution."

IX. ARREAR OF RENT.

181. The question whether Motarpha or tree tax that had remained in arrears on the notified date can be collected as arrears of rent under section 55 (1) of the Act came up for decision in W.A. 241/72.

(The judgement of the Division Bench of the High Court was delivered by the Honourable Chief Justice)

"It seems to us that the learned Judge in W.P. 31/69 formed the correct view as to the effect of section 2 (1) read with section 3 of the Estates (Abolition and Conversion into Ryotwari) Act. Ettayapuram Zamin was notified under section 1 (4) on 3 of January 1951 and was actually taken over with effect from September 26, 1954. The erstwhile landholder canvassed the validity of the Government Order, dated January 4 1949, taking the view that Motarpha meaning tree tax due for years 1947 to 1953 could not and should not be collected by Government on behalf of the landholder, as it thought that rent as defined in the Abolition Act, did not include tree tax. We may mention that in G.O. No. 2124, dated August 3, 1950, Government had taken diametrically the opposite view. In fact, under authority of that order part collection would appear to have been made of tree tax. But after the later order of Government collection of tree tax was stopped. The question, therefore, is whether rent for the purpose of section 55 of the Abolition Act would include tree tax.

(9) (1954) 2 MLI 636.

182. Section 3 (a) of the Abolition Act repealed the Madras Estates Land Act, 1908, among other enactments. In order that the policy of abolition underlying the abolition of estates and conversion thereof into ryotwari could be given effect to, section 55 of the Act forbade the landholder from collecting any rent which had accrued due to him from any ryot before the notified date and was outstanding on that date. Such rent could be collected only by the Manager appointed under section 6. Section 2 (1) says that all the expressions defined in the Estates Land Act will have the same respective meanings as in that Act with modifications, if any, made by the Abolition Act. The expression "rent" has been defined by section 3 (11) of the Madras Estates Land Act, 1908. Tree tax will not obviously come within the first part of the definition, for that part only refers to money that was lawfully payable or that which was payable in kind or what was payable in both forms to a landholder by a ryot for use or occupation of land for the purpose of agriculture. The first part also includes whatever that was lawfully payable on account of water supplied or taken without permission for cultivation of land. The definition of "rent" by the second part gave the expression an extended meaning; that is to say, for the purposes of sections 5, 27, 28, 59 to 72, 77 to 131, 135, 136, 145 to 148, 165, 210 and 211 and the schedule to the Madras Estates Land Act, rent shall also include any local tax, cess, fee or sum lawfully payable to a landholder by a ryot as such in addition to the rent due according to law or usage having the force of law and also money recoverable under any enactment for the time being in force as if it was rent. There is no dispute that tree tax will come within this extended meaning. But the contention for Government is that, since the Madras Estates Land Act was repealed by section 3 (e) of the Abolition Act, the extended meaning given to "rent" in the definition in the Madras Estates Land Act should be taken unavailable, so that the landholder would be free to collect the arrears of tree tax, which had accrued prior to and after the date of the notification under section 3 (a) of the Abolition Act. We are of opinion that this argument is not sound. Section 2 (1) of the Abolition Act is quite clear that whatever the meaning given to an expression in the Estates Land Act should automatically be applied to such expression in the Abolition Act. Notwithstanding the repeal of the entirety of the Estates Land Act, the expressions defined in the Estate Land Act are made available, as defined therein, to the Abolition Act. Since there is no modification of the definition of rent in the Madras Estates Land Act, we cannot accept the argument for the State that "rent" as defined in the Estates Land Act should not be given the extended part of the definition for the purpose of the Abolition Act. That result can be achieved only by a modification of the definition of "rent" as given in the Estates Land Act to be made in the Abolition Act. In the absence of such a modification, we can find no justification whatever to apply only the first part of the definition in the Abolition Act and not the later part of it."

X. COMPENSATION.

A person deemed to be a landholder of an estate—Under section 35-A introduced by Amendment Act XXXIV of 1958).

183. In Vyravan Chettiar (vs.) The Board of Revenue (1963-I. MLJ. 20) it was held by the High Court:—

"Section 35-A does not for the purpose of section 38 warrant exclusion from the computation of Basic Annual Sum of the demand for the lands for which ryotwari patta was granted only to the minor inamdar.

The landholder referred to in section 30-A and section 35-A is one who is himself entitled to a patta for the land. Only in such cases the demand for revenue from these lands, is liable to be excluded from the Basic Annual Sum. Such demand in regard to land for which no patta has been issued to the landholder, but only to a minor inamdar cannot be excluded from the Basic Annual Sum. It is only when the same landholder comes to have both the interest, first as Kudiwaramdar and then as Melwaramdar, the revenue demand for such lands for which patta has been granted to him is liable to be excluded."

XI. SECTIONS 41 AND 42 (1) OF THE ACT.

Deposit and apportionment of compensation and claims thereto.

184. In *Gani Shaib (vs.) the Estates Abolition Tribunal* (1963-I. M.L.J. 213) it was held:—

“Sub section (2) under section 41 makes a distinction between a claim to, vis-a-vis a claim enforceable against, the compensation. Section 42 (2) states that every claim against the compensation which is not made to the Tribunal within the time of six months from the date of deposit shall cease to be enforceable. It is not in terms applicable to a claim made by the landholder himself. The word “against” in section 41 (2) has to be understood in the light of the distinction in sub-section (2) of Section 41 between a claim to and claim against compensation. It would be inappropriate to say that the landholder when claiming the compensation payable to him makes a claim against the compensation. His claim is to the compensation rather than against it. It will be only when a third party claims from a landholder, it can be described as a claim against the compensation”.

In *Muthuvelu Mudaliar (vs.) Special Tahsildar, Land Acquisition—1974—I. MLJ. 129* (Division Bench. Proceedings under Land Acquisition Act vis-a-vis the notification under Act 30 of 1963) the High Court has held—

“Where in spite of the abolition of minor inams and the vesting of the lands in the Government, Government invoked the land acquisition Act for acquiring the land on the basis that it does not belong to the Government but belongs to others, there is no scope for application of Act 30/63. The provisions of L.A. Act alone will apply”.

185. In *Venkata Subbaya (vs.) Anjappa* 1974-I. M.L.J. 58 (Supreme Court). In this case the Supreme Court has held:—

“True that under Section 3 of the Abolition Act, the suit lands vested in the Government. That by itself did not mean that the rights of the community over it were taken away. What had been abrogated was the rights and interests created in or over the estate before the notified date by the principal or any other landholder. Hence those rights could not be said to have been abrogated by clause (c) of Section 3 of the Act.”

XII. SECTION 54-F—SCOPE.

186. The scope of Section 54-F dealing with the recovery of wrong and excess payments by deduction from the payment of compensation as an arrear of land revenue came to be decided by *Rajagopalan, Justice in the case Vinaitheerthan Chettiar (vs.) the State of Madras*. In delivering the judgment, he held:—

“If on a final computation of compensation it is found that what has already been paid towards compensation is in excess of the compensation payable, obviously there can be no statutory liability to pay any more towards compensation. Equally, obviously landholder cannot retain anything more than what he is lawfully entitled to as compensation and he is liable to return the amount paid in excess. That liability can be enforced under Section 54-F of the Abolition Act, 1948”.

XIII. Limitation.

187. The scope and effect of Section 64 of the Abolition Act, 1948 on the question of limitation came up for a decision in *Pyaru Sahib (vs.) Kannayya Chetty and others* (84 L.W. Part 26—Page 544).

In disposing of the Second appeal in S. A. 1378 of 1966—Justice Gokulakrishnan held:—

“Section 64 of Act 26 of 1848 has to be interpreted subject to provisions of the general law of limitation and in harmony with the other provisions of the Act. Section 64 will not save a party from the general law of limitations. Section 64 protects only the right of a party as against a trespasser. But that cannot be in derogation of the general law of limitation. It is clear from the clause in Section 64 (c) “he shall, for the purposes of the Act and subject to the provisions thereof be deemed to be the owner, or to be in possession or occupation of such land or building” that, only for the limited purposes of the Act, the legal fiction enunciated in Section 64 is invoked.

Acceptance of the argument that as from the date of notification (i.e.) 1st September 1951, the period of limitation is suspended, will lead to serious consequences and it will open the flood gate of litigation to persons who have kept quiet for over the statutory period of the general law of limitation without questioning their right in respect of lands which have been notified. Acceptance of such argument will result in giving liberty to the persons to file suits against the owner of such lands at any time they like, and that cannot be the intention of the legislature.

188. *Madras Act XXVI 1948* protects the real owner who got patta and also enables him to evict a trespasser with the aid of court, if the person who got the patta is entitled to the ownership or to the possession or occupation of any land or building immediately before the notified date, and this is the effect of the decision in *A. K. Sastrulu (vs.) Uttradi Mutt Swamuluvaru—(1964) I. DLT. 292.*”

XIV. *Leasehold Act (Act 27 of 1963) Vis-a-vis Act XXX of 1947.*

189. *Ramalinga Chettiar and Sambasiva Reddiar (vs.) The State of Madras and another* (S.P. Nos. 1518 of 1967 and 2936 of 1968.)

Sillarahalli, Hunisenahalli, Regadahalli and Mottankurichi in Harur Taluk of Salem District were originally notified under Act XXVI of 1948 and taken over on 12th January 1951 and 27th September 1953. The provisions of the Rent Reduction Act, 1947 were in force in these villages. Subsequently it was noticed that these were leasehold villages for which the Abolition Act 1948 was not applicable. The notifications under the Abolition Act were cancelled and the villages were returned to the landholders on 12th February 1957. Till then the collections made under the Rent Reduction Act 1947 were duly paid to the landholders. They were subsequently taken over on 15th February 1963 under Act 27 of 1963. Taking advantage of these events, the lessees filed writ petitions to direct the State and the District Revenue Officer to collect the arrears of rent due to them.

190. Dismissing the writ petitions, Justice Ismail held:—

“If the arrears up to 1957 had been collected and paid over to the petitioners in view of the fact that the notification under Section 3 (E) of R.R. Act, 1947 cancelling the order fixing reduced rates of rent made under Section 3 (2) of the Act was issued on 16th June 1958, it is no longer open to the petitioners to contend that there are any arrears of rent and the Government is bound to collect the same. On the making of the order under Section 3 (E) of the Act, on 16th June 1958, the power of the Government to collect the rents under Section 3 (4) of the Act came to an end, and therefore there can be no mandamus to compel the Government to perform a duty which it cannot perform now.

There is one other fact which has to be taken note of. As pointed out earlier, the villages were redelivered to the petitioners on 12th February 1957 and were subsequently taken over under Act 27 of 1963 only on 10th February 1965, with the result the petitioners themselves were in possession of the villages from February 1957 to February 1965, nearly for a period of 8 years, and if they had not made the collections of rents due to them during that period, certainly it is not open to them to blame the Government therefor and ask for a writ of mandamus at this stage.”

PART IV

AGRARIAN, TENANCY AND LAND REFORMS UNDERTAKEN AFTER
INDEPENDENCE.

PART IV
CHAPTER No. I

FORERUNNER TO AGRARIAN REFORMS.

1. The origin of the agrarian reforms can be said to have stemmed from the evolution of the concept of landed property in India. We have seen that the first squatter on land was treated as its owner and those who got it by devolution, either by sale or inheritance, succeeded to it in title. Whenever he did not cultivate it himself, it was let on lease or waram to others who were only tenants at will and did not have fixity of tenure. Thus in course of time land holding became an economic proposition with the land resource being limited and concentrated in a few hands and many cultivators competing for its tenancy just to secure a living. Thus in course of time it tended to the demand of high warams by the landholders and to the existence of many intermediaries in the shape of lessees, sub-lessees, etc., between the landowner, who was mostly an absentee and the tiller. The impact of the too many intermediaries casting undue burden on the tiller of the soil came to be first felt in the Province of Bengal soon after the introduction of Permanent Settlement. There the first tenant holding directly under the Zamindar was alone deemed as the tenant having occupancy right and all others claiming under him were to have the status of tenants at will with no fixity of tenure and consequently with no incentive to improve the land. Government wanted to set right this anomaly and ensure fixity of tenure to the tiller of the soil abolishing the intermediaries between him and the Zamindar, thus consolidating the interest of the tenant on payment of compensation. It resulted in the Bengal Tenancy Act 1885, which can be considered as a radical reform judged by the conservative concepts then prevailing. Its extension to Madras was not, however, favoured as conditions prevailing here were considered not to be similar to that in Bengal.

2. The average agriculturist of those days was the proverbial beast of burden, on whose efforts depended the national economy, but who was fleeced to the bone by successive Governments whose sole aim was to augment revenue to meet the ever increasing cost of administration and land revenue was the chief, if not the sole, source of revenue of these days. This, aggravated by bad harvests and economic prices, lodged the agriculturist in permanent indebtedness. The alien Government of the Britishers was not quite too sympathetic with the agriculturist when it came to the question of its foregoing any portion of its revenue, be that it would ameliorate the living condition of the agriculturist. This was one of the planks on which the National leaders put up their fight with the Britishers for self-Government.

3. The national sentiment which favoured grant of concessions to agriculturists expressed itself in a few enactments in this State soon after the popular Ministry was installed in the year 1936 in Madras. Two of the enactments relevant to that period can be cited in this context, though they were mainly intended to relieve the indebtedness of the agriculturists:

I. THE MADRAS DEBT CONCILIATION ACT, 1936 (ACT XI OF 1936)

4. This legislation relates to the pre-independence era. The earlier British Administrations were progressively bringing out legislations for ensuring fixity of tenure on land, regulation of the role of intermediaries, etc., in stages which culminated in passing the Madras Estates Land Act, 1908. A review of working of the Act, vis-a-vis the economy of the estate ryots revealed that the ryots were oppressed by indebtedness owing to various factors, since in most of the estate and zamin areas, the estate owners did not grant any relief or remission to the agriculturists even in times of adversity, though such relief and remission was granted to the agriculturists in the ryotwari areas. It was thought essential to relieve the estate ryots of the accrued indebtedness due to rent arrears. The general lot of the agriculturists at that point of time was also pitiable. They were just turning round the corner from the grip of recession. During the period of recession, they had become heavily indebted due to bad harvests and low prices of agricultural commodities. They were much harassed by their creditors and dragged to Civil Courts. With a view to giving them relief and save them from litigation in Courts so that the debt can be cleared by amicable settlement between

them and their creditors, the Government enacted this legislation which came into force from 1st January 1937.

5. This Act extended to the whole of the Presidency of Madras and it was later extended to the merged territory of Pudukottai by section 3 and the first Schedule to the Madras Merged State (Laws) Act, 1949 (Act XXXV of 1949). The Act has defined a "landholder" to mean a person holding land under a sanad - i.milkiyati-i. istimrar, a amindar, a shortriyamdardar, jagirdar or mamlatdar, a person farming the land revenue under Government and a holder of any land under ryotwari settlement or in any way subject to the payment of revenue direct to Government, "Tenant" has been defined to mean a ryot having a permanent right of occupancy in his holding and includes a "Kanamdar" in the Gudalur taluk of Nilgiris district. The Act empowered the State Government to constitute a Conciliation Board with all powers as are conferred by the Act to adjudicate on the disputes ousting the jurisdiction of ordinary courts. Section 14 of the Act provided for amicable settlement, that is, if the creditors, to whom more than fifty per cent of the total amount of the debtors debts is owing, come to an amicable settlement with the debtor such settlement shall be accepted by the Board. This Act thus enabled speedy settlement of proceedings instituted by creditors against agriculturists.

II. THE MADRAS AGRICULTURIST RELIEF ACT IV OF 1938.

6. This enactment was made in furtherance of the Debt Conciliation Act so as to give speedy relief to agriculturists from indebtedness. The proceedings before the Debt Conciliation Board left several agriculturists insolvents and many others were left as undischarged debtors. It was found that interest accrued on the debts was a major portion of the outstandings in many cases. The general economic condition of the agriculturist was such that he could not discharge the debts in full with all the resources at his disposal and it meant his ruin as a class. Further relief was therefore, considered essential, if the agriculturist who was the backbone of the then economy should survive at all. Such relief was, therefore, given to him by Madras Act IV of 1938.

7. The Act extended a broad cover to all agriculturists who depended upon land and comprehensively defined "Agriculturist" as one who had a saleable interest in any agricultural or horticultural land in the State (not being land situated within a Municipality or Cantonment) subject to payment of Land Revenue (including peshkush or quit rent) or which is held tax free under a grant made, confirmed, or recognised by Government, or holds an interest in such land under a land holder under the Madras Estates Land Act, 1908, as tenant, ryot or undertenure holder, or holding an interest in such land, recognised in the Malabar Tenancy Act, 1929, or holds a lease of such land from any person specified above or is a sub lessee of such land. The Act has inter alia defined "rent" as meaning rent under the Madras Estates Land Act 1908, the Malabar Tenancy Act 1929 or under the Madras Local Boards Act 1920. The Act has also laid down certain exceptions to the debts and liabilities of an agriculturist not to be affected by this Act in respect of Land Revenue, tax, etc., payable to the State, and Central Governments, local authority and Co-operative Societies. It came into force on 1st December 1937.

8. The Act made provision for scaling down the debt in sections 8 and 9 of the Act as detailed below :—

"8. Debts incurred before the 1st December 1937, shall be scaled down in the manner mentioned hereunder, namely:—

- "1. All interest outstanding on the 1st October, 1937, in favour of any creditor of an agriculturist whether the same be payable under law, custom or contract or under a decree of court and whether the debt or other obligation has ripened into decree or not, shall be deemed to be discharged, and only the principal or such portion thereof as may be outstanding shall be deemed to be the amount repayable by the agriculturist on that date.
2. Where an agriculturist has paid to any creditor twice the amount of the principal whether by way of principal or interest or both, such debt including the principal, shall be deemed to be wholly discharged.
3. Where the sum repaid by way of principal or interest or both fall short of twice the amount of the principal, such amount only as would make up this shortage, or the principal amount or such portion of the principal amount as is outstanding, whichever is smaller, shall be repayable.

4. Subject to the provisions of Sections 22 to 25 nothing contained in sub-sections (1), (2) and (3) shall be deemed to require the creditor to refund any sum which has been paid to him, or to increase the liability of a debtor to pay any sum in excess of the amount which would have been payable by him if this Act had not been passed."

Explanation I.—In determining the amount repayable by a debtor under this Section, every payment made by him shall be credited towards the principal unless he has expressly stated in writing that such payment shall be in reduction of interest.

Explanation II.—Where the principal was borrowed in cash with an agreement to repay it in kind, the debtor shall, notwithstanding such agreement, be entitled to repay the debt in cash, after deducting the value of all payments made by him in kind, at the rate, if any, stipulated in such agreement, or if there is no such stipulation, at the market rate prevailing at the time of each payment.

Explanation III.—Where a debt has been renewed or included in a fresh document executed before or after the commencement of this Act, (whether by the same debtor or by his heirs, legal representatives or assigns or by any other person acting on his behalf or in his interest and whether in favour of the same creditor or of any other person acting on his behalf or in his interest), the principal originally advanced together with such sums if any, as have been subsequently advanced as the principal shall alone be treated as the principal sum repayable under this Section.

Explanation IV.—Where a debt has been split up, whether before or after the commencement of this Act, among the heirs, legal representatives or assigns of a debtor or of a creditor and fresh documents have been executed in respect of the different portions of such debt, the provisions of this section shall continue to apply in respect of each of the different portions.

Debts incurred before the 1st December 1937, shall be scaled down in the manner mentioned hereunder, namely:—

1. Interest shall be calculated upto the commencement of this Act at the rate applicable to the debt under the law, custom, contract or decree of Court under which it arises or at five per cent per annum simple interest, whichever is less, and credit shall be given for all sums paid towards interest, and only such amount as is found outstanding if any, for interest thus calculated shall be deemed payable together with the principal amount or such portion of it as is due:

Provided that any part of the debt which is found to be a renewal of a prior debt (whether by the same debtor or by his heirs, legal representatives or assigns or by any other person acting on his behalf or in his interest and whether in favour of the same creditor or of any other person acting on his behalf or in his interest) shall be deemed to be a debt contracted on the date on which such prior debt was incurred, and if such debt had been contracted prior to the 1st October, 1932 it shall be dealt with under the provisions of Section 8.

Provided further that where a debt has been split up, whether before or after the commencement of this Act among the heirs, legal representatives or assigns, or by any other person acting on his behalf or in his interest and whether in favour of the same creditor or of any other person acting on his behalf or in his interest) shall be deemed to be a debt contracted on the date on which such prior debt was incurred, and if such debt had been contracted prior to the 1st October, 1932, shall be dealt with under the provisions of Section 8.

Provided further that where a debt has been split up, whether before or after the commencement of this Act, among the heirs, legal representatives or assigns of a debtor or a creditor and fresh documents have been executed in respect of the different portions of such debt, the provisions of this Section shall continue to apply in respect of each of the different portions.

Subject to the provisions of sections 22 to 25 nothing herein contained shall be deemed to require the creditor to refund any sum which has been paid to him or to increase the liability of the debtor to any sum in excess of the amount which would have been payable by him if this Act had not been passed."

9. The provisions of the Act were also made applicable to mortgages created before 30th September 1937. Section 15 of the Act provides for conditional discharge of arrears of rent due to landholders which accrued for fasli 1345 and prior faslis and which were outstanding on the date of enactment of the Act. Section 17-A provided for scaling down of interest on arrears of rent empowering the courts to award not exceeding 5½ per cent per annum, simple interest. The Act provided necessary provision to adjudicate on disputes in certain matters. This is a self contained code which afforded substantial relief to the agriculturists from the clutches of money lenders and saved them from protracted litigation.

10. When the estates were later taken over by Government under Act XXVI of 1948, the liability to collect arrears of rent on behalf of landholders was assumed by the Government. The same reasons and objections were adduced in scaling down the collectable arrears under Section 55 of the Estate Abolition Act, 1948. In piloting

Madras Estates Abolition Bill the then Revenue Minister Hon'ble Thiru Kala Venkata Rao observed:—

“Then I come to the question of arrears of rent. I think all the Zamindars claim that they are entitled to all the arrears of rent under law and that they should be allowed to collect it. There is the other claim from the ryots that all arrears should be wiped out as on the date of notification. These are two contrary views. It is found that under the existing law, the Zamindar is entitled to the rent that has fallen in arrears. In the last two or three years there has been scarcity of rain and there has been much suffering in the Zamindari areas. Therefore, we thought it safe to follow the principles which were adumbrated in the Debt Relief Act of 1937, namely, that by the payment of the reduced rent due in 1937 and 1938 faslis all the arrears of rent will be wiped off. . . . I want to tell you that if there was any reason to reduce the rent in the year 1937 on account of the depression years in those days, there is very reason to reduce and wipe off the arrears now, because, there has been famine and scarcity in the last 4 or 5 years. Further while the Government have given remission in the ryotwari areas, the Zamindars did not give any remission to their ryots. . . . therefore taking all these things into consideration, the proposal in this bill is to wipe out all the accumulated arrears on lines similar to those contained in the Debt Relief Act.”

11. The same principle has been followed in making provision for collection of arrears of rent while enacting the Tamil Nadu Inams (Abolition and Conversion into Ryotwari) Act, 1963, the Tamil Nadu Leaseholds (Abolition and Conversion into Ryotwari) Act, 1963 and the Tamil Nadu Minor Inam (Abolition and Conversion into Ryotwari) Act, 1963. These later Acts were attacked before Courts as unconstitutional, *inter alia*, on the ground of wiping out of arrears also. The Division Bench of the High Court after dealing with the question elaborately observed thus in Subbachariar *vs* the State of Madras reported in 1967 MLJ 206:—

“But there can be no doubt that any scheme of agrarian reform and bettering of the condition of the agriculturists who work on the land can properly envisage lightening the burden on them of accumulated arrears of rent. Provisions in this regard are legitimately ancillary to land reforms and get integrated with the core of necessary agrarian legislation. Also Article 31-A covers not only legislation for the acquisition by the State of any estate or of any right therein, but also legislation of any rights in estates. In *Gan-gadhara Rao vs. State of Bombay* (A.I.R. 1961 S.C. 288 to 290), a case arising under the Bombay Personal Inams Abolition Act, 1953, when it was contended that the right of the Inamdar to appropriate to himself a part of the full assessment which was left over after he had paid the quit rent to the Government is not a right in an estate, Wanchoo, J. Speaking for the Court observed:—

This contention has no force. Inams being estates, the right of the Inamdar to retain part of the full assessment over and above the quit rent payable to the Government arises because he holds the inam estate. The right therefore can be nothing more than a right in an estate.”

Similarly, here the arrears arise and are due to the inamdars in relation to the inam estates which they hold. In *Ranjit Singh vs. State of Punjab* (A.I.R. 1965 S.C. 632 at 638) the question was whether the provision of a law for the transfer of the village common land owned by the proprietors, to the village Panchayat for the purpose of management in the manner provided and conferring of proprietary rights on non-proprietors in respect of lands included within the boundaries of the village site, was ultra vires of Article 31, as no compensation was payable and whether the law was protected by Article 31-A. After stating that the view of the Supreme Court was in favour of giving large and liberal meaning to the terms “estate”, “rights in an estate” and “extinguishment and modification of such rights” in Article 31-A, it was observed by Hidayatullah J. speaking for the Court:—

“The Scheme of rural development today envisages not only equitable distribution of land so that there is no undue imbalance in society resulting in a landless class on the one hand and a concentration of land in the hands of a few on the other, but envisages also the raising of economic standards and bettering rural health and social conditions.

Overruling the argument, the learned Chief Justice observed in *Subbachariar vs. The State of Madras*.

“Obviously he (counsel for the petitions) could not say that the arrears so wiped away were being acquired by the Government. So far as I understand him, his contention evidently was that the Legislature was not competent to enact such a provision. This ground is not open to the learned counsel in view of the decision of the Federal Court in *UNITED PROVINCES VS. ATIQUA BEGUM* (1940 F.C.R. 11) in which a similar provision was held to fall within the scope of Entry 21 in list II of Schedule VII of the Government of India Act which included “land, that is to say, rights in or over land, land revenues, including the relation of landlord and tenant, and the collection of rent”. In that case the United Provinces Government directed remission of the rents payable by tenants to their landlords in view of an unprecedented fall in the prices of agricultural produce. This remission was declared by the High Court unauthorised and in-operative. So in 1938, the Legislature passed an Act called the Regularisation of Remission Act which precluded any question as to the validity of the orders of remission being raised in Courts. This Act was attacked as ultra vires of the Government of India Act and that it was not within the competence of the provincial legislature. It was held by the Federal Court that the impugned Act was legislation with respect to the “Collection of rents” within the meaning of Entry 21 of List II. . . . I have no doubt that legislation with respect to the remission of rents is legislation with respect to a matter included in item “1”.

This decision, in our view, is a complete answer to the contention of counsel as to want of legislative competence for the impugned provisions.”

12. The scaling down of arrears of rent in the year 1938 has attained judicial approbation and can be said to be the percussor to the later agrarian reforms.

(P. 15) (I) The Madras Estates (Abolition) & Conversion into Ryotwari Act, 1949 by Thiru Sankaranarayanan

Note:—(4) 1967 I MLJ 206.

CHAPTER II

THE TAMIL NADU LAND REFORMS (FIXATION OF CEILING ON LAND) ACT, 1961
(TAMIL NADU ACT 58 OF 1961).

13. The policy to abolish all the intermediaries (such as Zamins, Jagirs and Inams) was followed up by extending protection to and improvement of tenancy rights and the imposition of land ceiling as a further step in the agrarian reform. The State of Tamil Nadu took suitable legislative measures step by step to implement the policies advocated by the Centre, on the recommendation of the Planning Commission regarding measures indicated in the first part of its policy decision on the second Five-Year Plan. In fact legislative measures in that direction had been on the anvil in our State since 1948. The Madras Cultivating Tenants Protection Act entered the Statute Book in 1955 seeking to protect the tenants against eviction as a follow up of the Tanjore Tenants and Pannayals (Protection and fixation of Fair Rent) Act, 1952 fixing the quantum of rent payable by a tenant to the land owner. The Tiruchirappalli Kaieruwaram and Matteruwaram Act, 1958 defining the conditions of employment of Kaieruwaramdar and Matteruwaramdar were also measures taken in the direction of protecting the rights of such persons.

14. The fixation of ceiling on land was under active consideration ever since. The Land Revenue Reforms Committee appointed in 1950 examined this aspect also on the background of the landholdings obtaining in this State, which brought to light the concentration of land in the hands of a few landlords, quite detrimental to the interest of the peasantry population and retarding the economic development of the country and food output.

15. The Committee's recommendation on the economic size of holding is extracted below:—

Extract from the report of the Land Revenue Reforms Committee on size of holdings.

“There is a strong case for preventing undue concentration of land in the hands of a comparatively few, in the future at least. Those who have very large holdings already should not be allowed to increase them. Those who have comparatively smaller holdings and those who take to cultivation anew, should not be allowed to make the holdings grow beyond a certain limit. While the limit should be small enough to prevent objectionable concentration, it should be large enough to accommodate the growth of holdings adequate for the exercise of the resources and enterprise. We therefore recommend that no person should be allowed in future to acquire agricultural lands, if he already has a holding carrying an assessment of Rs. 250 (rupees two hundred and fifty) or so as to constitute a holding carrying more than Rs. 250 (rupees two hundred and fifty) as assessment.

“In the case of joint families we recommend that an allowance up to this limit should be made separately for each branch of the joint family subject, however, to an over-all limit of a holding the assessment on which does not exceed Rs. 1,000 (rupees one thousand).

“We also recommend that this restriction on future acquisitions should not apply in the case of inheritance and bequests and in such cases the beneficiary should retain the land even though such inheritance or bequest either by itself or with the lands already held by the person concerned is in excess of the maximum suggested by us. We have deliberately excluded “gifts” so as to deny opportunities for evasion by accepting “gifts” for which concealed consideration might have been passed. Religious charitable and educational institutions should, however, be exempted from this restriction and should be free to receive holdings.

“We also recommend that a definite exemption should be made in favour of recognized cattle-breeders. When computing the maximum holding in their cases the assessment paid on land set apart exclusively for animal husbandry by such recognised cattle-breeders should not be taken into account.

Paragraphs 41-51, First Report; 1952 Land Revenue Reforms Committee, Madras.

"We have also examined whether, in computing the maximum, the assessment paid on lands which are not only for non-agricultural purposes, should be excluded. We consider that such cases will be rare and that where such lands are retained instead of being relinquished, it would be because they are otherwise valuable, e.g., for mining operations. In such cases, therefore, the argument against concentration of valuable resources would apply and no exemption would be justified.

"Where an existing holding exceeds the limit which we have proposed for future acquisition, although, as recommended above, they will be left undisturbed it is not the intention that when portions of that holding are sold the landholder should still have the right to purchase up to the previous extent; in such a case, the land in excess of the maximum prescribed for the future should be held to have been correspondingly curtailed to the extent of the sale. If, however, by such sale the holding goes below the limit fixed for future acquisitions, the right to rebuild the area up to this maximum shall remain unaffected. Where, however, in such cases, lands are exchanged for purposes of consolidation of holdings, the transaction need not be deemed to be a sale or transfer entailing such curtailment of right, provided permission has been taken from the Land Tribunal or other prescribed authority for the exchange.

"Since the general idea is to extend the operations of co-operative farming societies on as wide a scale as possible, co-operative farming societies of all types should be exempted from the limit proposed above for acquisitions in future.

"Joint Stock Companies, and partnerships, associations of firms of that type, stand excluded from the definition of "cultivator" and we are proposing later on that, in future, there should be no sale of land to non-cultivators; so these will be precluded from acquiring lands in future except where we are proposing exemption in their favour.

"The case of undeveloped lands in private holdings is one calling for such exemption. Where it is proposed to purchase lands in private holdings which have not been cultivated at all previously, or which have remained continually out of cultivation for a period of not less than five years, and such a transaction involves an infringement of the provision relating to the maximum extent of holdings, relaxation from the provision may be given in favour of Joint Stock Companies and associations, but only for the purpose of mechanized cultivation; such a relaxation may, in the same circumstances, be given to individuals also, but in their case, it should be open to them to resort to any type of cultivation as they may find suitable. The authority to give the relaxation shall be the Land Tribunal which we are proposing; applications should be made to the Tribunal for that purpose.

"The proposed limit on holdings shall not be applicable to plantation areas; and when applying the rule as to the maximum elsewhere the holdings in plantation areas should be excluded from the computation.

"Legislation will be required for the imposition of a maximum as proposed. It should also contain provisions to the effect that where land is acquired in excess of the prescribed limit such of the land as is in excess should be forfeited to Government without compensation and disposed of by the Land Tribunal and that any person should be competent to lodge a complaint before the Tribunals. In order that cases may be brought to notice even otherwise, village karnams should be required to send annual returns of landholders resident in their villages or owning lands there, who have contravened the provisions."

In this background, a bill was brought out with the following objects:

1. to secure, consistent with the directive principle of the Constitution, that ownership and control of the material resources of the community are so distributed as best to subserve the common good and that the operation of the economic system does not result in the concentration of wealth and means of production to the common detriment;
2. to reduce the great disparity in the ownership of agricultural land and prevention of concentration of land in the hands of the landlords;
3. to acquire agricultural lands in excess of the ceiling area in order to distribute such lands to the landless and other persons among the rural population as such distribution will best subserve the common good increase production and promote justice, social and economic.

16. The Bill was sent to a Select Committee. After scrutiny by the Select Committee, the Act was passed with the following objects and reasons:—

"Having regard to the recommendations of the Planning Commission in the Second Five-Year Plan for reducing the glaring inequalities in the ownership of agricultural land, the Government have decided to undertake legislation for prescribing the maximum extent of agricultural land that a person may hold. The ceiling, will, except as otherwise provided in the Bill, apply to all agricultural lands held by a person either as owner or as usufructory mortgagee or as a tenant or as an intermediary or in one or more of those capacities. The provisions of the Bill will apply to the whole of the State of Madras. The Bill contains provisions for controlling future acquisition of agricultural land."

17. The Act which takes retrospective effect from 6th April 1960 is a self contained code which defines all the incidence connected thereto, viz fixing the limits up to which land can be held in the State, including the transferred territory of Kanyakumari district and Shencottah taluk of Tirunelveli district, ceiling on further acquisition and restriction on certain transfers, defining the constitution and function of the land Board, Sugar Factory Board, determination of compensation for surplus lands acquired by Government, constitution of land Tribunals, provision for appeals revisions, and disposal of lands acquired by Government under the Act. The Act is applicable to all land holdings owned or held by persons, companies, families and societies but not to plantations, topes, orchards, grazing lands, dairies and land held by sugar factories.

18. The ceiling limit on land holding as originally fixed depended on the number of members in the family, the extent of Stridhana lands held by the female members in that family and the surplus determined in the manner prescribed under the statute. The ceiling was 30 standard acres for a family of 5 members with an additional five standard acres for every additional member of the family subject to an over all ceiling limit of 60 standard acres. Lands in hill areas were exempted from the Act. Standard Acre was defined as follows:—

(1) In any area in the State, except the transferred territory:—

- (a) 0.8 acre of wet land assessed to land revenue at any rate above Rs. 15 per acre; or
- (b) 1 acre of wet land assessed to land revenue at the rate of Rs. 10 and above but not exceeding Rs. 15 per acre; or
- (c) 1.2 acres of wet land assessed to land revenue at the rate of Rs. 8 and above but below Rs. 10 per acre; or
- (d) 1.6 acres of wet land assessed to land revenue at the rate of Rs. 6 and above but below Rs. 8 per acre; or
- (e) 1.75 acres of wet land assessed to land revenue at the rate of Rs. 4 and above but below Rs. 6 per acre; or
- (f) 2 acres of wet land assessed to land revenue at the rate of below Rs. 4 per acre; or
- (g) 2.5 acres of dryland assessed to land revenue at the rate of Rs. 2 and above per acre; or
- (h) 3 acres of dry land assessed to land revenue at the rate of Rs. 1.25 and above but below Rs. 2 per acre; or
- (i) 4 acres of dry land assessed to land revenue at any rate below Rs. 1.25 per acre;

(2) in the Kanyakumari district—

- (a) 1 acre of registered wet land irrigated by any source forming part of, or benefited by, any project; or
- (b) 1.2 acres of registered dry land irrigated by any source mentioned in item (a); or
- (c) 1.6 acres of dry land irrigated by any Government source other than a source mentioned in item (a); or
- (d) 4 acres of dry land unirrigated by any source mentioned in item (a) or by any other Government source of irrigation;

(3) in the Shencottah taluk of the Tirunelveli district—(a) 1.2 acres of wet land irrigated by any river or stream or by tank fed by any river or stream; or

- (b) 1.6 acres of wet land irrigated by any Government source other than a source mentioned in item (a); or
- (c) 2 acres of dry land irrigated by any Government source; or
- (d) 4 acres of dry land unirrigated by any source mentioned in item (a) or by any other Government source of irrigation.

Compensation for surplus land taken over by Government is payable in the shape of 10 years bonds carrying 4 per cent interest. The lands acquired by the Government are assigned to eligible persons in accordance with the Tamil Nadu Land Reforms (Disposal of Surplus Lands) Rules, 1965. The Act also imposed a ceiling of 5 standard acres for cultivating tenants.

19. After implementing the Act for about 10 years, it was found that its result was not appreciable. Even while the legislation was on the anvil, landholders owning large extents started disposing of their surplus landholding to whoever would offer a price, including benamidars or partitioned the land among coparceners and relatives. Trusts came into existence in large numbers. There was large scale adjustment of land holding within the ceiling, with the result that only a meagre extent came to be declared as surplus. The exemptions granted under the Act also proved a handicap in securing a sizeable extent of land as surplus for distribution to bonafide and poor agriculturists.

20. Subsequently the Government decided that the ceiling area fixed under the Act should be reduced further. By the Tamil Nadu Land Reforms (Reduction of Ceiling on Lands) Amendment Act, 1970 (Act 17 of 1970) the ceiling was reduced to 15 standard acres with effect from 15th February 1970, the notified date for the Amendment Act to come into force being 2nd October 1970. After this lowering of the limit of land ceiling, 1.10 lakh acres has been declared as surplus, as against 24,124 acres declared earlier under the 1960 Land Ceiling Act. An extent of 64,071 acres has been assigned to over 38,817 landless persons up to 31st October 1975. The exemptions given to sugarcane growing, grazing and dairy farms in the original Act have been scrapped. Orchards continue to enjoy exemption because they could be viable units only if raised in large areas. Restrictions have also been placed on holdings of existing charitable trusts. The performance of Tamil Nadu in the implementation of lands reforms has been commended by the All-India Congress Committee.

GIST OF THE AMENDING LAWS.

(1) *The Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1971—Act 41 of 1971.*

The main change introduced by this Act is the elimination of exemption for lands grown with sugarcane and also the exemption granted for lands utilised for grazing purposes which have an assessment of Rs. 1.25 and below per acre. "Thiru Arooran Sugars Limited" is the biggest sugar factory attracted by this Act. An extent of 3,447 acres held by "Thiru Arooran Sugars Limited" as owner has been notified as surplus and also taken possession of. All the lands have been hand over to the Tamil Nadu Sugarcane Farm Corporation Limited for being utilised for the purposes for which the Corporation was constituted.

(2) *The Tamil Nadu Lands Reforms (Fixation of Ceiling on Land) First Amendment Act, 1972—Act 10 of 1972.*

Prior to the enactment of this Act, Chapter VIII of the Land Ceiling Act, 1961, dealing with cultivating tenants' ceiling area, was having life only for a specified period. But by this Act, the above Chapter has been rendered permanent.

(3) *The Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Second Amendment Act, 1972—Act 20 of 1972.*

By this Act, the exemption in favour of hill areas was withdrawn and the overall ceiling area of a family was reduced from 60 to 40 standard acres. By this Amendment Act, the lands in the Nilgiris district, which is predominantly a hill area, have been subjected to ceiling.

(4) *The Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Third Amendment Act, 1972—Act 37 of 1972.*

By this Act, the exemption in favour of public trusts (except the Educational Trusts, which have been subjected to ceiling) has been withdrawn. Lands belonging

to Religious Institutions and Religious Trusts of a public nature however continue unaffected by this legislation.

(5) *The Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Fourth Amendment Act, 1972—Act 39 of 1972.*

The overall ceiling area of a family was reduced further from 40 to 30 standard acres. The Act also effected certain changes in procedure, the main point being the rate of compensation prescribed in Schedule III of the Land Ceiling Act, 1961 which was revised so that the quantum of compensation would get decreased with the increase in holdings.

(6) *The Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1972—Act 7 of 1974.*

According to this Act, among other things, a provision also has been made for collecting compensation for the use of the surplus lands from the landowner from the date of commencement of the Act till the date of taking over of the surplus lands. The date of commencement of this Act is 1st March 1972.

(7) *The Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1973—Act 8 of 1974.*

According to this Act, a provision has been made for empowering Government to frame rules for prescribing time limit to prefer revision petitions to Land Commissioner under Section 82 of the Act 58 of 1961.

(8) *The Tamil Nadu Land Reforms (Fixation of ceiling on land) Fifth Amendment Act, 1972—Act 10 of 1974.*

According to this Act, among other things, provision has been made to the effect that exemption shall be granted for plantation and fuel trees, taking into account only the position as on 6th April 1960.

(9) *The Tamil Nadu Land Reforms (Fixation of ceiling on Land) Amendment Act, 1974—Act 15 of 1974.*

According to this Act, a provision among other things has also been made to empower Government either to modify or amend the notification under Section 18 (1) already published with regard to the decision of a Court competent to do so.

(10) *The Tamil Nadu Land Reforms (Fixation of ceiling on land) Third Amendment Act, 1974—Act 30 of 1974.*

The main effect of the Amendment Act is that it enables also the plantations that were in existence on 15th February 1970, viz., the date of commencement of the Tamil Nadu Land Reforms (Reduction of Ceiling on Land) Act, 1970 (The Tamil Nadu Act 17 of 1970) to obtain exemptions from the Land Ceiling Act.

(11) *The Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Second Amendment Act, 1974—Act 32 of 1974.*

The salient feature of this Amendment Act is that the transactions effected on or after the notified date and before the publication of the notification under Section 18 (i) shall be declared void and accordingly, the Authorised Officer shall, in calculating the ceiling area of such person, calculate the net surplus as if no such transaction by means of transfer or sub-division has taken place.

(12) *The Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1975—Act 11 of 1975.*

By this Act, the life of the existing contract was extended for five more years even after the termination of the contract period in respect of the lands held on lease by Tamil Nadu Sugar Cane Farm Corporation Limited.

(13) *The Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Second Amendment Act, 1974—Act 21 of 1975.*

According to this Act provision had been made in section 73 (vi) to the effect that plantations are eligible for exemption only so long as they continue to be plantations.

**ANNEXURE I,
SALIENT FEATURES OF VARIOUS CEILING LAWS.**

Serial number and name of the Act.	Date of commencement of the Act.	Notified date.	Main features.
(1)	(2)	(3)	(4)
1. Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961 (Tamil Nadu Act 38/61).	6th April 1960	2nd October 1962	The ceiling area for a person or family of five is 30 standard acres with each additional member being entitled to 5 standard acres subject to the overall ceiling of 60 standard acres.
2. Tamil Nadu Land Reforms (Reduction of Ceiling on Land) Act, 1970. (Tamil Nadu Act 17/70).	13th February 1970	2nd October 1970	Ceiling area for a family of 9 or less was reduced to 13 standard acres. Overall ceiling continued to be 60 standard acres.
3. Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1971 (Tamil Nadu Act 41/71).	15th January 1972	16th January 1972	Exemption granted to Sugarcane, Grazing Lands removed.
4. Tamil Nadu Land Reforms (Fixation of Ceiling on Land) First Amendment Act, 1972 (Tamil Nadu Act 10/72).			Chapter VIII of the Land Ceiling Act dealing with cultivating tenants Ceiling Area, was previously having life for a specified period. This Chapter has been made permanent now.
5. Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Second Amendment Act, 1972. (Tamil Nadu Act 20/72).	1st March 1972	1st August 1972	Exemption to hill area was deleted. Overall ceiling area was reduced from 60 to 40 standard acres.
6. Tamil Nadu Land Reforms (fixation of Ceiling on land) Third Amendment Act, 1972 (Tamil Nadu Act 37/72).	1st March 1972	1st January 1973	Exemption in favour of Public trusts was withdrawn and ceiling limit has been fixed to charitable and education institutions as shown below :—
	Serial number and name of Institution.	Ceiling area (in std. acres)	
	1. Charitable Institutions.	5-00	
	2. Recognised college	40-00	
	3. Recognised High School.	20-00	
	4. Recognised Elementary School or Higher Elementary School.	10-00	
	5. Students' hostel ..	25-00	
	6. Polytechnic Institutions.	25-00	
	7. Agricultural School	25-00	
	8. Any Orphanage ..	25-00	
7. Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Fourth Amendment Act, 1972 (Tamil Nadu Act 39/72).	1st March 1972	1st January 1973	Overall ceiling was reduced further from 40 to 30 standard acres. Appeal time reduced to 30 days. Revisionary powers originally entrusted to Land Tribunals have been withdrawn and entrusted to the Land Commissioner. Exemption to dairy farming lands deleted. Rate for compensation revised.
8. Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Sixth Amendment Act, 1972 (Tamil Nadu Act of 7/74).	1st March 1972	..	A provision has been made for collecting compensation for the use of the surplus lands from the landowner from the date of taking over of the surplus lands. Order of priority for including the disposed of lands within the ceiling area of a landowner fixed.

**ANNEXURE I,
SALIENT FEATURES OF VARIOUS CEILING LAWS.**

Serial number and name of the Act.	Date commencement of the Act.	Notified date.	Main features.
(1)	(2)	(3)	(4)
9. Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1973 (Tamil Nadu Act 8 of 74).	13th February 1974	..	Time limit for filing revision before Land Commissioner has been restricted to three months.
10. Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Fifth Amendment Act, 1972 (Tamil Nadu Act 10 of 74).	6th April 1960	13th August 1974	Provision has been made to the effect that exemption shall be granted for plantations and fuel trees taking into account only the position as on 6th April 1960.
11. Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1974 (Tamil Nadu Act 15 of 74).	11th April 1974	..	Government have been empowered to modify or amend the notification under section 18 (1) of the Act.
12. Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Third Amendment Act, 1974 (Tamil Nadu Act 30 of 74).	15th February 1970	..	The Act enables the plantations that were in existence on 13th February 1970 to get exemption from the Land Ceiling Act.
13. Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Second Amendment Act, 1974 (Tamil Nadu Act 32 of 1974).	6th April 1960	..	Section 23 has been amended. All transactions effected on or after the notified date and before the publication of notification under section 18 (1) of the Act have been declared void.
14. Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1973 (Tamil Nadu Act 11/75).	15th January 1972	..	The life of the existing contracts was extended for 3 years even after the expiry of contract period in respect of the lands held on lease by Tamil Nadu Sugarcane Farm Corporation Limited.
15. Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1975 (Tamil Nadu Act of 192/75).	6th April 1960	..	Provision has been made in section 73(vi) to the effect that plantations are eligible for exemption only so long as they continue to be plantations.

ANNEXURE II

STATEMENT SHOWING THE PROGRESS UNDER THE CEILING LAWS AS ON 31st OCTOBER 1975.

Particulars.		Act.						
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	Total
4. Extent notified as surplus ..	69,068	29,764	5,371	127	4,420	1,699	1,10,649	
2. Extent covered by stay ..	8,380	1,637	235	..	149	411	10,812	
3. Extent cancelled due to Court proceedings.	8,238	468	24	..	83	..	8,815	
4. Extent taken possession of ..	52,387	27,247	5,312	127	4,181	1,203	90,459	
5. Extent yet to be taken possession of.	63	412	..	..	3	83	563	
6. Extent covered by stay after taking possession.	3,575	1,160	804	..	135	..	5,174	
8. Extent cancelled due to Court proceedings after taking possession.	342	342	..	..	10	..	1,094	
9. Net extent available for assignment.	48,270	25,345	5,008	127	4,036	1,203	84,191	
9. Extent assigned	44,035	17,768	794	..	1,472	9	64,073	
10. Extent handed over to Tamil Nadu Sugarcane Farm Corporation.	..	..	3,447	..	..	..	3,447	
11. Extent covered by "B" notice ..	1,248	2,883	701	127	198	42	5,16	
12. Extent covered by "D" notice..	1,643	1,456	41	..	1,434	1,184	5,75	
13. Extent pending with field staff and in office.	1,344	3,438	25	..	832	7	5,746	
14. Number of persons benefited ..	25,768	11,897	492	..	669	1	38,817	

CHAPTER No. III.

The Tamil Nadu Public Trusts (Regulation of Administration of Agricultural Land) Act, 1961—Act 57 of 1961.

22. This Act came into force with effect from 12th April 1962, though proposal for this Legislation was under consideration for long based on the recommendation of the Land Revenue Reforms Committee of 1950. The Committee had recommended as follows on the question of cultivation of lands belonging to public Trusts.

• While on the question of the terms and conditions of tenancy we think it fit to deal with one particular type of case. It has been brought to our notice that it has been the practice in some places for religious and charitable institutions and for big pattadars not to lease out lands directly to individual tenants for cultivation, but to set up a lessee by auction or other arrangement. The lessee pays a lump sum to the landlord and is given complete freedom to distribute the lands to tenants, making his own terms with them and collecting the rental, or to have the lands cultivated by hired labour where rental are not agreeable to his terms. Such intermediary is not a genuine agriculturist or cultivator but a speculator to whom the landlord's rights are farmed out and he has no justifiable function in the agrarian economy. He is treated as a "tenant" to whom the prohibition of subletting would apply, his operations would be curbed, but not completely as he will then be able to carry on with hired labour and on the other hand treating him as tenant would enable him to have the advantage of fair rents which are clearly not intended for a person of this type. His operations generally entail considerable discontent to the tenants in the area in which he operates. The whole arrangement is pernicious. We, therefore, suggest that there should be a specific prohibition against any arrangement which sets up this type of intermediary. The institutions and individuals who resort to this kind of arrangement now should hereafter be expected to adopt the usual arrangement of leasing lands directly to the cultivating tenants. We would reiterate here what we have already indicated in paragraph 70 of this report, that it is very definitely our view that religious and charitable institutions should not ordinarily resort to any kind of personal or direct cultivation of lands belonging to them; the normal arrangement should be for them to lease out the lands to tenants directly."

23. While implementing the various legislations for the abolition of intermediaries, it was found that the public trusts, which were corporate bodies could not get patta for lands which were not in their personal cultivation. Exemption was granted in many cases from the test of personal cultivation statutorily required for getting a ryotwari patta for their private or pannai land. With the patta on hand, the institutions which were mostly Hindu Religious or Charitable trusts, started evicting the tenants who had been cultivating such trust lands for a long time and who were adversely affected when their tenancies were to be interfered with by these bodies. It was also found that such trusts endowed for specific purposes were not functioning or their incomes were not being accounted for properly and that some of them were mismanaged to the extent of affecting the rights of the cultivating tenants. Under the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act 1, 1961 (Act 58 of 1961) restrictions had been placed on holdings of existing charitable trusts. The Government, therefore, came to the rescue of such cultivating tenants, so that their tenancy may be protected by suitable legislation.

This Act brought in consequence has, to a great extent, ameliorated the conditions and defined the rights of cultivating tenants holding land under public trusts and ensured their continuance.

24. This Act provides for regulating the administration, either by personal cultivation or by lease, of agricultural lands held by public trusts and for regulating the relationship between public trusts and their cultivating tenants in the State. The Act also provides for non-eviction of cultivating tenants, payment of fair rent by them and other safeguards as a self contained code.

(1) Chapter VIII—Paragraph 203—Pages 63-66 Report of Land Revenue Reforms Committee, Madras, 1950.

CHAPTER IV.

TENANCY REFORM IN TAMIL NADU.

Introduction.

25. In the election manifesto which the working committee of the Congress issued in December 1945, it was urged that the reform of the land system was urgently needed in India. It was also felt that reform of tenancy measures was quite necessary to see that food production keeps pace with the growth of population, that food supply was very much connected with the mode of agriculture in this country as elsewhere and that unless the man who cultivates the land gets his due from out of the produce of the land he will not be interested in producing the food and thus meet the demands of his countrymen. In order to create a living interest in him for the land he cultivates he must be given fixity of tenure adequate margin of profit, protection of tenancy, protection of kudiyruppu, etc. So as to take up suitable legislation to better the lot of the tenancy folk, the Government set up the Land Revenue Reforms Committee in G.O. Ms. No. 1376 (confidential) Revenue, dated 9th May 1950 and the object of reference is extracted below:—

"The Government of Madras have been considering the question of improvement and reform in respect of the method of assessment of land revenue in ryotwari areas, the system of land revenue administration, the tenure of holding of ryotwari land, and the conditions of cultivating tenants and agricultural labourers. Before arriving at conclusion, they have decided to appoint a Committee to advise them on the problems involved.

26. They accordingly set up the following Committee:—

Chairman—Sri M. V. Subramanian, I.C.S.

Members.—Sri B. Ramachandra Reddi, Buchireddipalem.

Sri N. Ranga Reddi, M.L.C.

Sri Alluri Satyanarayana Raju, M.L.A.

Sri C. Subramaniam, M.P., Coimbatore.

Sri Manathunainatha Desigar, M.L.C.

Sri Muniswami Pillay, M.L.A.

Sri G. Sankaran Nair, B.A., B.L. Ottapalam

Secretary.—Sri S. R. Kaiwar, I.C.S.

27. The committee was requested to consider the following questions and make recommendations on them to Government:—

(a) whether the present system of land revenue assessment should be maintained and periodical resettlement resumed, and if so, what the currency of the settlement should be, or whether resettlement should be abandoned permanently.

(b) if resettlements are abandoned, whether modifications of the existing assessments would be necessary in order to standardize them at an appropriate level and to secure uniformity of assessments as between the various districts of the State;

(c) whether it is desirable and practicable to assess any class of inams now held at favourable rates, at the full rates payable for similar lands in the neighbourhood;

(d) whether instead of making assessments unalterable a sliding scale of assessment should be introduced varying every year according to the price-levels and the financial position of the Government.

(e) whether an element of progression should be introduced in the system of assessment by exemption of petty holdings, by a graduated scale of assessment based on the extents of holdings, by means of an agricultural income-tax in addition to the assessment by means of a tax on commercial or more valuable crops, or by any other suitable method;

(1) Chapter I.—Introductory—(pp 1-3) Fourth Report of L.R.R. Committee 1950.

(f) whether the present system of assessment should be completely replaced by an agricultural income-tax, or a low basic tax irrespective of the quality of the land along with a scheme of taxation of agricultural income, or a tax on sales of agricultural products, or a tax levied as a percentage of rental value or of capital value, or any other suitable tax;

(g) in the event of the replacement of the present system of land revenue assessments by any such alternative methods, what arrangements should be made to secure for local boards the kind of income they are now deriving by way of land-cess and education-cess which are now being levied and collected on their behalf as surcharge on land revenue assessment;

(h) on an examination of the incidence of water-cess, what the relative merits are of a system of fixed water-rate and system of differential water-rate and which is more suitable to the conditions of this State having regard to the interests both of the land holder and the public revenues;

(i) whether having regard both to efficiency and economy, any changes are called for in the machinery of land revenue administration, and, in particular, whether it is necessary to retain the Board of Revenue and whether it is necessary to keep the village establishments in their present form; and if these village establishments are necessary, whether they should continue to be hereditary, and whether the hereditary system should be extended to the areas it is not now in operation.

(j) whether any simplification is possible in the present system of village and taluk accounts;

(k) whether and in what manner the Government should intervene to fix maximum holdings, form economic holdings, eliminate non-cultivating and non-resident pattadars, prohibit alienation of land to non-cultivators, confer occupancy rights on tenants under ryotwari pattadars, secure fair rents and fixity of tenure for such tenants, and ensure fair wages and proper conditions of work for agricultural labourers; such of these problems as pertain specially to the tenures in Malabar and to the relationship between landholders and tenants there, need not, however, be gone into by the Committee as another committee has reported already on those problems, and the Government are now engaged in the preparation of necessary legislation on the subject and

(l) whether it is desirable to have a comprehensive Land Revenue Code embodying the law relating to land assessment and connected matters, and if so, what items should be included in the Code.

28. The following guide lines were also given to the committee :—

(1) The Committee may also make recommendations on any other points connected with, or arising out of, the specific questions set out in paragraph (2), or generally germane to the purpose indicated in Paragraph 26.

(2) It is expected that the reports and recorded discussion available in the offices of Government and of the Board of Revenue will furnish ample material for the committee's deliberations on the various questions which it has to consider. The Committee will, in particular, take into consideration the Reports prepared by Sri N. Ragavendra Rao as Special Officer, and the Report of the Congress Agrarian Reforms Committee. On any points on which information is required, the committee may send for report of particulars from the Government or the Board of Revenue. The Committee will, therefore, ordinarily sit at Madras.

(3) It is open to the Committee, however, to elicit the views of associations or individuals on any question wherever it may consider it necessary, in such manner also to hold its sittings outside Madras in such places as it might deem convenient.

29. The Committee was requested to send a preliminary report in the first instance as early a date as it might find conveniently possible, on the issues raised in sub-paragraph (k) of paragraph 27 above and to send its final report covering all the other points on or before the 30th September 1950.

30. As directed by the Government in the terms of reference. (*Vide* paragraph 29 above) the Committee sent its first report on 8th December 1950. In this First Report, the Committee made the following recommendations after a thorough probe mostly relating to the settlement of the tenancy and agrarian rights.

Summary of Recommendations.

(1) For the purpose of our discussion we take capitalist farming to mean farming carried on by a limited company or a corporation, or by an individual on large blocks of land, farming operations being carried on a machanized basis under the supervision of paid managerial staff and by labour engaged on a permanent or on a casual basis or both, obliterating all traces of tenancy and proprietorship and previous enjoyment, and reducing everyone engaged in the operations to the status of a paid employee, same as in a business or an industrial concern, whether operated by a Joint Stock Company or an individual also, or a group of individuals, take to farming of the above-mentioned type their own holdings.

(a) Capitalist farming is not to be encouraged as matter of active State policy in areas already under cultivation except in respect of plantation products in plantation areas.

(b) Capitalist farming in existing holdings, should not ordinarily be interfered with; in areas already under cultivation in a holding by other methods, it should be open to the landlord or the tenant, as the case may be, to resort to capitalist farming, if he so desires, up to the limit of personal cultivation allowed to him.

(c) But, if as a result of the reforms proposed, this type of farming should be resorted to in an increasing measure, tending to serious displacement of agricultural labourers with no alternative avenues of employment open to them, preventive steps may be called for.

(2) In areas already under cultivation except in the plantations, it is desirable that no companies should be started afresh to take up cultivation, or existing companies allowed to extend their area of operation.

(3) In order to allow for rapid development of lands in private holdings hitherto not brought under cultivation, however, capitalist farming by individuals or associations or companies of that type, religious and charitable institutions being excluded, may be encouraged in those areas and for that purpose specific exemptions may be given from the general prohibitions recommended by us relating to:—

1. Sales of land to non-cultivators;
2. Maximum limits on land purchase in future; and
3. Maximum limit on personal cultivation.

The power to grant exemption should be vested in Land Tribunals.

(4) When large areas of land at the disposal of Government are reclaimed too, capitalist farming may be tried, if alternative methods have been tried and found to be unsuccessful. The alternative methods contemplated are:—

- (a) Co-operative joint farming;
- (b) Co-operative better farming;
- (c) individual settlements;

In the order of preference set down above, investigation as to the feasibility of co-operative joint farming, or co-operative better farming, should take as short a time as possible consistent with the facts of the case, so that development of the areas is not unreasonably delayed.

(5) Lanka lands in the Godavari and Krishna deltas should be leased out to co-operative joint farming or co-operative tenant farming societies on fair rentals and the existing system of lease by public auction should be abandoned.

But, religious and charitable institutions should not be permitted to undertake capitalist farming; nor should they be allowed to undertake any type of "personal cultivation" either by appointing a paid "Manager" or by hired labour under the supervision of the trustees or executive officers; but in cases where tenants are not available on fair and equitable terms they may be permitted by the Land Tribunal to undertake personal cultivation including capitalist farming.

Educational institutions, should however, be exempted from this restriction against "personal cultivation", where the educational curriculum requires actual cultivation operations being carried on by the pupils under field conditions.

(25) Alienation in future to persons who are not cultivators within the meaning of the definition suggested above should be prohibited.

Persons who intend to set up afresh as cultivators should, however, be allowed to purchase land on obtaining a certificate from the Collector of the District to that effect; if such a person does not actually become "cultivator" within a period of three years from the date of purchase, or such further time as may be granted by the Collector for good and sufficient reason, the land should be forfeited to Government and such a person would receive compensation only when the lands are disposed of by the Land Tribunal, if it is less than the purchase amount and in any case not more than the purchase money.

Disposal of lands should be as expeditious as possible. all reasonable safeguards being taken to protect the interests of the person concerned and where damage is unavoidable, to cause minimum damage to the persons concerned; subject to these stipulations, sales by the Land Tribunal should ordinarily be by public auction.

(26) Females, minors and disabled persons belonging to cultivator families, even if they in their own right do not satisfy the definition of "cultivators" and co-operative societies should be exempted from the prohibition of alienation to non-cultivators.

(27) Agricultural labourers should in any event be free at all times to acquire lands. The term "agricultural labourers" will have to be defined clearly.

(28) The share of prohibition to "non-cultivators" contemplated above will include, gift, exchange or lease of any land or interest therein, or mortgage of any land or interest therein and acquisitions. The transactions allowed will be subject to the maximum prescribed in the Report regarding the maximum limit to be placed on future acquisitions of agricultural lands.

(It is pointed out incidentally that gifts can be accepted only by persons who satisfy the definition of "cultivators" provided their holding thereby does not exceed the maximum limit; but non-cultivators are precluded from accepting gifts except when intending to set up as cultivators).

(29) There is no justification to exempt lands mortgaged to the Co-operative Land Mortgage Banks from any of the restrictive provisions.

(30) It is suggested, as a basis for implementation of the restriction on alienation to non-cultivators, that an extra column should be opened in the Adangal to show whether a field is cultivated personally by the pattadar or by a tenant and if the latter be the case, the name of the tenant. In the section relating to pattas, Account No. 10 (1), an entry may be made to show whether the pattadar is a "cultivator", and if so, the field the cultivation of which entitles him to be treated as a "cultivator".

(31) In the event of speculators entering the land market by virtue of the provisions of the Report, on a certificate from the Collector, then disposing of the lands at considerable profit, or retaining sufficient extent of land thereafter to qualify for the definition of "cultivator" and buying and selling land merely for speculative purposes, preventive steps may be called for to prevent them.

(32) The restriction on alienation proposed by us should not be applied to plantation areas.

(33). Land Tribunals may be empowered to give relaxation from these restrictions, to companies and firms and associations of that type, for the purpose of purchasing undeveloped lands in private holdings in order to introduce mechanised cultivation there; and to individuals for the purpose of purchasing such lands in order to develop them by whatever type of cultivation they may find suitable.

(34) Penalty for acquisition of land by a non-cultivator, whether it be a person who is not a cultivator as defined, or a person who desires to enter the field afresh but has not obtained the necessary permit, shall be the forfeiture of the land so acquired without compensation.

(35) After necessary and essential exemptions have been made, e.g., in favour of persons with small holdings who have migrated to towns to make a living, in favour of cultivators who may lease out lands beyond the radius of their effective operations and in favour of females, minors and disabled persons, the field for operation of a scheme for the elimination of absentee landholders will not be very significant; therefore no particular measures are called for against non-resident landholders as a class.

(36) Sub-division of holdings below the unit of profitable cultivation as determined by an enquiry, such as that contemplated in paragraph 62 of the Report, should be prevented. Legislation may be on the lines of the Madras Economic Holdings Bill, 1948.

(37) Legislation to deal with the problem of fragmentation by consolidation of holdings is necessary and should be on the lines of the Madras Economic Holdings Bill, 1948.

(38) This scheme of prohibition of subdivision and consolidation of holdings need not be applied to plantation areas.

(39) Personal services by tenants or the insistence on the services of the cattle and goats of the tenants without payment or stipulation of free supply of fowls, ghee, vegetables, straw, etc., should be prohibited.

(40) Where any landlord recovers from the tenant rent in excess of the amount he is entitled to under the scheme of fair rents, he should not only be liable to refund the excess collected by him to the tenant but also to a penalty, except in cases of bonafide mistake, amounting to five times such excess subject to a minimum of Rs. 25 (Rupees twenty five) as the Land Tribunal may determine.

(41) The appropriate authority for adjudicating on "Fair Rents", and all matters connected therewith excluding, however, suits for the recovery of rent, shall be the Land Tribunal consisting of the Revenue Divisional Officer and representatives of the landlords, tenants and agricultural labourers.

(42) This scheme of fair rent will not apply to plantation areas.

(43) (a) In future all leases should be for a minimum period five years.

(b) In the case of virgin land which is to be reclaimed, or which has been newly reclaimed, however, the first lease should be for a minimum period of ten years.

(44) The tenant should always have the option of terminating the lease by three months' notice expiring with a year of tenancy.

(45) The following alone should constitute proper grounds for the landlord terminating the lease during this currency:—

1. Failure to pay rent within one month of the date stipulated in the lease deed.
2. Commission of any act which is destructive or permanently injurious to the land.
3. Use of the land for any purpose other than agriculture.

(6) State farming is not recommended as a matter of active State policy, except for purposes of experiment, demonstration and research.

(7) (a) Collective farming as a matter of deliberate State policy should generally be ruled out.

(b) But, where the community of a village comes forward to organize collective farms by taking lands on lease and cultivating the lands and sharing the produce on collective principles, the State should actively encourage such collectives. Where 85 per cent of the adult population, covering also 85 per cent of the land under holdings have agreed, the entire village community should be taken as having agreed.

(8) Peasant proprietorship is considered to be the pattern best suited to the genius and traditions of our people; the existence of small and scattered holdings is a handicap, and that will have to be removed by taking steps to prevent further subdivision of such holdings, to consolidate existing holdings, and to bring existing holdings into some form of co-operative organisation; also, however, in order to avoid too sudden and drastic an unsettlement of economic and social conditions as measure of expediency, the existence of tenancy which implies a divorce between ownership and cultivation to the extent that tenancy is in operation will have to be tolerated, subject to safeguard being provided for the tenants.

(9) There is no need to fix any maximum limit *per se* in the case of existing holdings and expropriate the extents in excess of such maximum.

(10) In future, however, no person should be allowed to acquire agricultural lands, if he already has a holding carrying an assessment of Rs. 250 (Rupees two hundred and fifty) or so as to constitute a holding carrying more than Rs. 250 (Rupees two hundred and fifty) as assessment.

(11) In the case of joint families, separate allowance should be made for each branch of the joint family subject, however, to an over-all limit of a holding the assessment on which does not exceed Rs. 1,000 (Rupees one thousand).

(12) The scheme of restrictions will not apply to the case of inheritance and bequests; in such cases, the beneficiary should retain the land even though such inheritance or bequest either by itself or with the lands already held by the person concerned, is in excess of the maximum suggested. Gifts are deliberately excluded so as to deny opportunities for evasion by accepting "gifts" for which concealed consideration may have been passed. Religious, charitable and educational institutions should, however, be exempted from this restriction and should be free to receive gifts irrespective of the size of their existing holdings (Gifts, however, cannot be accepted or retained by non-cultivators).

(13) When computing the maximum holding, the assessment paid on land set apart exclusively for animal husbandry by recognised cattle-breeders, should not be taken into account.

(14) In computing the maximum the assessment paid on lands which are fit only for non-agricultural purpose, should be included.

15. (a) If any landholder, who is permitted by virtue of the recommendation in sub-paragraph 9 in this summary to hold land in excess of the maximum fixed for future acquisition, sells any portion of his land after crucial date, his right to hold land in excess of the maximum by virtue of paragraph 49 shall be correspondingly curtailed;

(b) If, however, by such sale the holding goes below the limit fixed for future acquisitions, the right to rebuild the holding up to this maximum shall remain unaffected;

(c) exchange of lands for purposes of consolidation of holdings with the permission of the land tribunal or other prescribed authority, shall not be deemed to be a sale or transfer entailing the curtailment of such right to hold lands in excess of the maximum prescribed in paragraph 40 of the report.

16. These restrictions will not apply to co-operative societies.

(17) In cases where purchased is proposed of lands in private holdings, which have not been cultivated at all previously, or which have remained out of cultivation for not less than five years and such a transaction involves the infringement of the provision relating to the maximum extent of holdings, a relaxation from the provision may be given in favour of joint stock companies and associations of that type but only for the purpose of mechanized cultivation; such a relaxation may, in the same circumstance, be given to individuals also, but in their case, it should be open to them to resort to any type of cultivation as they may find suitable.

(18) Penalty for acquisition of lands in excess of the maximum limits will be forfeiture of such excess without compensation. Cases will be adjudicated on by the Land Tribunal and the forfeited lands disposed of by it.

(19) These limits on holdings shall not be applicable to plantation areas; and when applying the rule as to the maximum elsewhere the holdings in plantation areas should be excluded from the computation.

(20) The concept of an economic holding as set out by the Congress Agrarian Reforms Committee is of no practical utility at present and there is no need or justification for the Government to embark on any elaborate enquiry as suggested by that Committee for the fixation of the size of an economic holding for the various regions in this state.

(21) Nevertheless, it is necessary to ascertain by enquiry the minimum extent of a holding, in each representative tract, with reference to the representative types of cultivation in this State on which an average family consisting of four persons working with ordinary prudence and diligence and with ordinary resources, secure an adequate return on the investment made; in assessing the investment, the element of interest on capital cost, all costs of cultivation including the labour of the cultivator and his family, Government dues, cesses, etc., should also be taken into account. Only a return of 3 per cent on the total investment including both the elements of capital and running costs should be considered adequate. A set of pilot enquiries in selected areas may be undertaken to determine these units of profitable cultivation.

(22) The concept of a basic holding as put forward by the Congress Agrarian Reforms Committee is of no practical utility and no attempt need be made to fix any size for such basic holding.

(23) The following definition may be adopted for a "Cultivator"—

"A 'Cultivator' or 'Agriculturist' means any one who cultivates land on one's own account—

(i) by one's own labour;

(ii) by the labour of any member of one's family; or

(iii) by servants on wages payable in cash or kind but not in co-share, or by hired labour under one's own personal supervision or the personal supervision of any member of one's family.

Explanation I.—A female or a minor or any one subject to any physical or mental disability which would incapacitate the person concerned from exercising personal supervision, shall be deemed to cultivate the land personally if it is cultivated by her or his servants or hired labour.

Explanation II.—In the case of an undivided family, the land shall be deemed to have been cultivated personally, if it is cultivated by any member of such family".

(24) Joint Stock Companies, partnerships and other similar associations or firms, religious and charitable institutions and co-operative societies will stand excluded from this definition of cultivator.

Exemptions in their favour, wherever necessary, in respect of provisions operative on this definition have been recommended in the appropriate places.

4. Violation of any of the conditions of the lease regarding the restrictions on the nature of the crop to be grown and similar conditions which are not repugnant to the statutory provisions governing tenancy.

5. Sub-letting of the land by the tenant.

6. The tenant being adjudged to be insolvent.

46. Where any tenancy of any land held by any tenant is terminated for non-payment of rent and the landlord prefers a petition before the appropriate authority to eject the tenant, the said authority shall call upon the tenant to tender to the landlord the rent in arrears together with the cost of proceedings within 15 days from the date of the order and if the tenant complies with such orders the said authority shall, in lieu of making the order for ejection, pass an order directing that the tenancy had not been terminated and thereupon the tenant shall hold the land as if the tenancy had not been terminated:

Provided that this protection shall not apply to any tenant whose tenancy is terminated for non-payment of rent after he has failed for any two years to pay rent within the period specified elsewhere.

(47) It is not necessary to allow the landlord to resume the land for personal cultivation during the currency of a lease.

(48) In the event of a sale of the land during a tenancy the tenant shall continue, the new landlord taking the place of old landlord in respect of assets and liabilities, privileges and responsibilities.

(49) In the event of a tenant putting the land to wasteful uses, or causing damage to it, the landlord may claim damages before the appropriate authority at the same time as he prefers before it a petition for the eviction of the tenant, or independently thereof and that authority shall decide the issue and grant appropriate reliefs.

(50) The appropriate authority to adjudicate on disputes in this group of provisions shall be the Revenue Divisional Officer sitting as a Revenue Court, or other Special Courts constituted for the purpose. The same authority shall take cognizance of suits for recovery of rents also.

Over the decisions of the Revenue Divisional Officers appeals should lie to the Collectors of the districts and the Board of Revenue should have revisional powers.

(51) Where, however, Special Courts are constituted from officers of the Civil Judicial cadre, the appeals should lie to the higher Civil Judicial Courts.

(52) In order to ensure as wide a distribution as possible of opportunities for tenancy and to see that there is no monopoly by higher groups of people there should be a maximum limit fixed for lands taken up by tenants for cultivation and this limit should be an extent of land bearing a total assessment not exceeding Rs. 50 (Rupees fifty).

(53) Where the application of these maximum limits to the landlord or the tenant results in the severance from the holding of a small strip which cannot be profitably cultivated independently, the Land Tribunal may grant exemption from the operation of these restrictions, subject to such conditions as it may deem fit to prescribe.

(54) (a) In cases where the limit of personal cultivation has been exceeded by the landlord and the case is merely one where exemption has not been obtained from the Land Tribunal under the relevant provisions of this scheme, the landlord should be punishable with a fine; in other cases where the limit of personal cultivation has been exceeded the penalty shall be forfeiture without compensation of such excess over the permissible limit.

(b) In cases where the tenant exceeds the permissible limit of personal cultivation, the tenancy should be terminated in respect of such excess, and in addition he shall be liable to a fine.

(55) The relief of indebtedness of agricultural labourers should be dealt with as part of the general programme to relieve all agricultural indebtedness; the question of giving them off-season employment and facilities for credit should also form part of the general programme; as these questions are strictly outside the purview of the Committee, it is merely generally recommended that in all such schemes the agricultural labourer should receive prominent attention and preferential treatment.

(56) A Land Tribunal should be constituted for each Revenue Division with the Revenue Divisional Officer as the Chairman and with the representatives of agricultural labourers, of landlords and of tenants, as members. The following would be the functions of the Land Tribunal:—

(i) Adjudication of fair rents and connected matters excluding suits for recovery of rent;

(ii) to advise on minimum wages under the Minimum Wages Act (For this purpose these Tribunals should be incorporated as the appropriate committees under the Minimum Wages Act, 1948 (Union Act XI of 1948);

(iii) Grant of exemptions in cases of exchange of land for purposes of consolidation, treating them not as cases of sale which would curtail the permissible extent of maximum holding;

(iv) grant of exemption from the restrictions relating to maximum holding where companies and similar associations or individuals, propose to purchase undeveloped lands in private holdings;

(v) dealing with cases of violation of the provisions relating to maximum holdings, ordering forfeiture of the land which is in excess and disposing of the land;

(vi) grant of exemption from the provision prohibiting the alienation of land to non-cultivators to enable them to purchase undeveloped lands in private holdings;

(vii) dealing with cases of purchase of land by non-cultivators, ordering forfeiture of the land and disposing of the land;

(viii) dealing with cases where intending cultivators take lands on the prescribed certificate and default later on, ordering forfeiture of the land and disposing of them;

(ix) giving exemption to the landholders from the limit of personal cultivation in cases where no tenants are available;

(x) giving exemption to landholders or tenants from the limits of personal cultivation, when the working of the provisions would involve the hardship of severance of strips which cannot be independently cultivated;

(xi) giving exemption to landholders and tenants from the limits of personal cultivation when undeveloped land is proposed to be taken up;

(xii) giving permission to religious and charitable institutions to take up personal cultivation when tenants are not available;

(xiii) dealing with cases where landlords and tenants have exceeded the limits of personal cultivation.

(57) (a) Our recommendations in Chapter VIII—Problems of Tenancy—Sections 1 to 8 will not apply to the area under the Malabar Tenancy Act as that Act carries its own scheme for the regulation of the relationship between the janmi, kanamdar, verumpa'tamdar, etc., as between one another;

(b) Subject to the above, all other recommendations should be generally applicable to the area under the Malabar Tenancy Act.

(58) (a) The estate areas will fall broadly into three categories:—

(i) Firstly, the estate or zamindari areas which have been taken over under the scheme of abolition of Zamindaries;

(ii) Secondly, the areas to which the scheme of abolition of Zamindaris is applicable but the estates have not yet been taken over; and

(iii) thirdly, the areas to which the scheme of abolition of the zamindaries will not apply.

(b) In the areas falling under the first category all our recommendations would apply, the persons held entitled to the ryotwari patta being treated as the counterpart of the ryotwari pattadar (or landholder) under our scheme, the interim assessment fixed for the interim period pending ryotwari settlement, being taken as the counterpart of the assessment under our scheme, and the person, if any, to whom the land is leased out, being treated as the counterpart of the tenant under our scheme;

(c) For the second category of cases, the position will be the same as for the first category after the estates are taken over but not until then; until then position will be the same for the third category which is set out below;

(d) In the third category of cases, our scheme regulating the relationship between the landlord and tenant in Chapter VIII—Sections 1 to 8, will not be applicable at all. But our other recommendations will be generally applicable to the entire area; and where the recommendations have specified reference to the ryotwari pattadar or to the assessment, the occupancy ryot should be treated as the counterpart of the ryotwari pattadar, and the rent payable should be treated as the counterpart of the assessment.

(e) In the case of minor inams, enfranchised minor inams will be in the same position as the ryotwari holding and the owner will be the landholder. In the case of unenfranchised minor inams the inamdar should be treated as the landholder under our scheme. In both these cases the person, if any, to whom such landholder has leased out the land should be treated as the tenant.

(f) Besides what has been stated above in (e) wherever possible all our other recommendations may be made applicable to minor inams also.

31. In its second report sent on 18th April 1951, the Committee considered the alternative to the land revenue system, reforms of land revenue system, special problems relating to Malabar and South Kanara districts, preparation of a land revenue code, and applicability of the recommendations to the areas under the Madras Act XXVI of 1948.

32. Most of the recommendations of the Committee resulted in bringing out a spate of legislative measures to better the conditions of the cultivating tenant's etc., of various categories which are dealt with hereunder.

33. The need for such legislation was felt imperative and even endorsed by courts. To quote the observation of the Supreme Court in Sajjan Singh (Vs) the State of Rajasthan—1965, Supreme Court 845, which gave judicial recognition to the tenancy policy of the Government,—

“Parliament desires that agrarian reform in a broad and comprehensive sense must be introduced in the interest of a very large section of Indian Citizens who live in villages and whose financial prospects are integrally connected with the pursuit of progressive agrarian policy”.

34. These agrarian reforms are in consonance with the directive principle of State Policy as enshrined in the Constitution and are an echo of the demand of politicians to adopt “Land to the tiller” policy.

35. The occupancy right of land as recognised under the Ryotwari system is not necessarily with the tiller of the soil. Though land ownership originated with the person who first cleared waste or forest land and brought it under cultivation, in course of time, land ownership passed on to third parties including absentees and non-cultivators due to operation of economic pressure. Ever since land came to be looked upon as property, its ownership has also changed hands, though cultivation of land, as a profession has remained with the tiller whose status is described as “Tenant”. The rent payable by the tenant is usually a portion of the gross produce varying in proportion from tract to tract or fixed in cash or in kind and payable in all seasons good or bad. There are many absentee landowners who give the land on lease and enjoy the produce on payment of lease amount or rent to the owner, but at times, very little is left with the

tenant after payment of rent. With the evolution of welfare State, and in order to safeguard and protect the interest of the tiller of the soil though short of vesting the occupancy right in him, certain enactments were made in this direction. They are dealt with hereunder—

I. THE THANJAVUR PANNAIYAL PROTECTION ACT, 1952.

36. The agrarian condition in Thanjavur district which is the “granary of the south” according to history was disturbed soon after independence and came to a climax around 1951–52. The relationship between the landowners and their agents on the one hand and tenants and farm labourers on the other hand become strained, resulting in the displacement of tenants and the dismissal of farm labourers and it ultimately culminated in agrarian crimes and disturbances. The situation threatened to cause law and order problems besides fall in agricultural production. The enhancement of cooly for farm labour and improvement of conditions of their work were the demands of the farm servants which took political overtones. A meeting of leaders of both sides and Government officers was convened by the Hon. Mr. Kala Venkata Rao, the then Revenue Minister and a settlement was arrived at known as the “Mayavaram agreement”. The Government promulgated the Tanjore Tenants and Pannayal Protection Ordinance, 1952 (Madras Ordinance VI of 1952) embodying the provisions of this agreement. This was replaced by the Tanjore Pannayal Protection Act, 1952 (Act XIV of 1952). This Act provides for the regulation of wages payable to pannaiyals in Thanjavur district and taking remedial measures by the conciliation officers appointed under the Act, in case a pannaiyal is dismissed by the landowner. Certain verbal alterations were made in this Act wherever found necessary subsequently by the Amendment Act XXV of 1956, which Act also provided for the extension of the provisions of the Act outside Thanjavur district subject to such adaptations and modifications needed, if any. This provision has put on an even scale the relationship between the farm worker and the land owner and has helped to maintain conditions conducive to intensive cultivation which is the vanguard of food production.

II. THE TAMIL NADU CULTIVATING TENANTS PROTECTION ACT, 1955 (ACT XXV OF 1955).

37. The Act extends to the whole of the State of Madras other than the areas to which the Malabar Tenancy Act 1929—Act XIV of 1930 extends.

The scope of this Act is to protect the cultivating tenants from improper eviction by landowners. Under this Act, cultivating tenants can be evicted from their leasehold only by an order of Revenue Court constituted under the Act and that too only under certain specific circumstances such as wilful and continued default in payment of rent, causing wilful damage or injury to land, etc. Tenants who are forcibly evicted, have the right of applying to the Revenue Courts for restoration of possession. The cultivating tenants can also deposit rent due to the landowner in the Revenue Court and thereby avoid the risk of becoming defaulters in case the land owners avoid or refuse to accept the rent offered. The Act also enables the landowner to resume one-half of the land leased out to a tenant for personal cultivation subject to certain limits on his total holding. After the passing of this Act, adequate security of tenure has been conferred on tenants. The Amendment Act XIV of 1956 made certain verbal changes as found wherever necessary in actual implementation. This Act was made permanent by the Madras Cultivating Tenants Protection (Continuance) Act, 1965 (Act 8 of 1965). Recently through another amendment, even sub-tenants have been made eligible for the protection afforded to the tenants, irrespective of the fact that the lease in favour of the original tenant has come to an end. At present there are three Revenue Courts at Thanjavur, Mayuram and Tiruvarur in Thanjavur district and one at Tiruchirappalli in Tiruchirappalli district to administer the Act. In other districts, the Authorised Officers are attending to this work and their orders are subject to revision by the High Court.

By section 4-A introduced by Act XIV of 1956 a small landholder (who was not affected by the land ceiling law nor an assessee to sales-tax or income-tax) was made eligible to resume for personal cultivation up to 50 per cent of Land leased

out by him to a cultivating tenant. This provision has since been repealed with retrospective effect from 5th July 1973 by Presidential Act No. 18 of 1976 which has also enabled restoration to possession of a cultivating tenant who was evicted in pursuance of the old provision of Section 4-A on or after 5th July 1973.

III. THE TAMIL NADU CULTIVATING TENANTS (PAYMENT OF FAIR RENT) ACT, 1956—ACT XXIV OF 1956.

38. This Act aims at the collection of fair rent by landowners from the cultivating tenants in the State of Madras other than the areas to which the Malabar Tenancy Act 1929 extends. It affords adequate protection to the tenants against the collection of arbitrary and enhanced rents. The fair rent payable is (1) 40 per cent of the gross produce in the case of wet lands (2) In the case of wet land, whose irrigation is supplemented by lifting water 35 per cent of normal gross produce or its value in money and (3) 33-1/3 per cent in the case of any other class of land. Fair rent once fixed will be in force for a term of five years. Tahsildars have been empowered to act as Rent Courts to decide the claim for fixation of fair rent. Prior to this enactment, tenants were at the mercy of the landowners, who demanded higher rent from them and enforced it under the Contract Act. The tenants having since become fully aware of the provisions of this Act, are paying the fair rent to the landowners without the need to resort to rent courts in many cases.

39. Recently through an amendment even sub-tenants have been made eligible for the protection conferred on the Tenants for payment of fair rent irrespective of the fact that the lease in favour of the original tenants came to an end. In Thanjavur District there are five Special Tahsildars. In Tiruchirappalli District there are two Special Tahsildars one at Tiruchirappalli and another at Musiri. There is also one Tahsildar at Chidambaram in South Arcot District and in other districts the work is attended to by regular Tahsildars. Appeals against the order of rent courts lie to the District Munsif functioning as Rent Tribunals under the Act.

IV. The Tiruchirappalli Kaiyeruwaram and Matteruwaram Act, 1958—XXXVI of 1958.

40. In certain parts of Tiruchirappalli district a peculiar kind of tenancy in respect of land called Kaiyeruwaram or Matteruwaram existed. A Kaiyeruwaramdar is one engaged by a landlord to do ploughing and watering operations or ploughing operations alone on land and is remunerated for such work by a share in the crop raised on the land in respect of which such work is done or by payment of a fixed quantity of paddy or by both. Similarly a matteruwaramdar is one engaged by a land owner to supply bulls for ploughing and other operations on a land and receive as remuneration for such work, a share in the crop on the land in respect of which such work is done. The uncertainties in the above relationship between the land owners and the waramdars led to frequent disputes leading to unsettled conditions, breaches of peace and consequently resulting in the fall of agricultural production in that district. It is in order to define the conditions of engagement and to provide protection of Kaiyeruwaramdars and Matteruwaramdars, this legislation was enacted. The provisions of the Act are applicable to the few villages specified below:

Kulithalai taluk—

1. Krishnarajapuram.
2. Mahadanapuram North.
3. Kammanallur.
4. Kallapalli.
5. Chintalavady.
6. Pillapalayam.
7. Vadiyam.
8. K. Pettai.
9. Manathattai.
10. Vaigainallur North.

11. Kulithalai.
12. Rajendram.
13. Maradur North.
14. Kumaramangalam.
15. Poyyamani.
16. Nangavaram North and South.

Tiruchirappalli taluk—

1. Andanallur.
2. Sirugamani.
3. Kulumani.

Musiri taluk—

1. Natham.
2. Arasalur.
3. Thottiam.
4. Ayyampalayam.
5. Amur.
6. Konasilam.
7. Sundakkai.
8. Vellur.
9. Sriramasundaram.
10. Alagarai.
11. Sithur.

Karur taluk—

1. Nerur North and South.
2. Achampuram.
3. Somur.
4. Koyampalli.

Lalgudi taluk—

1. Kariamanickam.
2. Kailianallur.
3. Ulundangudi.
4. Manachanallur.
5. Melpathu.
6. Melaseedevimangalam.
7. Vengangudi.

The power of adjudication of disputes rests with the regular Tahsildars with a provision for appeal to the Revenue Divisional Officer. The provisions of the Madras Cultivating Tenants Protection Act, 1955 and the Madras Cultivating Tenants (Payment of Fair Rent) Act, 1956, have since been made applicable to Matteruwaramdar under a landowner who owns more than ten acres of wet land and such Matteruwaramdar shall be deemed to be a cultivating tenant within the meaning of these Acts.

V. The Tamil Nadu Cultivating Tenants (Special Provisions) Act, 1968—Act XVI of 1968.

41. The Tamil Nadu Cultivating Tenants Protection Act, 1955 ensured against the cultivating tenants being evicted arbitrarily or by improper means by the landowners. The landowner could seek eviction of a cultivating tenant for default in payment of rent, wilful injury to land, etc. The Act did not contain provisions regarding the mode of collection of arrears of rent. Where the Courts decreed payment of arrears of rent, the landowner resorted to its recovery in a lump sum. The damage

that would be caused to the tenants in cases where consolidated payment of rent had to be made by the cultivating tenants in a lump sum loomed large since they could pay the rent in instalments only after each crop is harvested (i.e.) in two spells in the cultivating season in a year. The ability to pay the agreed rent also depended on seasonal conditions. Rent might have fallen in arrears in many cases due to adverse seasonal factors. In order to obviate this difficulty, this enactment was made which enabled the cultivating tenants to pay the arrears of rent, if any, in easy instalments. This enactment saved from ruin to a great extent the economy of cultivating tenants who were in arrears of rent.

VI. The Tamil Nadu Occupants of Kudiyruppu (Conferment of Ownership) Act, 1971.

42. Housing of the farm servants was the next problem to be solved. The pannayal system in vogue in the country was something in the nature of bonded labour, families of farm servants indebted to the land owner, serving him for generations and living in the house-sites provided by him. Dismissal of a pannayal from a farm carried with it the eviction of his family from the house-site which he was occupying. Besides the cultivating tenants, there were other occupants who had put up their houses (Kudiyruppu) either in the sites belonging to the land owners for whom they are doing cultivation or on Government lands. Hiring of agricultural labour was considered as an important problem by the Congress Agrarian Reforms Committee which emphasised that this problem should receive highest priority. In dealing with this problem, the Land Revenue Reforms Committee of 1950 made the following recommendations:—

"In cases as in Thanjavur, where the Agricultural labourers have been in occupation of the house-sites, over long periods of time, if an examination of the problems including the legal aspects discloses that occupancy rights could be conferred on them without payment of compensation, such a step may be taken, if the sites can be made available only by acquisition on payment of compensation that should be done at the cost of the Government as indicated above; but in either case, the step should not be taken if it inflicts undue hardship on the landowner by making it impossible for him to bring in a new labourer to cultivate the holding to which the house site is an appurtenance. In such cases and in all other cases generally, alternative sites should be provided for them elsewhere by acquisition at Government cost, but the landowners of the original sites may also, if possible, be made to bear a share of the cost. In the case tenants or labourers occupying 'Manacuts' belonging to the landlords, they should not be evicted until alternative arrangements are made for their accommodation and immediate interim legislation may be resorted to for this purpose. It is expected that the arrangements for providing alternative accommodation will be made with the utmost expedition possible".

43. Accordingly in 1961, The Madras Occupants of Kudiyruppu (Protection from Eviction) Act, 1961 (Act 38 of 1961) was enacted as a temporary legislation to be in force for a period of three years, the idea being to have it replaced by an Act to confer permanent rights on occupants of Kudiyruppu. It was felt that this question was linked with the question of conferment of rights on tenants of agricultural lands to which the house sites are appurtenant. Hence legislation to confer on occupants of Kudiyruppu rights of ownership could be undertaken only after, or simultaneously with, the enactment of a comprehensive tenancy law which will lay down the rights of agricultural tenants. It was also felt that a satisfactory and enduring solution on the question of conferring permanent rights of Kudiyruppu can be found only after the law dealing with ceiling on land holdings had been fully implemented and the surplus lands had been taken over, and after the ryotwari settlement of inam estates, minor inams and leaseholds had been completed. As this would take some time, the Government in 1964 by the Amendment Act, 24/64 extended the life of the principal Act by another period of 3 years and for a further period of 3 years, by the Amendment Act, 15/67. In 1971, legislation was passed conferring permanent occupancy rights on occupants of Kudiyruppu, thus assuring right of ownership on the residential premises of the agricultural population as a permanent measure.

44. The Tamil Nadu Occupants of Kudiyruppu (Conferment of Ownership) Act, 1971 was originally brought into force in Thanjavur district from 15th January 1972. Subsequently the Act was extended to the district of Chingleput, North Arcot, South Arcot, Tiruchirappalli, Dharmapuri, Salem (excluding Yercaud Sub-taluk) and Ramanathapuram (excluding Rajapalayam Sub-taluk) with effect from 20th December 1972. The Act was further extended to the districts of Coimbatore, Madurai, Tirunelveli and

Kanyakumari excluding the plantation areas, corporation areas, municipalities and townships with effect from 25th April 1973. The provisions of this Act were not extended to the Nilgiris district which is a plantation area nor to Madras city which is an urban area. Under this Act the Government have waived the recovery from the tenant of the land value of the Kudiyruppu. The stone value and the subdivision fees due from the beneficiaries is waived. The Government will also bear the cost of acquisition of lands for the provision of pathway to the Kudiyruppu and pathways are laid under the development oriented programmes of the State. The Act as it originally stood was not applicable to those villages wherein plantations predominated. In order, however, to make the benefits of the Act available to non-plantation Kudiyrupputars in these plantation villages, the Act was suitably amended in the year 1974 by the Act 17 of 1974 so that non-plantation agriculturists and agricultural labourers in those areas will also be benefited.

45. Under this Act, 1,75,111 pattas have been granted to Kudiyrupputars so far. Out of these 1,02,404 are harijans and 40,373 belong to Backward classes

VII. The Tamil Nadu Cultivating Tenants Arrears of Rent (Relief) Act, 1972 (Act 21 of 1972).

46. A review of the impact of agrarian reforms intended to alleviate the economic condition of cultivating tenants showed, that due to indebtedness there was not much impact on their economy by the welfare measures. The arrear of rent was a constant source which involved the tenant in litigation and militated against his economic development due to distraction.

47. The Government were made aware that cultivating tenants had perforce borrowed or had to add to their debts during the years of drought, and they were not in a position to pay arrears of rent due to their indebtedness and poor economic condition. It was also found that due to default in the payment of arrears of rent, landholders had taken action against the cultivating tenants for eviction and for recovery of arrears of rent. The Government, therefore, decided in the interest of the general public, that cultivating tenants should, at the present moment, be spared the distractions and expenditure involved in such action in order that the maximum possible advantage may accrue to the State in the matter of production of food crops and also as part of agrarian reform to give relief to the cultivating tenants from the burden of discharging arrears of rent, on condition of payment of the current rent due for Fasli 1381 to landlords. This was the background for this enactment. The Act defines the 'cultivating tenants' as defined by Section 2 of the Tenants Protection Act and in Section 2 (5) of the Public Trusts Act and includes a cultivating 'Verumpattandar' also as defined in Section 3 (29) (b) of Malabar Tenancy Act. By Section 3 of the Act all arrears of rent payable by a cultivating tenant to the landlord and outstanding on 30th June 1971 shall be deemed to be discharged whether or not a decree or order has been obtained therefor, if such cultivating tenant:—

1. has before the date of the publication of this Act paid to the landlord or deposited in the Court or before the competent authority to the account of the landlord or

2. pays or deposits in the manner specified within six months from the date of publication of this Act, or

3. he is deemed to have paid or deposited under this Act, the whole of the rent due for the fasli year commencing on the 1st July, 1971 and ending with the 30th June 1972 and pay to the landlord the current rent or deposit in the court or before the competent authority to the account of the landlord.

The cultivating tenant shall be deemed to have paid the current rent for the purposes of this Act as adjudged by the court of the competent authority as prescribed under the Act. Section 5 provides bar from eviction and recovery of arrears of rent thereafter Provision is also made for restoration of tenancy in certain cases where eviction has already been carried out for default of rent.

VIII. The Tamil Nadu Indebted Agriculturists (Temporary) Relief Act 10/75.

48. The Act provides that in the wake of unprecedented drought conditions in the State no suit or application can be filed before the Revenue Court or Rent Court for a period of one year from 16th January 1975, either for recovery of rent from the tenant or for eviction of a tenant for non-payment of rent. The Act limits the scope of relief to debts due for the fasli year ended 30th June 1974 (1383) and prior faslia. The Act, as it stands, has stayed pending proceedings towards non-realisation of arrears of rent, for a period of one year from 16th January 1975.

IX. Tamil Nadu Agricultural Labourers Fair Wages Act, 1969 Act 19 of 1969.

49. This Act provides for payment of fair rates of wages for agricultural labourers in certain areas in East Thanjavur district comprising Mannargudi, Tiruthuraiipoondi, Mayuram, Sirkali, Nannilam and Nagapattinam revenue taluks as specified in Schedule I of the Act in the State of Tamil Nadu and for matters incidental thereto. The above Act came into force on the 5th day of August 1969. This Act provides that every agricultural labourer shall be paid fair wages as fixed by Government from time to time by amending Schedule II of the Act. If any landowner pays less than the fair wages or refuses to pay the fair wages to any agricultural labourer, the agricultural labourer may make an application to the Conciliation Officer for a direction under sub-section (2). The Conciliation Officer has been authorised with all powers as are necessary to effect the payment of the fair wages to the agricultural labourers. An appeal lies to the Revenue Court which shall have no power to stay the operation of the order of the Conciliation Officer pending disposal of the appeal and the orders of the Revenue Court will be final subject to the provisions of Section 9. Under Section 9, the District Court may call for and examine the record of any revenue court in respect of any proceedings to satisfy itself as to the regularity of such proceedings or the correctness, legality or propriety of any decision or order passed thereon. The District Court shall have no power to stay the operations of any decision or order of the Revenue Court pending the exercise of the powers under this Section, and the District Court has no powers to pass any order prejudicial to any party unless he has been given a reasonable opportunity of being heard.

50. No civil court shall entertain any suit or other proceedings to set aside or modify any order or decision passed by any authority or Officer. No injunction shall be granted by any court in respect of any action taken or to be taken by any officer or authority.

51. Recently Government have revised the rates of fair wages to be paid to the agricultural labourers, by appointing a "One Man Commission", and ordered that the rates noted below shall be in force with effect from 22nd July 1974 (G.O. Ms. No. 355. (Revenue) dated 19th February 1975).

I. Regular Wages	.. .. .	Man:	6 Litres of paddy and Rs. 2.75 per day or Rs. 6 per day.
		Women:	5 Litres of paddy and Rs. 1.50 per day or Rs. 4 per day.

II. Harvest Wages		All Labourers:	6 Litres of paddy out of 54 litres harvested.
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Minimum wages for agricultural labourers have also been fixed (under the minimum wages Act 1948) in G.O. Ms.No.164 (Labour and employment) dated 2nd March 1976 as noted below on the recommendation of the committee headed by Thiru S.P. Srinivasan, I.A.S.

Nature of farm work.	Wages per head per day.	
	Adults.	Non adults.
(1) (a) For ploughing with own ploughs and bulls	9-00	.. ..
(b) For ploughing with ploughs and bulls supplied by the landholder	5-00	.. ..
(2) (a) For sowing and plucking	5-00	3-00
(b) Harvesting and reaping		
(c) Trimming bunds and plucking nuts from coconut trees.		
(d) Dairy farming		
(e) Transport of produce		
(f) Bee Keeping	3-50	2-10
(g) Poultry farming		
(3) Transplanting and weeding	3-50	2-10
(4) Tending Cattle	3-50	2-10
(6) Other operations (a) Skilled	5-00	.. ..
(b) Unskilled	3-50	.. ..

Government has also accepted the views of the "One Man Commission" headed by the Member, Board of Revenue, Madras, that as the conditions of West Thanjavur are not exactly similar with those in East Thanjavur, the Act need not be extended to West Thanjavur.

X. The Tamil Nadu Agricultural Lands (Record of Tenancy Rights) Act, 1969—Act 10 of 1969.

52. The Tamil Nadu Agricultural Lands Record of Tenancy Rights Act, 1969 (Act 10 of 1969) was published in the Tamil Nadu Extraordinary Gazette on Thursday, the 17th July 1969.

53. The object of the Act is to provide for the preparation and maintenance of the Record of Tenancy Rights in respect of Agricultural Lands in the State of Tamil Nadu. On 19th December, 1969, Thanjavur, Tiruchirappalli and Madurai districts were notified as operation areas and the other districts, except Madras, have since been brought under its purview.

54. To implement the provision of the Act, Government appointed Special Tahsildars as Record Officers and Special Deputy Collectors or Revenue Divisional Officers as Appellate Authorities under sub-section (7) of section 2 of the above Act. The Special Tahsildars who were working as Record Officers have completed enquiries and prepared draft records in respect of most of the villages and published them in the District Gazette.

55. The need for the Act arose out of the fact that the implementation of tenancy laws was very much retarded for want of an authentic record of tenancy rights. The condition stipulated in the Tenants Protection Act for landowners to tender lease deeds to tenants annually was observed more in the breach than in its observance. The tenants were, therefore, at the mercy of the landowners in acknowledging their tenancy right. Receipts were scarcely given for waram delivered by the tenants. The landowners took action to forcibly evict tenants taking advantage of the absence of a record of tenancy. Protection was therefore needed to the tenants. Except in very few cases, the leases were mostly oral and as hitherto there was no record to prove the tenancy, the tenants found it difficult to establish their rights by recorded evidence and claim the protection given to them under the various tenancy laws. Now all such cases of tenancy will find place in the approved record and thereby the tenants concerned will be ensured of the benefits of tenancy legislation. So far 3,99,350 tenants holding an extent of 6,03,893 acres have been registered under the provision of the Tamil Nadu Agricultural Lands (Record of Tenancy Rights) Act, 10/69.

XI. The Tamil Nadu Urban Land (Ceiling and Regulation) Act, 1976 Act 34 of 1976.

56. The history of land reforms in Tamil Nadu will not be complete without mentioning the Presidential enactment fixing ceiling on vacant urban land in select urban agglomerations in Tamil Nadu with effect from 3rd August 1976. This enactment, which by and large has followed the model central enactment, fixes ceiling limits for vacant urban land holdings in different urban agglomerations and also prohibits, for a period of 10 years, transactions in urban or urbanisable land with buildings or agricultural lands which do not fall within the purview of the ceiling. Surplus vacant land, which is in excess of the ceiling limit will be taken over by Government on payment of compensation at a flat rate.

Any sale of vacant land held within the ceiling limit, or built up land or even agricultural land situated within the urban agglomeration can be made only after notice to the competent authority who has the right of pre-emption (i.e.) first right to purchase such land for the Government at market rate in case he decides that the land is required for a Government purpose.

Urban agglomerations have been categorised as A to D following the central guide lines. While Madras falls under Category A, Coimbatore, Madurai and Tiruchirappalli fall under Category B whereas Tirunelveli falls under Category D. Any urban area with a population of one lakh and above is liable to be brought under the purview of the Legislation fixing urban land ceiling according to the Central guide lines.

The Assistant Commissioners of Urban Land Tax having Jurisdiction have been declared as competent authorities for implementation of the urban land ceiling law in their respective jurisdiction. In respect of Tirunelveli, where urban land tax is not in force, the Revenue Divisional Officer is nominated as the competent authority.

**XII. Tamil Nadu Cultivating Tenants (Right to purchase Land owner's right) Bill, 1973—
L.A. Bill No. 10/1973.**

57. As a further measure of agrarian reform, Government considered it necessary to confer on the cultivating tenants the right to purchase from their landowners the lands cultivated by them and brought forth a bill for the purpose.

The Bill was intended to enable a cultivating tenant to purchase the right, title and interest of the landowners in respect of the land comprised in his holding as cultivating tenant subject to the condition that the total of the extent of land held by him as owner and as cultivating tenant shall not exceed five standard acres. It was provided therein that the purchase price payable by a cultivating tenant for the purchase of the right, title and interest of the landowner would be:—

(a) in case the price can be fixed by agreement, the price paid in accordance with such agreement;

(b) where no such agreement can be reached, the aggregate of 12 times the fair rent in respect of the holding or part thereof to which the purchase relates plus one-half of the value of the structures, wells and pump-sets belonging to the landowner.

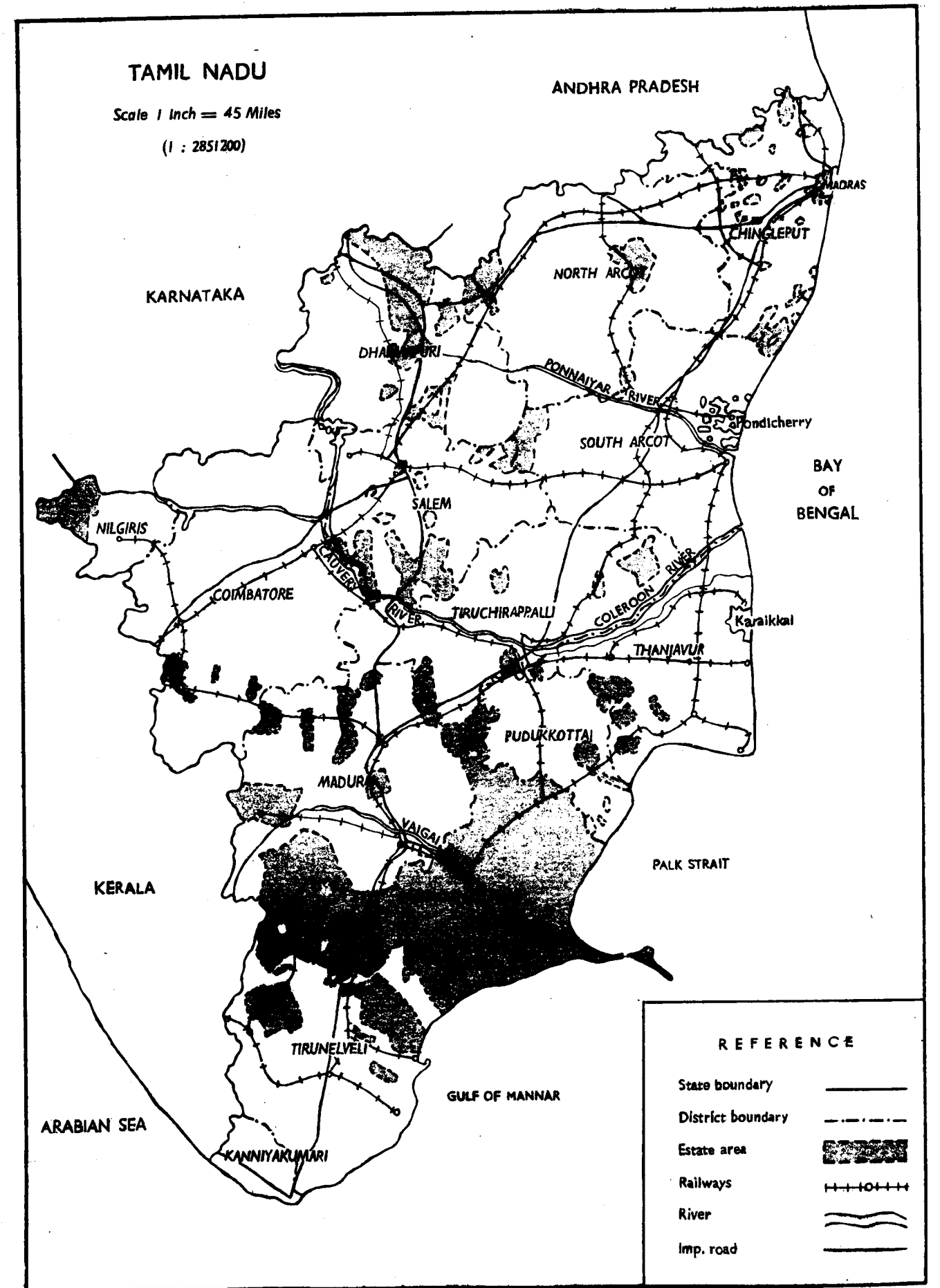
As it may not be possible for the cultivating tenant to pay the entire purchase price in one lumpsum, provision was made for payment of the purchase price by the cultivating tenant in 12 equal annual instalments if the purchase price was Rs. 500 and above. Option was also to be given to the cultivating tenant to pay the entire purchase price in one lumpsum in which case he need pay only 75 percent of the purchase price.

In order to see that at the same time no hardship was caused to the small landowners, provision was made that any landowner, who is not liable to pay tax under the Tamil Nadu Agricultural Income-tax Act, 1955 or under the Indian Income Tax Act, 1961 (Central Act 43 of 1961), may resume, from his cultivating tenant for personal cultivation a portion of the holding not exceeding one-half of the extent of land let out by the landowner to the cultivating tenant subject to the condition that the total of the extent of land held by him as owner and as cultivating tenant should not exceed five standard acres. The landowner can however exercise this right of resumption only once.

This bill invited lot of criticism both from the landholders and the tenants. The trustees of Religions institutions owning lands felt that this measure will hit hard the resources of those institutions. With a view to study the implications of this measure in depth and to take the views of all the sections that will be affected thereby, the bill was remitted to a select committee and it abated on the dissolution of the legislative assembly early in the year 1976.

PART V

HISTORY OF DISTRICTS.



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MADRAS DISTRICT.

Introduction.

1. The history of Madras District is that of Madras city itself as the District limit has always been coterminous with that of the city.

2. However, the origin of the name 'Madras' applied to this capital city is shrouded in obscurity as the many theories of its origin are vague and almost elusive. One theory is that the name is derived from the Christian fisherman MADARESAN who persuaded Francis Day to call the European settlement in Madras after his own name. There is another school of thought which believes that the name has been derived from the term 'MADRASA', the oldest Mohammadan College, at a place near St. Mary's Church started prior to 1640. Thiru C. S. Srinivasachari indicates the probability that it had its origin from the name Maktraskuppam—the name had been differently spelt in old correspondences as Madras Patnam, Madra Patnam and Madraza Patnam.

Growth of the City.

3. What is significant is that, as the name of the city grew shorter as days passed by and came to be known as Madras, the city itself had outgrown the confines of the Madras surf, the Fort Saint George, and the Cathedral Church, consuming the smaller villages around the Fort Saint George like Muthialpettai, Pagudalampettah, Arkoopam and Melepet on the west. Possibly these minor residential localities formed an integral part of the Black town with the Wall Tax Road at one side and Tondiarpet at the other.

4. Thus, from the time the British got a foothold in this territory comprised in Chingleput Jaghir, what was then just a collection of villages came to be identified as the White town and the Black town and grew in a matter of another century into a contiguous locality of a few thousand people which now goes by the name George Town.

5. The saga of the suburbs of the city can be traced to the Year 1772 when the Fort Saint George became short of accommodation for all those who had to be "in and around" in the Company's services. "Veerasamoor", Pudupakkam, Nungambakkam, Vepery and Santhome claim to be ranked in the first batch of such suburbs followed by Triplicane. The Madras Corporation which was constituted under Charter of King George in 1727, was charged with Public house building work to enlarge the city.

(The municipal office which initially functioned in Armenian street was shifted to Ripon buildings at the start of the 20th century).

6. In the two centuries that followed, this omnipotent name Madras covered or absorbed in itself 16 neighbouring villages (viz) Chetpet, Chindadripet, Komaleswarampet, Egmore (the name Egmore itself was derived from Ezhumoor comprising of 7 hamlets and differently known as Elambore, Ezhumbur, Ezhambur, Elambour, Yeagumore and Egoomooroo) Muthialpet, Nedumbarai, Nungambakkam, Peddanaickenpet, Perambur, Purasawakkam, Santhome, Tondiarpet, Triplicane, Vepery, Vyasarpady and Yerungunram. The planned extension of the city in the year 1927 brought within its ambit Adayar and Thyagarayanagar when the city's perimeter extended to about 24 sq. miles. About 32 villages from Saidapet taluk of Chingleput district extending to about 26 sq. miles were transferred to the city later as per G.O. No. 1291, dated 28th May 1947 with effect from 1st July 1947, and this transferred area comprised ayan villages, zamins, inam estates, leaseholds and minor inams and was popularly known as the Madras Extended area.

7. But the term Madras as now understood transcends this narrow geographical limit of about 50 sq. miles or 120 sq. Kms. comprised in the Madras Corporation limits, but denotes the greater Madras extending up to Chingleput in the south, Ennore in the North and Tiruvallur in the west brought within the ambit of the Madras Metropolitan authority to ensure methodical and speedy development. This greater Madras encompasses not only the city, but also the whole of Saidapet and portions of Sriperumbudur.

Chingleput, Ponneri and Tiruvallur taluks, absorbing in itself the municipal towns of Tiruvotaiyur, Alandur, Tambaram and Rajavaram and other townships and villages lying in between and extending to 1166 sq. Kms. and containing a population of 34.75 lakhs.

Problems of Growth.

8. The phenomenal growth of the city has brought with it a number of problems. The expanding needs of water for domestic and industrial purposes are met by tapping various sources from time to time, the last being the attempt to bring Cauvery water to the City from the Vecranam lake and the revival of the Gulhati Commission award to bring Krishna waters with the consent of the riparian States concerned. This in turn poses the problem of drainage which has also become tremendous in recent years with the Cooum, the Adayar and the Buckingham canal turning into virtual gutters with the sewage overflowing into them. The air pollution created by the smoke of factories and the automobiles is, however, cleared quickly by the sea breeze.

9. The encroachments that defy planned growth are however the challenge to town-planners. Madras is not an exception to the twin evils of industrial growth (i.e.) encroachments and slums. While planned development is ensured by the Housing Board and the Metropolitan Authority, the problem of slums is tackled by the Slum Clearance Board. But a formidable challenge is the encroachments choking thoroughfares and byelanes. The Madras Corporation is tackling it in a small measure so far as the lands vesting in the Corporation are concerned. But measures to solve the major problem relating to encroachments on Government land are yet to be taken up on hand. The problem of encroachments in the city is as old as the British colonisation of Madras. A survey of the Esplanade conducted by the Chief Engineer Mr. Patrick Ross in the year 1772 showed some encroachments in the limits determined by him and demarcated by boundary stones, each a masonry obelisk with a black tablet and embossed "Boundary of the Esplanade 1733". Four of these boundary stones can still be seen in Parry's Corner, Kondichetti Street, Stringer's street and Adrian street. Perhaps, the problem of encroachments got aggravated as pressure on land within the city increased.

Communication.

10. Madras is the hub of industrial activity in the south, mainly due to the infrastructure created over the years. The Britishers who were top-nautch sea-farers established the Madras Port as soon as they set foot in the year 1639. Their primitive harbour consisted of only warehouses to which the cargo was carried on Masulu boats from ships anchored about half a kilo metre offshore. The boats, small lighters of one to ten tonnes capacity each, were manouvred by a small community of fishermen specially trained to negotiate the hazardous and turbulent surf. It was not until 1861 that a crude type of artificial harbour on iron screw pile piers was put up, to be expanded in 1881 on the plans drawn by Mr. William Parks. Ever since 1868, the Madras Harbour has made tremendous strides towards development under a Board of Trustees. It was further expanded from time to time during the years 1905, 1928 and 1942 to cope with the increased volume of seaborne traffic. Rapid strides towards planned development were taken under the subsequent Five-Year Plans till the outer harbour, known as the Bharathi Dock, came into existence in the year 1972 to handle oil and ore in bulk. Madras now prides as the deepest port in the country to-day and serves a vast hinterland covering the southern States. Of all the assets of Madras, the artificial harbour thus developed can claim real title to the speedy growth and development of the city. Added to this, the two streams that flowed from the west (viz.) the Triplicane river and the Elumoor river otherwise known as the Adayar and the Cooum gave in their mouths the natural advantage for loading and unloading the cargo of British merchandise. Mylapore is referred to by Ptolemy in 140 A.D. as a centre of trade; probably the mouth of Adayar then afforded navigation for foreign ships. The Fort Saint George built nearby to this point in 1639 formed the earliest English settlement in India (i.e.) much earlier than Calcutta or Bombay.

11. The Buckingham canal running along the sea coast from Pulicat Lake to Kadapakkam Back waters contributes not in a small measure to the movement of low freight goods such as salt, charcoal, firewood, straw, etc.

12. Simultaneous planning for roads and their development has enabled quick movement of traffic through the City, notwithstanding its overwhelming growth through the years. We should be grateful to the City planners of yore who have handed to us such beautiful roads as the Mount Road (or Anna Salai) and Poonamallee High Road though they were initially designed for quick movement of the troops stationed at St. Thomas Mount and Avadi.

13. However, the planned development of the Railways in the Metre and the Broad Gauges commencing from the middle of the last century and spreading in three directions and the introduction of electric traction over a section, have been the real factors behind the alround development of the Madras Metropolis and on it has depended the establishment of a number of factories, heavy, medium and small, for handling the raw materials needed by them and in despatching the finished goods to various destinations. This alround development created a centrifugal force attracting labour as well as entrepreneurs from all over the country and incidentally helped the growth of the tertiary sector and the trade.

14. The growth of air traffic has kept pace with the alround development of the city and its environs and Madras can now boast of an airport of international standards at Meenambakkam with the capacity to receive and handle the latest jumbo jets. The rocket launching station located at Sriharikottah island situated in the Pulicat lake just north of the Metropolis has heralded the advent of space age to this historic city.

Land Marks of the City.

15. The huge building complex within the Fort, the High Court built in 1889, the University of Madras founded in 1857, the antiquated Chempauk Palace built in 1767, by the Nawab of Walajah, the Rippon Building housing the Corporation of Madras, the Madras Collectorate and the Government House and the Museum buildings are a few of the public edifices that glorify the city. The multi-storied building of the L.I.C. and many other mammoth buildings owned by Public Limited Companies evidence the phenomenal growth of commercial activity as centres of business magnates. The increased tempo of business activity in the Capital city has changed its face radically from that of the garden city of olden times. Northern Madras has become an industrial area extending up to Ennore, but actually the industrial belt extends to the greater Madras up to 20 miles in the north and 40 miles in the south due to facilities offered by the harbour and railways and the connecting roadways. It is very rarely in the annals of cities that we can come across a beautiful marine of a considerable length as we have in the Marina which is only second to Riodegenero.

Art and Culture.

16. Madras is a pioneer in the field of higher education also, dating back to 1841, when the High School of Madras University was started and blossomed into a full fledged University in 1857, thus claiming to be one of the three earliest Universities of this country.

17. Similarly, the General Hospital which is the pride of Madras to-day, had an humble beginning in the barracks at Peddunaickenpet in 1664 and moved later to a more spacious building in Armenian street and was shifted to several other places before it came to be located at its present site in the year 1753. It was then known as the Hog Hill on which stood the Company's Garden House. Col. Call the Chief Engineer is credited with selecting this site. The other major hospitals in the city came to be started and developed in due course with the expansion of medical education.

18. Madras is not only a city of learning, but also a centre of Art, Culture and high literary activity. People from all over the world find a happy home in this intellectual capital.

19. Madras may rightly pride itself as the ATHENS of India in Modern times. As Athens radiated the culture of Greece to the whole of Europe and far away places, Tamil Nadu with its capital at Madras has also been the beaconlight for a distinct culture and civilisation, spreading lustre throughout the whole of South and South East Asia.

20. Madras has served as the nursery of Art and Culture. Its phenomenal growth and concentration of wealth attracted artists causing their exodus from such regions as the Cauvery delta and the Krishna delta which were the traditional repositories of Art and Culture. Its character is cosmopolitan with a congregation of population drawn from all parts of India and abroad with a synthesis of cultures on one hand and the preservation of their distinctiveness as individual groups on the other. So also it has been a hot pot for synthesising religions. Governments have changed during the centuries, but the changes have not smothered the development of Art or religion; on the other hand the successive Governments have nurtured it. The temples dedicated to Sri Parthasarathi and Sri Kapaleeswarar steeped in antiquity stand out as land marks of Hinduism. Buddhism flourished in Mylapore and there was a Jain temple dedicated to Neminatha. The city abounds in ancient Mosques and Churches also. It should be given to the credit of the East India Company's Governor Elihu Yale who prevented the onslaught of Tipu into Madras and saved it from his depredations.

Elihu Yale.

21. A note on Elihu Yale, one of the earliest Governors of Madras will be appropriate at this place. He was one of the foremost Governors of Madras whose short period of office from 1687 to 1692 was the most eventful in the empire building epoch of the British. He ranked among such robust empire builders as Robert Clive and Warren Hastings and was no exception to the dishonour, trial, misery and embitterment that usually meet administrators with meteoric rise. His association with the East India Company in subordinate positions for 15 years earlier stood him in good stead in this challenge.

22. It was given to him to save Madras by tact and diplomacy from the Moghuls in the days of Aurangzeb when their troops had advanced up to Poonamallee. He also successfully challenged the Maharattas who invaded the Carnatic and the French who stormed Madras in a naval assault. The following can be described as the land marks of his administration:—

- (1) the creation of the office of Mayor of Madras,
- (2) the erection of a new Supreme Court,
- (3) the evacuation of the northern coast factory in consequence of war with the Moghuls,
- (4) the extinction of the dynasty of Golkonda,
- (5) the purchase of territory for the British at Cuddalore,
- (6) the acquisition of Fort Saint David; and
- (7) the resettlement of the Portuguese at Santhome.

But the administrative records describe him as "a bold enterprising diplomat, administrator, much interested in social welfare but somewhat careless in the Company's Commercial affairs and autocratic". His urge for collection was so great that during the short period of his office he amassed a large fortune which was declared illegal and confiscated. He was, however, left with some assets which he donated to the Collegiate School of Connecticut established at New Haven which was later rechristened after him as 'Yale University'. His diary and consultations of 1692 preserved in the Madras Archives was gifted as a token of memory for that veteran statesman to Yale University, when it celebrated his 250th death anniversary in 1971.

Political History.

23. The political history of Madras is interwoven with that of Chingleput district, formerly known as the "Jaghir". It has been under the control of the Pandyas, Pallavas and the Cholas in the ancient times. The Vijayanagar dynasty which later held sway over the jaghir of Chingleput was overthrown by a coalition of Muhammadan Nawabs of the Deccan at the battle of TALIKOTA near Raichur in 1565. After this the district passed into the hands of one of the deputies of the fallen Kingdom, who continued to owe allegiance to the fugitive king of the dynasty who took refuge in Chandragiri in Chittoor district of Andhra Pradesh. From Srirangaraya III,

a later deputy of Chandragiri, the English received in 1639, the grant of the site in which Fort Saint George now stands and concentrated on the expansion of trade. In the meanwhile, the whole of South-East India was conquered by the Sultans of Golconda. The Nayaks, who were the deputies of the Golconda King in Chingleput remained their vassals and their dealings at Madras fill the pages of the early history of the Fort Saint George.

24. There was an earlier Portuguese Settlement at Madras. The Portuguese who were the earliest settlers colonised around Saint Thomas Mount, a hillock which they named after the apostle who is believed to have come to India in early days on religious mission, built an oratory on the hill and attained martyrdom. In reprisal, the Portuguese desecrated several shrines around Madras and it was the ruler of Vijayanagar that rushed his troops and prevented their march to Mylapore in 1558. He also ensured that there was no more infiltration of Portuguese troops through Goa. It later changed hands from the Portuguese to the Moghuls and then to the English during the days of Lord Clive. Duplex annexed it for the French who held a temporary sway over it. The struggle for supremacy in the Deccan between the English and the French resulted in a number of conflicts till finally Madras became an English possession, thus marking the turning point both in the history of Madras and that of the British in India. The officials of the British East India Company, who came here as traders, used Madras as a resourceful spring board for the conquest of Bengal which symbolised the conquest of the whole of India.

25. The Dutch who were the earliest settlers at Pulicat, north of Madras, lost ground when they relinquished it to the British.

Land Revenue Administration.

26. In his "vestiges of Madras" HENRY DAVIDSON LOVE, states that when the British first took up the administration of their small settlement of Madras in 1639 they were faced with the problem of collection of the nominal amounts payable by the then residents of the place, which came to be known as quit rent, implying 'small reserved rent' as an acknowledgment of the company's over-lordship of the soil. According to Love, "the quit rent in the 'White Town or Fort' has been properly a quit rent or Reserved Rent collected without variation from time immemorial on certain ground plots though it is not known by what reservation". He, however, found that such a payment in token of acknowledgment was not paid by all the persons who held ground within the town.

27. There is reference to the then prevailing condition in this area in the "Note on Permanent Settlement" by Rao Bahadur Thiru Gnanasundaram Mudaliar:—

"The Home Farms situated in the immediate vicinity of the Presidency formerly composed of part of the Jaghir (Chgt). The revenue consisted of the commuted share of the produce called quit rent on spots of ground in the White and Black towns, and on gardens. The rights of the Government on these lands had long been neglected. The unauthorised alienations of a territorial nature were found to be innumerable and those who held no documents from Government were required to take out a grant before they could be considered lawful proprietors of the land".

28. At this stage a question arose whether the East India Company could levy quit rent without the authority of an Act of Parliament on the plots which had not already been assessed. In their decision, dated 18th February 1784, the Supreme Government held that they had no such authority to collect any quit rent on lands not already paying it under conditions of the existing grants nor to impose a tax, however moderate, on ground or house under the name of quit rent, and to levy rates, however qualified in fact by assuming legislative powers; and the Company had no such powers at Madras either as Proprietor of the soil or under any of their charters.

Free hold lands.

29. In respect of the sites already covered by the land tax or quit rent payment, the Government in G.O. No. 1053, Revenue, dated 5th August 1859 permitted the

redemption of the land tax in India and the creation by that means of absolute freeholds. So far as the city is concerned it was observed in that order as follows:—

“ But the Governor in Council is further of opinion that in the Collectorate of Madras the rules may have a larger application. In this district the land revenue is very limited ; the total revenue in it amounts to Rs. 15 lakhs, independently of sea customs, but the land revenue excluding what is called ground rent, is no more than Rs. 68,000. This small amount is paid by nearly 30,000 persons ; and the land is occupied partly by buildings and partly by gardens and rice fields. Considering the circumstances of this Collectorate, the large proportion of the land occupied with buildings, the insignificant amount of the land revenue, and the special importance of valid titles in such a locality, the Governor in Council resolves to make this order applicable to the whole of the tax paying private land within the collectorate of Madras. The case of the Government land occupied on a monthly ground rent will be considered separately after further enquiry ”.

30. Thus, Madras district is not an exception to the existence of freehold lands. In fact, Madras district can be said to be the point of origin of this tenure, since this was the headquarters of the Britishers from the beginning and conditions of life in and around Madras usually influenced their policy. Such freehold lands came into existence as early as 1859 when by G.O. 1053, Revenue, dated 5th August 1859, the Government permitted the grant of freeholds also besides the commutation of the existing land tax on occupied lands on payment of 20 times the annual quit rent or tax. The intention behind this order was to grant an absolute freehold right in the lands used, or which might be used, for building purposes without any reservation of quit rent and with an absolute freehold title. Rules were accordingly framed in 1861 to regulate them.

31. An extent of C-209-GR-17-Sq.ft. 2012 of freeholds exists in the Central Taluk, the North East Taluk and the South East Taluk of this district and Urban Land Tax is leviable on these lands also. Such liability for levy of Urban Land Tax on freeholds in Madras has been upheld by the Madras High Court in W.P. 3585-3586/1969.

32. In order to obviate the difficulties arising in dealing with unassessed lands and to streamline the Land Revenue system, the Government enacted the Madras City Land Revenue Act 1851—Act XII of 1851—Which applied to two categories of lands (i.e.):

- (i) lands already assessed and charged with the rent payable to Government; and
- (ii) Lands assessable.

It also provided for the measurement of the former with reference to their actual dimensions and for the imposition of assessments on the latter at the rates customarily charged upon lands of a similar description in the neighbourhood. The Act also empowered the Collector to determine the rate of assessment to be levied on assessable land. The customary rates referred to here are the quit rents which had been in vogue from very early days.

33. The earliest order of the Government specifying the several rates leviable was G.O. No. 1513, Revenue, dated 19th July 1879 which, inter alia, mentioned the customary rates of permanent rent in the Madras district. G.O. No. 486, Revenue, dated 19th February 1908 issued later laid down the rules for regulating the issue of permanent rent and ground rent certificates and incorporated therein the prevailing rates. They are:—

A. *Within the Town Walls.*—(1) In the Beach and Bank shall Rs. 1-12-0 per annum per ground.

(2) In Kondithope, Cawni rate on the scale in force without the town walls—*vide B infra.*

(3) In all other parts of the town 12½ annas per Rs. 350 worth of property.

B. *Without the Town Walls.*—1. Building sites not exceeding a Cawni in extent, Re. 1 per annum for the first ground (or fraction thereof) and annas 2 per annum for every additional quarter ground (or portion thereof).

(2) Building sites exceeding a cawni in extent—cawni rate as shown under (3) below:—

(3) Cultivated land and garden land, cawni rate in accordance with the quality of the land on the following scale:—

	Per cawni.
	RS. A. P.
First Class—	10- 8-0
Second Class—	8-12-0
Third Class—	7- 0-0
Fourth Class—	5- 4-0
Fifth Class—	3- 8-0
Sixth Class—	2-10-0
Seventh Class—	1-12-0
Eighth Class—	0-14-0
Ninth Class—	0- 7-0

34. In addition to this there is the levy of revisable ground rent on lands assigned in the Madras City under B.S.O. 21, para 11 (i.e.) ground rent at varying rates levied on such lands which are the property of the Government and are assigned or sold for non-agricultural purposes. The ground rent rules contemplate two distinct types of levy (viz) (1) the value of occupancy right which is collected in a lumpsum when Government lands are first sold in auction or assigned for non-agricultural purposes and (2) the recurring annual assessment (viz) the ground rent proper which is revisable in 10 year intervals. These 2 types of levy together make up the freehold value of the land. Under the rules framed in G.O. 486, Revenue, dated 19th February 1908 it is further noticed that, apart from the levy of the quit rent under Act XII of 1851 and the ground rent as described above, in respect of the three shrotrium villages of Chindadripet, Tiruvatteeswaranpet and Alwarpetta which formed part of the city even prior to the E.L. Act 1908, the permanent rent payable to Government was that entered in the Cowle granted by the Government to the shrotrium holders in the year 1806 who collected the rent at customary rates and paid the cowle amount to the Government. The Urban Land Tax Act, 1966 as amended from time to time has replaced the basis of assessment in all these cases as one to be levied on market value.

35. As regards occupied lands in the villages transferred from Saidapet taluk to this district from time to time, they continued to be subjected to the assessments imposed at the settlements or resettlements of Chingleput district effected from time to time adopting taram rates. The rates contained in those notifications have been followed in settling the estates transferred to this district, as also those estates lying partly in this district and partly in Chingleput district.

Implementation of Act XXVI of 1948, 27/63 and 30/63.

36. Under the Famil Nadu Estates (Abolition and Conversion into Ryotwari) Act—Act XXVI of 1948, 5 zamin estates and 2 inam estates covering an area of 6.89 sq. miles were notified in G.O. Ms. No. 3157, Revenue, dated 9th December 1950 and G.O. No. 2302, Revenue, dated 1st September 1951, respectively, for being taken over and they were so taken over on the notified dates viz., 3rd January and 1st October 1951, respectively, except the Zamin Mambalam estate which was covered by stay orders of High Court and was taken over later on the vacation of the stay by the High Court on 1st May 1958. These estates formed part of the tract of Saidapet taluk of Chingleput district comprising of 32 revenue villages which were transferred on 1st July 1947 to Madras district in G.O. Ms. No. 1291, Revenue, dated 28th May 1947 and they came to be known as the MADRAS EXTENDED AREA. These estates were settled in faslis 1370 and 1371.

37. Besides the above 7 estate villages, the transferred tract included one leasehold village by name IKKATTUTHANGAL (0.28 sq. mile). It was also settled in fasli 1379 under Act 27/63.

38. There were no iruwaram inam estates or part Inam estates in the city liable to be notified and taken over under Act 26/63.

39. Under Act 30/63, 28 minor inams covering an area of 1.12 sq. miles vested with the State on and from the appointed date of 15th February 1965. Ryotwari settlement was introduced in these minor inams in fasli 1380. They included the three shrotrium villages of Chintadripettah, Tiruvatteswaranpettah and Alwarpettah covered by cowles granted by the British Government in the year 1906 and were excluded from the operation of the Madras Estates Land Act 1908 as they formed part of the city to which the Act did not extend.

Settlement—

40. The Zamin estates of Alandur, Adayar and Thirumangalam and the Inam estate of Ayyanavaram lay partly in Madras city limits and partly in Chingleput district, while the other Zamin and inam estates lay exclusively in the Madras district. The applicability of the Estates Abolition Act to these estates has been placed beyond doubt under Section 62 of the Act. However, the notification relating to Mambalam Zamin estate was challenged in the High Court in C.M.P. 383/51, filed by the landholder against the State. While dismissing the said Writ Petition by the decision, dated 4th May 1954, Justice Rajagopala Iyengar observed:

"I am not aware of any principle of law or of construction under which by some extension of the City limits, laws which previously applied to the areas outside the city must be deemed repealed in their application to them by reason of their being brought within the City. In this connection it is only necessary to refer to the fact that the limits of the City could be altered from time to time by the local legislature by notification under the Madras Districts Limits Act and that could not normally effect any change in the law applicable to the areas which might pass from the limits of one district to another. It was just for this reason that the Madras Legislature enacted the Madras High Courts Jurisdictional Limit Act (Act, IV of 1927 and Act XII of 1947) to extend the jurisdiction of the High Court to the new areas brought within the City limits in the two stages mentioned. It is therefore clear that even if section 62 of the (Abolition Act) were not there, the provisions enacted by it would be the law...."

"If Section 62 of the Abolition Act has merely enacted what was the law even apart from it, the next question for consideration is whether the notification under Section 1(4) of Madras Act XXVI of 1948 can be held to be invalid merely because a considerable portion of the zamin consists of building land. The total extent of Mambalam zamin is in the region of 956.70 acres, while the area included within the Town Planning scheme is only 487 acres, so that a considerable extent of the lands in the zamin are not subject to the provisions of any scheme framed under the Town Planning Act. The argument of the learned counsel for the petitioner is that the prime purpose of Act XXVI of 1948, was as the preamble states, 'to provide for the acquisition of the rights of the landholders in permanently settled and other estates in the province of Madras and the introduction of ryotwari settlement in such estates. To effectuate this purpose on the issue of a notification under Section 1(4) the entire estate including all communal lands and porambores, other non-ryoti lands, waste lands, pasture lands, lanka lands, forest, mines and minerals, quarries, rivers and streams, tanks and irrigation works, fisheries and ferries shall stand transferred to the Government and vest in them free of all encumbrances, under the provisions of Section 3(b). After thus vesting the estate in themselves the Government grant ryotwari pattas to ryots, who immediately before the notified date were in possession of holdings and to the landlord in respect of his private lands under Sections 11 and 12. A similar provision is enacted in regard to the grant of ryotwari pattas in the case of Inam Estates and under tenures under Sections 13 and 14. On the basis of this, it is argued that as the main purpose of the enactment, is the conversion of zamin tenures into ryotwari, such a purpose would be wholly alien to the acquisition of building sites in estates, particularly in cases where most of the lands, which are vested in the Government comprise lands not ordinarily capable of cultivation, but consist merely of lands fit for building purposes."

"I do not consider that this contention is well-founded. In the first place, it cannot be denied that Mambalam zamin is an estate which could be taken over, since it is a zamindari estate. Though it might very well be that most of the estates taken over consist of land used for agriculture, such use is not essential for the purpose of enabling the Government to take over an estate. The terms in which all waste lands, cannot be cut down by a mere reference to the preamble. Further in the Act as including it is stated in the counter-affidavit of Government that even in the portion covered by the present case, Scheme, there are some items of lands, which are even now under cultivation. As I have stated earlier one half at least of the property is outside the building scheme, and therefore would be ordinary cultivable land in an estate, not appropriated for the purposes of building sites. Therefore, if the contention urged by the petitioner is correct on the law, there are no facts on which such a legal argument could be rested."

41. The re-settlement notification prevailing in Saidapet taluk of Chingleput district at the time of the expansion of the city was one issued in G.O. No. 2836, Revenue, dated 15th October 1909 following the principles approved in G.O. No. 2240, Revenue, dated 14th August 1909. The same resettlement rates were prevailing in the 23 settled ryotwari villages of Saidapet taluk included in Madras city as already pointed out above. It was decided that this re-settlement notification which was prevailing in the transferred villages may be treated as the re-settlement notification in force in Madras district on the date of passing of the Act, 1948 for purposes of effecting the ryotwari settlement of

the ex-estate villages under Section 22 of the Act. This proposal of the Board was approved by the Government in G.O. Ms. No. 4161, Revenue, dated 17th November 1958. A settlement notification was accordingly issued in G.O. No. 1766, Revenue, dated 5th April 1960 for adopting in respect of agricultural lands in the city the rates of assessment and principles embodied in the resettlement notification aforesaid with modifications wherever found necessary in actual implementation. In respect of lands used for non-agricultural purposes, the non-revisable manai rates in force in the city as approved in the Madras city ground rent rules issued in G.O. No. 486, Revenue, dated 19th February 1908 were to apply as also the city ground rent rules for the lands at the disposal of Government if they were ever to be assigned in future. There was also a residual provision to charge manai rates instead of taram assessment if, in future the agricultural lands are put to non-agricultural use.

42. Identical settlement notifications were issued for setting the leasehold village under Act 27/63 in G.O. No. 407, Revenue, dated 21st February 1968 and the minor inams under Act 30/63 in G.O. No. 568, Revenue, dated 11th March 1969. They were settled in faslis 1379 and 1380 respectively.

43. The Perambulation report for the city was prepared by Thiru E.C. Philips, Assistant Settlement Officer, Tiruvallur, as part of his report for Chingleput district. This report was scrutinised by Thiru K. S. Sivasubramanyan, I.A.S., as Director of Settlements, Madras and Thiru S. Venkateswaran, I.C.S. as Settlement Commissioner. The survey of the area was conducted by the No. V. Survey Party, Pattukottai.

44. The introduction report for Sriperumbudur and Saidapet taluks including the three estates first mentioned was prepared by Thiru A. Sathiah, Special Assistant Settlement Officer, Chingleput. It was reviewed by Thiru K. V. Ramanathan, I.A.S. as Director of Settlements and Thiru N. S. Mani, I.C.S. as Settlement Commissioner. The Government recorded this introduction report in G.O. No. 3112, Revenue, dated 24th October 1963.

45. Salient features of settlement—

1. Unoccupied lands other than poorambokes or wastes at the disposal of the Government were registered as Government building sites to be subjected to reviseable ground rent under the Madras City Ground Rent Rules when assigned.

2. Other occupied lands which were mostly building sites and not used for agricultural purposes were subjected to permanent non-revisable manai rates on the scales prescribed for building sites in Rule 25-B of the rules appended to G.O. No. 486, Revenue, dated 19th February 1908.

3. In respect of the portion of Ayanavaram Inam estate lying outside Madras city, the usual ground rent was imposed on all occupied lands used for non-agricultural purposes and all sites, buildings and appurtenances thereto whether they were built upon or not.

4. In respect of agricultural lands soils were classified into 3 series, regar, red ferruginous or arenaceous as the case may be and again divided into 3 classes each. For the classes under the first two series the 5 sorts system was adopted, while for the classes under the arenaceous series 3 sorts were adopted.

5. All the villages were placed in Dry Group 1.

6. No land was registered as wet. Such of these lands noted as wet in the revenue accounts, but had no irrigation source to support were transferred to dry or manavari.

7. Where lands were irrigated by forming Achukattus but these achukattus intercepted water flowing to an irrigation source, the lands were treated as dry and not as Manavari. Other lands where irrigated crops were raised by raising high bunds—achukattus and impounding rain water which does not flow to any irrigation source were treated as Manavari.

8. Dry lands cultivating paddy crops with the aid of rain water from small springs ponds or similar sources which were not recognised as irrigation sources and which received no supply from any Government source were treated as Manavari.

CHENGALPATTU DISTRICT.

CHENGALPATTU DISTRICT.

1 (a) *Introduction:*

1. Chengalpattu district, which encloses Madras city, is part of a region of great antiquity known as "DANDAKARANYAM" in the Epics and as "THONDAIMAN-DALAM." in history. It has within its limits historical places like Kancheepuram and Mahabalipuram which are steeped in South Indian Culture and have won acclaim for their great edifices and magnificent temples of exquisite architectural beauty. The district derives its name from Chengalpattu town, which is the head quarters of a revenue division and is situated south west of Madras city at a distance of 35 miles. The British had got a foothold in this territory when the site occupied by the Fort St. George was granted to them in 1639, as also the "White Town" and the "Black Town" which now go by the name "George Town". In 1763 the district was granted in perpetuity as a "Jaghir" to the East India Company by Md. Ali, the Nawab of Arcot. In 1801 it became part of the British dominions in India on the cession of the Carnatic in full sovereignty to the Company. In addition to the territory thus acquired, Chingleput included the town of Pulicut, the earliest Dutch possession in India founded in 1609 which was also ceded to the British in 1725. The Jaghir did not then include the Sathyavedu division, but later in 1801 when Mr. Greenway was the Collector, it was added to the district, but soon after it was converted into a taluk of North Arcot district in 1804. It was again merged with this district partly in 1850, when 43 villages were transferred to Ponneri taluk and completely when the remaining 90 villages were brought under Tiruvallur taluk. In 1835-36, 8 villages were exchanged between Madurantakam taluk and neighbouring taluks of North Arcot district. In the same year nine villages were transferred from Walajapet taluk of North Arcot to Kancheepuram. In 1858-1859, an exchange of 5 villages was made between Maduranthakam taluk and Tindivanam taluk of South Arcot district. Subsequently 45 villages were transferred from Ponneri taluk to Gudur taluk in Nellore district. In 1860-1861, another exchange of 18 villages was effected between Kancheepuram taluk and Walajapet taluk of North Arcot district. The Sriperumbudur taluk was formed in 1917 by grouping portions of Saidapet and Kancheepuram taluks. Some villages were added to Madras city (which was constituted into a separate district by itself) in two instalments in the years 1927 and 1947. Consequent on the implementation of Pataskar award, with effect from 1st April 1960, 283 villages 2 towns and a part of a village were transferred from Chittoor district of Andhra Pradesh to form an additional taluk called "Tiruttani". One village from the former Tiruttani taluk of Andhra Pradesh was transferred to Tiruvallur taluk. As against this, 72 villages from Ponneri taluk and 76 villages from Tiruvallur taluk were transferred to Andhra Pradesh. On account of these changes due to the readjustment of the boundary between Tamil Nadu and Andhra Pradesh there was a net increase of 134.80 sq. miles in the area of the district which now extends over 3155 sq. miles. The headquarters of the district was all along at Saidapet and it was shifted to Kancheepuram in 1968.

2. The importance of the district is due, not in a small measure to its proximity to the State capital, Madras. This district can be justly proud of having produced a number of scholars, poets, administrators and leaders of thought. Darmapala of the great Nalanda University belonged to Kancheepuram, Sekkizhar and Pugazhendi, the famous Tamil composers, Ramanuia the founder of Vaishnavite cult and Panchaiyappa, the noted Philanthropist have hallowed this district by their birth. The former President of India, Dr. Sarvapalli Radhakrishnan belongs to Tiruttani. Similarly the former Chief Minister of Tamil Nadu Thiru M. Baktavatsalam hails from this district, as also the late Thiru C. N. Annadurai who was Chief Minister of Tamil Nadu in 1967-68.

I. (b) *Physical features:*

3. Chingleput district lies between 12°-10' and 13°-55' N and 79°-15' and 80°-20' E on the coast line of the Bay of Bengal, indented by the city of Madras. It is bounded on the north by Nellore district of Andhra Pradesh, on the south by South Arcot district and on the west by North Arcot and Chittoor district of Andhra Pradesh. The strip of the land near the sea is flat and dreary but replete with casuarina plantations. In other parts it is undulating and in some places even hilly. The taluks of Saidapet

Ponneri, Sriperumbudur, Kancheepuram and Tiruvallur do not offer much in scenery. Maduranthakam and Chingleput taluks which lie towards the south and south east of the district respectively, have undulating plains interspersed with ridged or conical hills. A number of hillocks are found scattered in the newly added Tiruttani taluk. The district does not benefit from any major river irrigation system, but the presence of a large number of tanks has facilitated cultivation of paddy on a large scale.

4. The Palar which is the chief river of the district rises in Karnataka State and after flowing thro' Chittoor and North Arcot districts, enters Chingleput district a few miles to the west of Kancheepuram and is joined by Cheyyar about 8 miles east of Kancheepuram at a place called TIRUMUKKUDAL. This Cheyyar feeds the big Uthiramerthar tank. The Vegavathi stream joins Palar within Kancheepuram taluk limits. The river then flows in a south easterly direction between Chingleput and Madurantakam taluks to join the Bay of Bengal. The flow in the river is uncertain and it is in floods once in several years. It has practically dried up after the construction of a dam in Karnataka State. The Kambakkal Channel takes Palar water to several tanks in Kancheepuram and Sriperumbudur taluks. Palar springs support some wet cultivation in Madhuranthakam taluk also. It contains good subsoil springs from which water is tapped. The ayacut under this river is so saturated that extension of irrigation is prohibited under the Palar Basin rules issued in the year 1931, though some concessions are extended to the ayacut from time to time.

5. The Courtalaiyar takes its source from the Calingula of the Kaveripakkam taluk in North Arcot district and carries the surplus water of the tank. It also collects enroute the surplus from the tanks in Walajapet. After being joined by the jungle streams of Mahendranadi and Tappur, it traverses Tiruvallur and Ponneri taluks. In its course in the north easterly direction, it is joined by the Tiruttani and Nagari rivers. At Velur Tambarapakkam, an anicut has been constructed to divert the river water to Cholavaram and Red Hills tanks, which form the chief sources of water supply to Madras City. The river after filling a number of tanks in its further course, falls into the Ennore back water, a few miles north of Madras. After the construction of the Poondi reservoir, all the water is pooled for meeting the increased demand for drinking water supply to the expanded city.

6. The Arni river or Arniyanadi rises from the Nagari range in Andhra Pradesh and flows along the boundary between Ponneri and Tiruvallur taluks draining about 550 sq. miles to enter the sea near Pulicat. The Araniyar project, consisting of an earthen reservoir at Pisathur with 2 irrigation channels one on each flank and a pick up anicut at Suruttapalli and a channel on its left flank is a major irrigation project which stabilises an ayacut of 10,000 acres besides securing a new ayacut of 2,500 acres, both by direct supply and through tanks.

7. The Cooum has its rise from the surpluses of the tank in the village of the same name in Kancheepuram taluk. It irrigates lands in Kadambathur, Tinnanur and some other villages in the neighbourhood and feeds the Chembarampakkam tank through a channel. After irrigating Vayanallur, Ayanambakkam and other villages enroute it enters Madras city and joins the sea by the side of the University buildings.

Though the origin of the Adayar river can be traced to the surplus of a tank at a point near Guduvancheri village, it assumes the appearance of a stream only after it receives the surplus water from the Chembarampakkam tank. There is no direct irrigation from this river as the stream flows far below the surrounding region. Baling is, however, resorted to here and there.

In addition to these rivers, there are a few minor streams like Kilar, Kallar, etc., all of which deserve no mention. The area commanded by rivers as a whole is very negligible.

8. Tanks, however, constitute the principal source of irrigation in this district. Among about 2,500 tanks in the district, some are riverfed while most others are rainfed, but the flow into the tanks is, mainly dependent on seasonal rains, the failure of which herald distress conditions. Chembarambakkam tank, the largest in the district, irrigates more

than 13,000 acres in Sriperumbudur taluk. The Madhurantakam tank is also an important one. The other important tanks are the Thenneri tank and the Tinnanur tank.

9. Madugus and Spring ponds or vanchies support small extents each, but cumulatively their contribution to irrigation is quite substantial. A further feature of irrigation in this district is the springs which are active along the slopes of hills. The Nandanam springs in Baitakodiyambedu village which supports an ayacut of more than 100 acres for 8 to 10 months in a year can be cited as instance in point. There are as many as 37,329 wells having independent ayacuts. The number of wells supplementing recognised sources of irrigation is 18,365.

10. The forests in this district occupy a modest area of 137 sq. miles scattered all over the district, the notable among them being the Nagalapuram Kambakkam hills, the Thirupurantakam hills and the Sathyavedu range in Ponneri taluk. They do not contain any valuable trees. During the second five year plan 25,000 acres have been cleared and brought under cashew plantation. Sandalwood, babul, bamboo and other useful trees are reared under the scheme of afforestation and soil conservation. Hybrid eucalyptus plants are being raised over vast areas, particularly in the foreshore of big tanks.

11. The soil is generally sandy, or alkaline. The subsoil is rocky at various depths. The soil conforms to the regar, red ferruginous or arenaceous series.

<i>Population—</i>			
	Rural	Urban	Total
	1,896,900	2,469,449	43,66,349
<i>Geographical area —</i>			
	Hectares	Operational area	
	824,798.	52.93 per cent.	
<i>Plan Projects—</i>			
	Araniar ;	Completed under the First Five Year Plan.	
	Improvements to Palar Anicut ;	Third Five Year Plan.	
<i>Electrification :</i>			
	Towns and Villages	3,919.	
	Hraijan Colonies	2,135.	
	Pumpsets	55,170.	
<i>Cattle—</i>			
	White Cattle	839,008.	
	Black Cattle	292,773.	
	Sheep	339,020.	
	Goat	165,268.	
	Livestock	1,666,563.	
	Poultry	938,434.	

12. The extensive supply of electricity to rural areas has enabled the agriculturists to use electrical pumpsets for irrigating the fields and accelerating production. So far as agricultural development is concerned the Southern taluks of Madurantakam, Kancheepuram, Chingleput and Sriperumbudur and the Tiruvallur taluk which lies to the north west have made great strides in recent years.

13. There are three agricultural seasons (viz.) Sornavari (May to September) Samba (August to February) and Navarai (December to May). Paddy is grown not only under irrigation systems but it is also cultivated extensively on dry lands under rainfed conditions. Ragi and Varagu are the major millets grown. The common pulses raised are red gram, black gram, green gram, bengal gram and horsegram. Ground nut and gingelly are also cultivated. The sugarcane cultivated in this district feeds the co-operative sugar mills at Padalam in Maduranthakam taluk.

I. (e) Industries:

14. Owing to the proximity to the City of Madras a number of places in Chingleput district have in recent years grown into important industrial centres. Many entrepreneurs have located their industries on the outskirts of the city. Out lying places like

Thiruvottiyur, Ennore, Villivakkam, Ambattur, Avadi, Vandalur and Tiruvanmiyur have already become industrial satellites. The following major industries located in the district have contributed to its industrial potential and tremendous growth:—

1. The Standard Motors Factory at Vandalur;
2. The Ashok Leyland at Ennore;
3. The Enfield India Limited at Tiruvottiyur;
4. The Wheels India Limited at Padi;
5. The Dunlop Rubber Company at Ambattur;
6. T.I. Cycles of India at Ambattur;
7. Eusan Engineering Limited at Tiruvottiyur;
8. India Pistons Limited at Sembiam; and
9. The Madras Rubber Factory.

15. Besides the above, a number of factories in the private sector have been established to produce chemicals and fertilizers in the district. Textile industry, Leather products, Light engineering goods and other medium industries also flourish in this district. The Madras Refineries and the Madras Fertilizers at Ennore and the Kalpakkam Atomic Power Station are landmarks among the public sector undertakings in this district. Among the cottage industries flourishing in this district, cotton and silk weaving are the most important. Superior silk and cotton sarees which are woven with admirable dexterity by the weavers of Kancheepuram are objects of marvel in foreign countries and are much sought after throughout the length and breadth of our country.

II. POLITICAL HISTORY.

16. (a) *The Jaghir*.—Beginning from the earliest times, about which there is any historical record, upto the middle of the 8th century, this district was a part of the ancient kingdom of the Pallavas who had their capital at Kancheepuram. The historians are not sure as to who these Pallavas were, but from the early 7th century their power was at its zenith when they held sway over a vast territory from the Narmada in the north to the Ponniyar in the south and from the Bay of Bengal on the east to a line drawn through Salem, Mangalore and Berar on the west. The wonderful monolithic temples and rathams of Mahabalipuram, popularly known as the *Seven Pagodas*, and other frescos are associated with them. This territory was then known as “Dandakaranyam” and peopled by Kurumbars who were not much advanced in civilisation. It was then mostly forest land with 24 forts or kottams.

17. About 760 A.D. the Pallava rule came to an end and the district passed under the ruler of Mysore. In the beginning of the 9th Century, the Rashtrakutas invaded the district. Shortly afterwards, this district became part of the Chola country. Kulothunga Chola and his illegitimate son ADONDAI (ஆதண்டை) fought the Kurumbars out and captured the territory at the battle of Puralur. After conquering this country, Kulothunga brought Vellalars from other quarters and settled them there. It was suggested to the king that this new territory be called Thondamandalam (the land of the subordinates), but the king preferred to name it “THONDAIMANDALAM” in honour of his son Adondai who was crowned at Kanchi as Lord of this territory.

18. There is also another version that this tract came to be called ‘Thundeera Mandalam’ after the King Thundeeran son of Ahayabhupathi and that later it came to be known as Thondaimandalam. This King Thundeeran is said to have reigned from Kancheepuram and his statue is found installed in the precincts of Sri Kamakshiamman temple to commemorate the blessings he received from the Great Mother.

19. The original settlers having found the clearance of land difficult came back, and Adondai settled thereon another body of colonists; and on account of the uninviting nature of the country, devoid of natural sources of irrigation to which the settlers who were taken from other fertile districts were accustomed, he conferred upon them certain privileges which they had not enjoyed in their own country. The effect of the conquest

and colonisation was to deprive the existing population of their right to land, who were either driven out or reduced to a servile position, and to vest it in the settlers. After the conquest Adondai is said to have introduced the system which was prevalent in his own country. The settlers were called KANIATCHIKARERS, and strictly KANIATCHI in Thondaimandalam belonged originally to Vellala colonists, principally to Thuluva Vellalars, though subsequently it had passed to other castes as well. They had equal rights as between themselves, but formed an exclusive body as against others. They also claimed a right of pre-emption vesting in the joint proprietors of the village, so that no stranger, even of their own caste, could obtain in settlement in it without the formal consent of the whole. After the conquest, the Chola King Kulothunga is said to have asked his son how he was able to colonise the country so well. The latter replied that “he had forged a fetter for the inhabitants and riveted it so strong that they could never release themselves from it”. By this he meant that the affections of the people were so reveted to the land of their own country by KANIATCHI or property in the soil, that they would never desert it. The right of KANIATCHI in Chingleput district carries certain privileges which were not found in other districts. They are:

1. Kaniyatchi, Oor or Grama Manyam a certain extent of land held by the Kaniatchikkarers free from any payment of revenue to the State. This has been enfranchised under the Inam Rules at the time of the Inam Settlement.

2. The right to receive (a) certain fees called KANIMERAI OR KANIZEMAH, KUPPAM, KALAPADI, KALAVASAM on the produce of all cultivated lands and (b) THUNDUWARAM OR SWAMIBOGAM on all lands in the occupation of non-mirasdars. These fees known as Swathanthrams, payable to the mirasdars as such, are due out of the gross produce (i.e.) from the shares of the ryots and Government as well.

20. On the decline of the Cholas about the middle of the 13th Century, the Kakatiyas Warangal took over the district and a line of later Cholas ruled over Kancheepuram and the surrounding country as their vassals. About 1393 it was absorbed into Vijayanagar Kingdom, which held sway all over South India, when this district existed as part of that realm for over a century and a half.

The Vijayanagar dynasty was overthrown by a coalition of Muhammadan kings of the Deccan at the battle of TALIKOTA near Raichur in 1565. After this, the district came into the hands of one of the deputies of the fallen kingdom, who continued to owe allegiance to the fugitive king of the dynasty after his flight to Chandragiri in Chittoor district. From a later deputy, Srirangaraya III, the English received in 1639 the grant of the entire site on which the Fort St. George now stands. Thereafter the whole of south East India was overrun by the Sultans of Golconda. The Naiks who were the deputies of the Vijayanagar king in Chingleput remained the vassals of these new conquerors and their dealings with the English at Madras fill the pages of the early history of the Fort St. George. On the fall of Golconda in 1687, this district, along with the rest of the Carnatic, came under the rule of the Moghul Emperor at Delhi. During the Carnatic wars of the 18th Century, Chingleput, Kancheepuram and other towns and villages in the district were repeatedly attacked and they figure frequently in the history of these critical times. The struggle for supremacy between the French and the English in their support of the Carnatic wars resulted in a number of fights in these places. In 1763, the district was granted in perpetuity as a Jaghir to the East India Company by Md. Ali, the Nawab of Carnatic, in recognition of the services rendered to him by the British and as war reparations. In 1765, the Moghul emperor confirmed this grant and in the ancient records this is referred to as a Jaghir. For the next fifteen years, the Britishers leased this to the Nawab himself. In the meanwhile, Hyder Ali who assumed sovereign authority in Mysore devastated this district twice in 1769 and again in 1780. In 1781, when the Nawab of the Carnatic assigned the revenues of the Carnatic to the English, it was placed under the charge of the Committee of Assigned Revenues. In 1801 it became part of the British dominions in India on the cession of the Carnatic in full sovereignty to the company by the Nawab.

22. (b) *Kachinad Samasthanam*.—The history of Kachinad estate otherwise known as Kachinad Samasthanam, the biggest estate in Chingleput district will be relevant in this context.

23. *Physical features and general description.*—Kachinad estate extending over 231-69 square miles lies in two compact blocks in the north-western portion of Chingleput district. The western or the bigger block is in the north-western corner of the district, spreading over Tiruvallur and Ponneri taluks. The Nagalapuram-Kambakkam range of hills form the western boundary of the block and include the Thirupuranthakam hill and forest comprised in the estate, while the Satyavedu hills form the eastern boundry. Between these hills is a narrow valley draining to the north through a jungle stream called Kallar or Godderu and to the south into the Araniar. Araniar river, flowing approximately west to east across this block. The Courtalaiyar passes south of this block. Kalahasti and Karvetnagar zamindaries of Chittoor district lie to the west.

The second block, which lies wholly in Ponneri taluk, is a plain country, draining in the east, and bounded on the east by the Great Northern Trunk road, with the Pulicut lake and swamps further east. To the west is the Sathyavedu-Kadur road, while the Sathyavedu-Kaverapettai road cuts the block at the southern tip.

24. *Early History of the Estates.*—Kachinad estate originally formed part of the Kalahasti Zamindari, one among the ancient principalities known as the western Palayams. The chiefs of Kalahasti were Kshatriya Naidus who traced their tradition from the 12th century A.D. They were originally free lance military chieftains, allying themselves to various local powers and enjoying various degrees of independence till the 15th century, when they identified themselves with the Vijayanagar dynasty. They so distinguished themselves in military campaigns with them, that the Vijayanagar king gave Kalahasti as a Jaghir and appointed them as MENKAVALGARS or Chief Superintendents, subject to the authority of the Rajah of Chandragiri. On the fall of the Vijayanagar kingdom, in the battle of TALIKOTA Chandragiri became independent, only to come under the domain of the Nawab of Golconda, who was himself nominally subject to the Emperor at Delhi. It was the then Poligar of Kalahasti, whose territories extended as far as Conjeevaram, that granted to the British in 1639, a small Kuppam or fishing village named 'CHENNAPATNAM' after his father Chennappa Naidu which later became Madras. The grant was later confirmed by a sunnad from the Raja of Chandragiri. The earliest sunnad obtained by the Kalahasti poligar was from Aurangzeeb which showed that the estate was held upon military tenure under the immediate control of the Nawab of Arcot, at whose summons the Poligar was bound to appear in the field with 5,000 armed men. The Nawab of Carnatic by his treaty with the British in 1792, allowed Kalahasti and Carnatic Palayams to be managed by the British on his behalf, and eventually by a treaty in 1801 ceded them to the British Government. The Poligar was required by the British to disband his armed retainers and to refrain from the exercise of criminal jurisdiction. Mr. George Stratton, was appointed Collector of Peshcush of the Western Palayams. He was also required by a Special Commission to institute an enquiry into the internal Government history and resources of the Zamindaries in his jurisdiction. He submitted two celebrated reports on them one on 14th December, 1800 and the other on 14th July, 1801. In the first report he dealt with the question of commuting the military services of the Poligars for the payment of a reasonable contribution to the State towards expenses of the general protection. The military establishment of the Poligars were being remunerated by grants of lands or villages, which were subject to the condition of service. Stratton's idea was that, by relieving the military establishments from the service, the poligars would be enabled to demand from them rents for the lands or villages they occupied and that the poligars could then in turn be required to pay to the Government an increased peshcush. In the second report Mr. Stratton reported the result of his enquiries into the actual resources of the Palayams. The sources of revenue fell under three principal heads (viz.) land revenue, imports and sayer or customs. Land Revenue was levied by 3 different modes (i.e.) by teerva or money assessment, by waram or share of produce and by jodi or quit rent.

25. *Land Revenue Administration.*—The land revenue history of Chingleput district divides itself into three periods co-incident with the epoch of those who held sway over it (viz) the Hindu Rulers, the Mohammadan Rulers and the Britishers. Among the early revenue systems, under the Hindu Kings, the system which was prevailing and which took a definite shape with some modifications at the time of the colonisation of

the country which came to be called the "Thondaimandalam" in about the 8th century A.D. appears to have been the basis of future administration. When king Koluthunga Chola succeeded in conquering the Kurumbas to extermination, the King himself went over, had the forest cleared and founded the distinguished town of Kancheepuram. There being a deficiency of inhabitants, Kulothunga Chola gave his minister enormous wealth to bring the people from neighbouring countries to inhabit and colonise this area. Accordingly the area around Kancheepuram was colonised by Vellalars brought from outside and they formed the highest class. They enjoyed monopolies and privileges as of ranks, and formed the sole proprietary body. They were distributed in little bodies over the country in all villages or townships, the land of which they held and the concerns of which they held in common. They were then designated as KANIDASAL or KANIADCHIKARA who later became known by the Presidency" by Thiru Sundararaja Iyengar as follows :—

26. Even at the time of the Chola Conquest referred to above, the country was divided into Kottams or Districts, Nadus, Sub-districts and Nathams. Townships etc. Viceroy, usually near relatives of the rulers, were entrusted with the administration of one or more kottams with the title of Rajan or Arasan. Nadu was administered by the local officer called Nadan. Whereas the natham or townships in Thondamandalam may be considered as a common wealth, the others were managed by the sharers in common. For land which used to be kept waste by these mirasidars were got cultivated by outsiders brought for this purpose and these were called "Purakudies" as different from "Ulkudis" or fixed cultivators. Both these persons acknowledged the ascendancy of the KANIYADSI by the payment of what is known as SWATANTARAMS. The King's right as the overlord of the soil was recognised by all and the Mirasidars paid the share of the Government in kind. The village or townships then and not the individual right, was the Hindu unit. It is also apparent that cultivation was made with the aid of permanent tenants. Reference is made to it in the "Land Tenures of the Madras Presidency" by Thiru Sundararaja Iyengar as follows :—

"The fourth mode of cultivation is with the aid of permanent tenants who are known as resident payakkaries, Ulkudi Payakaries, Ullur Purakudis, Ul-Purakudis, Purakudi-Uls or Ulkudis. Their existence is due to various causes. In some cases they were the residents of another village who were there by the concession of permanent right therein, and who were given sites also in the village free for building houses thereon; in some cases they were the residents of the village to whom a similar right had been given in respect of the hitherto uncultivated lands as an encouragement to bring them into cultivation and a recompense for the trouble and expense involved in rendering them such; and in some cases a similar right had been purchased by tenants on payment of a consideration. Temporary tenants admitted as such became Ulkudis by the custom of the country by having cultivated the same lands for generations. Thus, in Chingleput, if after the admission of a Payakarry he and his descendants had been allowed to continue in uninterrupted possession of the lands they cultivated until the fourth generation they become resident ryots or Ulkudis by length of occupation. In some localities Ulkudis were the remnants of old proprietors who had been reduced to that position by over assessment which rendered their lands unsaleable.

Rights of Ulkudis:

Ulkudi literally means a resident cultivator or one who has got a residence in the village, as distinguished from the Purakudi, stranger cultivator who is not entitled to any residence. In the Chingleput district, Ulkudis have a sort of life-interest in the lands they cultivate and cannot be dispossessed as long as they pay the accustomed rent. But they cannot sell, mortgage or transfer for valuable consideration their lands. Their heirs succeed to them and in default of heirs, or on abandonment of the lands by them, the lands revert to the proprietor. They do not participate in the fees and privileges of the Mirasidars whose ascendancy they have to acknowledge by the payment of fees, albeit no more than a pepper corn. No length of time can convert an Ulkudi into a Kaniathchikarer. The Ulkudis are entitled to compensation for loss of their interest when their lands are taken up under the Land Acquisition Act.

Sukavasi Tenants:

Permanent tenants are also known as Sukavasi tenants. The term Sukhavashi literally means one who lives by ease, and was applied to persons who made a living by renting lands for fixed periods from proprietors. In course of time they acquired the status of permanent tenants and were classed with Ulkudis. They have a permanent right to their holding without, however, power to sell them, except with the mirasdar's consent. They cannot be ejected by the Mirasidar, and are entitled to compensation for loss of their interest when their lands are taken up by Government under the Land Acquisition Act. The Mirasidar is entitled to recover from Sukavasi ryots certain annual dues for all lands cultivated by them immediately on their being brought into cultivation.

Compared to coloni and arators:

The Ulkudis bear a striking resemblance to the Copyhold tenants of England, and the Coloni and Aratores of the Roman Empire. They are attached to the soil and occupy the same lands from father to son for generations, having only a hereditary right therein without power of alienation. They are liable to pay only the customary rent and cannot be ejected as long as they pay it. On default of heirs the lands revert to the owner.

27. The strong and prosperous Chola Kingdom was finally overthrown in 1100 A.D. The District was then held by the Vijayanagar Kings for nearly 150 years. They were all Hindus and, theoretically at least, governed according to the laws of Manu, which brought along with it the system of having a single person in the charge of a village. In some cases, this person took upon himself the entire mirasi which originally vested in several persons as is evidenced by the term "Ekabogam". This gave rights to the prevalence of Mirasi tenures in this district. Though in the neighbouring Nadus the rent was paid in cash, the ancient system of paying waram continued in Tondaimandalam. The tradition as well as history concur in assigning the construction of the tanks and other irrigation works to this period.

28. The Mohammedan period lasted thereafter for about 150 years. It is interesting to note that the last Hindu Sovereignty at Chandragiri was subverted by the victorious armies of the Mohammadan Kings of Bijapur and Golconda when the English obtained the settlement of Madras from Darmala Nayakkan, Governor of Chingleput, on behalf of the Rajah of Chandragiri. The Maharatta invasions, the conflicts arising on the assertion of Moghul Supremacy and the consequent subjugation of the Mohammadan power at Golconda caused a period of confusion and obscurity, out of which emerges the attempt at regular administration by Zulfikar Khan, the imperial general and founder of the line of Nawabs of the Carnatic. The Revenue continued to be the same under the Mohammadan rulers. The rights of the Mirasidars were respected. Under the emperors Akbar and Aurangzeb the Government's share was half the net income from the land or 1/3 of the gross. With the integration of the Mogul Empire, which also brought into the picture the French and British who struggled for ascendancy the Nawabs of Carnatic and their subordinates resorted to oppression and made settled administration impossible. The irrigation works were neglected. Famine followed as a worse disaster, after the depredation on Hyder Ali's second invasion in which the district was nearly depopulated.

British Administration:—

29. Such was the State of the country when the estate or Jaghir was gifted to the English in 1763 by the Nawab of Arcot, but until 1780 he held the Jaghir under lease from the company on a yearly rental. The Nawab's administration is attributed to have destroyed the very vitals of the Jaghir. When he ultimately assigned the revenues of the Carnatic to the Company, the Committee for assigned revenue took over the administration. In 1783 the Jaghir was leased out in 14 farms on 9 years' leases. The system crumbled within 6 years and the lands were then leased on a 3 years' lease in small portions to the chief inhabitants of each locality. In 1794 Mr. Place the then Collector effected a Villagewar settlement with the chief shareholders (Miras of the village). Though he managed to achieve the best results till then, more perhaps through his personal dynamic efforts than by the system he adopted, yet the settlement was not a success as in some villages the mirasidars refused to accept the settlement offered. In his note on the permanent settlement Rao Saheb P. K. Gnanasundaram (1) Mudaliar has given the following detailed picture about the conditions prevailing in the Jaghir:—

"Next in importance to the Northern circars among the Company's ancient possessions, was the Jaghirs (the present Chingleput district) which was obtained from the Nawab of Arcot in the years 1750 to 1763. It was at first rented to the Nawab on renewed leases, principally from year to year, until 1780, when it was assumed by the Company's Government. The system of management in the Jaghirs while it was rented by the Nawab was oppressive, exhibiting boundless exaction and rapacity. A considerable proportion of the produce was extorted from the husbandman under varied devices. During the time the Jaghire was held by the Nawab, Mr. Barnard was employed in making a survey of the lands which he completed in 1776. The survey was undertaken with a view, rather of forming some tolerable idea of the value of the country than of ascertaining with precision the affairs of revenue detail. On the assumption of the Jaghire by the Company's Government, it was placed under the charge of the Committee of assigned revenue which was appointed in 1780 to manage the Nawab's possessions, in the Carnatic. This Committee in 1783, let out the country in fourteen large farms of leases of nine years at increasing rents. The renters with a few exceptions repeatedly failed in their payment, their estates were sequestered and several of them were put into confinement. In 1788, the Jaghire was placed under Collectors, who let the districts in smaller portions to the inhabitants on leases for three years. In November 1794, the country was placed under the management, to an investigation of the land revenues, to the discovery of abuses in the collection and management of them and to the acquisition of information respecting the situation, the rights and privileges of the yorts.

(1) Paragraphs 63 to 72 pages 28—22.

The cultivators of the land were of two descriptions, Meerassadars and Poycarries or Poraccodies. The Meerassadars enjoyed besides their Meerassie lands, a certain portion of prescriptive registered lands wholly exempt from any Government tax or rent and certain rissooms or merahs from the produce of the other lands cultivated by poyacarries.

The poycarries, who were termed as strangers by the Meerassadars, were those who were called in by the latter to cultivate such lands belonging to them as they did not choose to cultivate themselves. Some of the Poycarries had a sort of life estate in the meerassie lands they cultivated. They were called resident Poycarries and they received no more than 45 per cent of the produce. There was another description of Poycarry, who not being permanently fixed in any village, sometimes cultivated in one and sometimes in another. He was a kind of sojourning husbandman who generally cultivated from year to year. Having only a temporary interest in the lands he occupied, he was allowed 5 per cent more than the resident Poyacarries or fifty per cent of the produce after setting aside fees.

At an early period of Mr. Place's management as Collector (1796) a discussion of considerable length arose between the Board of Revenue and the Government as to the rights of mirasidars in the soil. This discussion was occasioned by the proposal made by the Collector for the removal of certain mirasidars from their mirasie lands for their refusal to agree to his term of settlement and for the appointment of others who were willing to cultivate on the terms proposed. The Board of Revenue objected to their being deprived of their lands on the ground that they possessed a proprietary right in such lands. The Board said that whatever might have been the origin of these rights, they were regarded by the people as hereditary rights, that they were not introduced by the British Government, that they were far more ancient than the Moorish Conquest, and that the term mirasie, which was introduced by the Muhammadans, conveyed the idea of the tenure of property or hereditary right. Throughout the discussion, however, the Government maintained that the actual property in the soil was vested in the State, which alone had the power of making an absolute sale of the land and that the claims advanced by the Board in favour of the mirasidars were inconsistent with the rights which were admitted to belong to the Government. It was accordingly decided that "the occupants of land in India could establish no more right in respect of the soil, than a tenant upon an estate in England can establish a right to the land by hereditary residence. The mirasie of a villager was therefore defined to be a preference of cultivation derived from hereditary residence, but subject to the right of Government as the superior Lord of the soil in what way it chooses for the cultivation of its own lands.

Mr. Place, after further inquiry into the rights of mirasidars, communicated his sentiments on the subject to the Board in his final report respecting the Jaghirs, dated 6th June, 1799. In this report Mr. Place, who had formerly concurred in a great part with the Government in the definition of mirasie right, expressed a different view. He said that "he was convinced that the mirasdar had an undoubted hereditary property in the soil; that he derived this right originally from the sovereign to whom he acknowledged obedience; that the rendering of a stated portion of the produce as the tenure on which he held it; that he sold, mortgaged, gave away and left his lands to posterity which the Poyacarry could not; that though the exorbitant collections made from the lands during the Nawab's Government had greatly diminished and in many parts of the country, destroyed the value of this property, yet it was so cherished by the mirasidars that they never quitted but from necessity; and that though absent for years from their lands they did not fail to assert their claim to them when they felt it to be in their advantage to do so."

These views did not lead to a new discussion of the question.

The mode of settlement introduced by Mr. Place into the Jaghir was that of village rents on the produce being commuted for a money payment. The parties who entered into engagements for the rents of the villages were those who held the principal shares of the lands and they were left to adjust their rights with others who owned fractional shares, each man's right and place being well known to one another. The Collector could easily fix the value of all the lands together of one village, but he did not feel himself competent to assign to every small allotment its portion with sufficient exactness with reference to fertility of soil and other circumstances.

Such annual village settlements in the Jaghir continued to be made until the Permanent Settlement was introduced in 1802—1830.

30. *Rent Collections in the western poliams.*—The report dated 14th July 1801 of Mr. George Stratton, Collector of Peshcush gave a vivid picture of the teerva prevailing in the Western Poliams at that time. It was made over to him on cowle for a term of years on the principle of Russom or progressive increase. At the expiration of the cowle when the land was supposed to have been brought to the highest pitch of improvement by successive cultivation and the application of manure, a fixed teerva was settled with reference to the valuation of that kind of arable land in the village by the general concurrence of the servants of the Poligars or renter, the Curnam, the Reddy and some of the principal villagers. The Teerva settled was to be considered mamool teerva and registered accordingly in the curnam's accounts. The teerva varied in every village and on every species of land, but the rates in cash were well known to the inhabitant. But the exactions from the ryots were not confined to mamool teerva alone. When the ryot did not cultivate for a teerva or money valuation, he divided the produce with the Poligar or renter, the share being regulated by the caste and condition of the Mirasidars or persons having preference to cultivate particular lands and by the labour incidental to that cultivation. The waram or share on all arable land was in most instances registered in the Curnam's accounts. The jodi or quit rent was collected from the inamdars. Although when once fixed, it was not to be raised, the Poligar was in no way scrupulous about desisting from encroaching on the right of the inamdars.

31. Imposts consisted of Cutnum or tribute, tax on castes and moterpha.

32. Cutnums were imposed on every pagoda of teerva or every candy of the ryots' share of the crop or on inamdars and ryots in general. Sayer or customs were levied in 3 instances (i.e.) the rates of customs on articles, Cavaley or police expenses and Russooms or fees in money for various purposes.

33. The mode generally adopted by the Poligars in collecting their revenues was to issue orders, as money was required, on renters and amildars amounting to a percentage on the revenue of the districts under them. This percentage varied, depending wholly on the exigencies of the moment and these orders for money and grain were issued until the whole of the revenue was collected without any regard to kist or regular instalments. It sometimes happened that these orders were issued well ahead of the reaping of the harvest, when the renters and amildars endeavoured to procure advances from the ryots, to the latter's great distress. All kinds of oppressive levies were made on the ryots.

Administration of Kalahasthi Estates:—

34. For revenue purposes the Kalahasthi estate was divided into Kalahasthi (now in A.P.) and Kachinad (in Chingleput district) taluks. Kachinad taluk consisted of 207 villages, of which 22 were under tenure grants. From about the middle of the 19th century, the Zamindar accumulated large volume of debts and latterly the administration and revenues of the zamindari had badly deteriorated. Matters reached to such a crisis, the Rajah applied in 1899 for the management of the estate to be taken up by the Court of Wards. At that time the Rajah was encumbered to the extent of Rs. 35 lakhs and had but Rs. 52 in his treasury. Thus the estate was under the management of the court of Wards from 1899 to 1905.

35. About 1896 the Rajah of Kalahasthi obtained a loan of Rs. 8½ lakhs from the Tirumalai-Tirupathi Devasthanam funds through its Vicharanakartha by a simple mortgage executed in respect of Kachinad Taluk. For failure to pay the debt and interest the Vicharanakartha filed a suit against the Rajah in O.S. No. 40 of 1910 on the file of the District Court, North Arcot and obtained a decree for the amount due to the Devasthanam. The mortgaged property, i.e., Kachinad taluk was attached and brought to Court sale in 1914. At the sale, the T. T. Devasthanam purchased 191 villages for a sum of Rs. 18,47,431. 13 villages were purchased by the Hon'ble Sri Ramanayangar but were subsequently sold to the Devasthanam in 1915 under a registered sale deed for Rs. 75,070. These 204 villages which included 22 U.T. estates also were accordingly separated from the main estate in 1916 and designated as Kalahasthi zamindari (Kachinad taluk) Block A or Kachinad Samasthanam. Separate registry was made in the Collector's office, Chingleput under Madras Act I of 1876 in the name of Sri Mahant Prayag Dosjee Veru. Vicharanakartha of TTD. The peshcush in the sub-divided estate was fixed at Rs. 51,613-3-9. What was called T.T.D. estate in Chingleput district, or Kachinad Samasthanam or Kachinad estate really comprised 183 zamin villages in Block A of Kalahasthi Zamindari, besides the 22 U.T. villages attached to that estate. The remaining 3 villages of Kachinad taluk of Kalahasthi zamindari were purchased in Court sale by different persons. They were also subdivided and separately registered. Kalahasthi zamindari (Kachinad taluk) Block B consisted of 2 villages of Vittayapalayam and Vavilla Gunta alias Bangaru Thimmabhupalapuram Agraharam and was in the name of Sri K. Ramalinga Reddi. Similarly Block C. Chinnabhudur consisting of Chinnabhudur or Sirunambudur villages, was also purchased at the Court sale by the Rajah of Venkatagiri, sub-divided and registered in his name, the peshcush thereon being Rs. 695-3-0.

PERMANENT SETTLEMENT:

(a) The Jaghir:

36. Chingleput was one of the regions under the Madras Government where the Permanent Settlement was tried initially. The lands in the Jaghir were Havelly and

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were described by the Madras Government in one of their despatches to the court of Directors, dated 29th May 1802 (I) in the following terms:—

"Your Honourable court are acquainted that the lands of the Jagheer are Havelly or Khas and that they may be compared to the Crown lands in England; the property hitherto has been vested in the company and all temporary settlements which have been made of the lands of the Jagheer have been effected on the part of the Company as the sole landlord. This tenure founded on the policy of Asia it has pleased your Honourable Court to relinquish and to substitute a mode of taxation more conformable to the wisdom of European economy by constituting individual persons to the possessors of the land in their own right."

37. The Collector Mr. E. C. Greenway began his report containing the proposals (II) for permanent settlement by saying: "It is to be lamented that our accounts of the revenue obtained from the jagheer in former times are so very defective as they are. A regular account of the revenue of the Jagheer for a series of years by showing the increases or decline that its resources had undergone, would enable us to judge of the probable time within which it might obtain its highest state of prosperity and thereby to decide at once what revenue it might yield without encroaching on the means of its improvement. Such an account is, however, now nowhere to be met with and we must endeavour to arrive at as great a degree of certainty as our materials will admit". He then proceeded to ascertain, with the materials available, the value of the jagheer and submitted proposals as to the number of estates into which it might be divided and the amount of public assessment which each estate was calculated to bear. Mr. Greenway divided the Jagheer into 64 Zamindaries, containing villages of every description. Speaking about the mode which was pursued in forming the assessment, he stated:—

"The Jummah is fixed upon each village, but it is not calculated upon the average of any particular field. Having with me a beriz zabtah of 10 several years previous and 10 several years subsequent to the war of 1780, it was after an examination of the whole of these, compared with the rent of the two last faslis and on a consideration of the present state of each village with regard to its land, means of water and ploughs, that I ventured to determine on such an assessment as appeared to be most likely to be permanently adequate".

38. On the question of the regulation of rents payable by the ryots. Mr. Greenway's proposals were as follows:—

"Next to fixing the demand of Government on the lands, it concerns the happiness of the people to regulate as far as may be possible the assessment on them; money rents, I consider every way preferable, but as have before observed they cannot at present be introduced except on terms disadvantageous to a zamindar owing to the habits acquired by the people under the system of fluctuation which engenders mutual distrust and naturally creates a disposition to secure surreptitious advantages by concealment of the actual produce. It has been resolved that puttass shall be given by the Zamindar expressing in every case where it is possible the sum to be paid by the ryot or, in cases of division of the produce, the rate at which such division is to be made. Every condition should be clearly specified until the operation of the new system shall have established general confidence. It is probable that the latter mode will be followed and rates established by the authority of Government. This expedient will prevent the recurrence of those disputes about the share which were so detrimental to the capital renters. There are now three accounts (i.e. Mr. Barnard's records, Mr. Dighton's Zabettah waram and Mr. Place's Teerwa, each of which will be resorted to by those it respectively favours, and claimed as the foundation of the puttah. The last account should supersede the other two, but the alterations which were made in it lay it open to cavil, and the adjustment of the terms of a puttah may be delayed throughout a whole season. An exact register of the Turrapuddy and Teerwa of each village formed upon Mr. Place's account for F. 1207 with those alterations which have been pointed out would obviate disputes and secure the zamindars from injury. It would show the original Meerassee shares; and the castes by which they are held should be specified as a useful piece of information; but to insert the actual number of meerasdars would be almost impracticable, because it might vary. When the register is compiled the Swaduntra Dittum, Calavasum and the foregoing meras should be particularised with as much accuracy as possible. Moreover, what is hereafter to be considered is the established rate of division between the Circar and the ryot, beyond which neither party should be allowed to exact, though either should be allowed the option of making sub contracts in order that the freedom of property may not be restrained by the measure which is intended to give it stability (sic). The established teerwa on Punja lands and on garden products such as chillies, etc. cultivated on what have been erroneously termed outer backyards but not otherwise so than that the soil is fitted for horticultural which are accordingly reared in it. (Sic.). Such an account translated into English and deposited in the Judge's cutcheeree would be of infinite utility by specifying the rate of each payment to be made by the inhabitants. It would enable the courts to afford them redress against those impositions to which the Board apprehend otherwise. Should the Board think proper to order it, the utmost attention shall be exerted to render it complete and accurate and a better opportunity will not soon again occur than that of the Currums being assembled at the Cutchery in order to form the DOWLE on which the ensuing settlement is to be considered."

39. The Special Commission which was entrusted with the Permanent Settlement after obtaining further information on certain matters from the Collector, submitted the Collector's report with its observations to the Government on 9th April, 1802. The Special Commission remarked that the modes of assessment proposed by the

Collector afforded but insufficient criteria for determining the amount of the assessment in perpetuity and that a just criterion might be assumed from the comparison of the revenues produced in faslis 1208 to 1211. It proposed an amount of Jummah, which in the aggregate, exceeded the revenue of fasli 1208 (a year of extraordinary drought) by 19 per cent; it was less than the average of the four faslis referred to above by 5 per cent; it was less than the average of 3 faslis (1209 to 1211) by 11 per cent and it was less than the revenue of fasli 1210 by 14 per cent and that of fasli 1211 by 16 per cent; and finally the net revenue of Government from the permanent assessment after deducting charities exceeded the average net receipts of the last six years by 5 per cent.

40. As regards the rights of the inhabitants, the Special Commission presumed that in framing the regulations, "security will be provided, under distinct definitions, for the rights, prescriptions, immunities and customary advantages of the low class of people". It recommended that the rates of waram which prevailed for the last six years ought, in their judgment, to be confirmed according to the Dowle of fasli 1210 as the standard for decision in cases of dispute, being the rates on which the value of the Jagheer had been calculated in fixing the permanent jummah. It explained its reasons for making this recommendation, in the following terms:—

"We do not recommend these rates of waram from an entire conviction of their invariable inequality, but because we think it will be highly expedient to enable the proprietors of land to enforce a fixed and known rate of division, without which the means of appeal on this point are so abundant as to be capable of involving every proprietor of land in inextricable disputes with his tenants and consequently to depreciate the value of land. Possessing the power of enforcing a fixed rate of division, the proprietor will retain the option of relaxing the exercise of it, and will consequently be enabled to afford encouragement to the lower order of our Indian subjects. The inhabitants will find protection in the Courts of Judicature from the oppression of the proprietor, but unless some defined rule be fixed the proprietor would be continually harassed by obsolete claims of prospective mamool. We have also another reason for recommending the waram entered in the dowle of F. 1210; we consider that it may promote the object of commuting the contribution in kind for a money payment, which we hope will ultimately prevail, all not withstanding the difficulties to be surmounted before it can be introduced."

41. The Special Commission stated that the Dowle of Fasli 1210 "formed by the Collector with the utmost degree of care on the actual produce, and containing all the deductions from the gross produce with the increased waram in the lands requiring that indulgence", was, in its judgment, the best rule both for the proprietors of land and for the inhabitants; it accordingly included the following provision in the conditions of sale:—

All purchasers of land succeed to the seigniorial right which Government exercise in their capacity of general landlord; but in order to prevent abuse of the exercise of this right Government will frame regulations for the protection of the ryot's prescriptions, immunities and customary advantages of the lower class of people; in order, however, to prevent litigations on the part of the inhabitants it is declared to all purchasers of land, that the inhabitants of the Jagheer are not considered entitled to higher rate of Waram than that inserted in the Dowle of fasli 1210 nor is the purchaser entitled to a higher division of the produce as succeeding to the rights of the Government than the rate therein specified as the Government share.

42. In the proposed conditions of sale, the Special Commission further provided "that the teerwa on the punja lands and the outer backyards shall, in cases of dispute, be regulated agreeably to the rates established in the Dowle of fasli 1210, it having been found, on the experience of four years, that the general rates established by the late Collector do not afford an adequate incitement to industry".

43. The Special Commission also provided in the proposed conditions "that the ready money collections shall be regulated agreeably to the Dowle of fasli 1210".

44. The conditions of sale also laid down that the zamindars should enter into engagements with their ryots for a rent in money or in kind and should grant to each ryot a pattah or cowle defining the amount to be paid by him and explaining every condition of the engagement. The purchasers were declared to be entitled to collect the amount of the Russoms attached to the offices of Canongoe, Muzumdar and Curnum at the rate specified in the Dowle of Fasli 1210; to appropriate the manyam lands attached to those offices to their own use; to collect tank merah and the merah of the great pagodas at the rates specified in the Dowle of fasli 1210; to collect the fees and Russoms (with the exception of the Condiam or ready money payments) allotted to the haveley establishment at the rate inserted in the Dowle of fasli 1210; and to appropriate to themselves the manium lands attached to that establishment as entered in the Dowle of fasli 1210.

45. The purchasers were thus declared to be entitled to collect various payments; they were required to enter into engagements with the ryots as regards these payments; and the standard for decision in cases of dispute was declared to be the rates specified in the dowle of fasli 1210.

46. The Government, after considering the report of the special Commission, conveyed in their order, dated 30th April 1802, their entire approval of the recommendations of the Special Commission and in doing so, they stated:—

The discussions which the subject of the waram of the inhabitants of the Jagheer have provoked at different periods of time, and the different rates which have been sanctioned at various times, make it highly expedient that a fixed and known rate of division should be declared as the rule of decision in all cases of future dispute. The operation of the regulation requiring the acceptance and delivery of pattahs mutually by the proprietor and the ryot will hereafter determine the rights of all parties, but until this regulation shall be enforced the precaution suggested by the Commissioners to prevent the revival of complaints founded on mamool, that the rates of division of the crops entered in the Dowle of fasli 1210 should be declared to be the standard of division in cases of dispute, appears to the Board to be necessary. They accordingly authorize the Commissioners to declare those rates sanctioned and established by the authority of Government.

47. It will be seen from this passage that the rate of division of the crops entered in the Dowle of fasli 1210 was to be the standard of division in cases of dispute, only until the enforcement of the regulation requiring the acceptance and delivery of pattahs mutually by the proprietor and the ryot, and that thereafter the operation of the patta given under that regulation was to determine the rights of the parties.

48. The Government authorised the Special Commission to publish an advertisement for the sale of the estates of the Jagheer, and the Special Commission, in its proceedings, dated 7th May 1802, instructed the Collector to proceed with the sale and also transmitted to him the conditions of the sale already referred to.

49. In his letter, dated 20th July 1802 the Collector reported that, with the exception of 2 estates which were retained in the hands of Government, of one estate which had been leased to Mr. De'monte and one estate which was bestowed on Swamy Naick, the Quit Rent Collector, the remaining estates had been sold subject to the permanent assessment fixed by Government. He submitted a register of purchasers to whom the estates had been delivered over.

50. The Special Commission in its letter, dated 9th August, 1802, reported to the Government the result of the sale and with its letter, dated 6th December, 1802, it forwarded to the Collector Sunnads, "transferring to individual landholders the proprietary right in the lands of the Jagheer" and instructed the Collector to deliver them to the proprietors and to obtain from them the Kabuliats in exchange.

51. When the permanent settlement was thus introduced in 1802, the district had been parcelled out into 64 zamins or kottams and the mirasdars were left to settle with the zamindars who purchased those estates at the public auction. However the permanent settlement soon proved a failure as there was hardly any margin of profit for the zamindar, the rent payable by the ryot was too high and no allowance was made for vicissitudes of season and other natural calamities. The zamindars were only middle men who were charged with the expensive duty of collecting unsettled revenue in a troublesome district. During 1806-07, the season was very bad and as such nearly half of the villages came under attachment as a result of which they reverted to Government by sale and many others as escheated properties. The villages thus reverted to Government were again rented to the villagers on 3 years' lease, and eventually this led to the introduction of the ryotwari system in this district. Very few estates continued under Permanent settlement till the abolition of the zamindari system in the year 1948.

52. (b) *The Western Poliams*.—The Special Commission submitted a report on 12th August, 1802 to the Government on the proposal to introduce permanent settlement in the western polayams. It observed that an endeavour to trace the ancestry of these western polayams was more calculated to produce a repetition of the historical fables received traditionally, than to throw useful light on the origin and nature of the tenure by which they held their lands and that the convulsions which attended the revolution of power in the Deccan had everywhere contributed to the

usurpation of authority and particularly to change the condition of the first poligars from that of subordinate officers of police to that of military dominion. It proposed a plan for the commutation of the military service of the poligars. In their order dated 24th August, 1802, the Government approved the recommendations of the Special Commission and directed it to make arrangements for carrying out the measure into effect and also to issue a proclamation suppressing the use of fire arms and weapons of office. Subsequently based on the permanent settlement, sunnads were issued in 1802 to the Poligar investing him with the title of zamindar. The tribute was proportionately increased in consideration of the Commutation of the Military service and fixed as peishcush.

53. The Rajahs of Kalahasthi had made grants of several villages as Agraharam, Shortrium, Amaram and other tenures. These were generally inam grants subject to payment of fixed jodi. In the case of Kalahasthi and also in other western polayams the peshkush was not fixed on the basis of determination of the assets and rent roll of the zamindar. The form of sunnads was also different and did not contain the usual clause of reservation of lakhiraj and alienated lands. Accordingly it was held that such inams or beneficial grants made prior to the permanent settlement of the zamindari cannot be said to have been excluded from the scope of the settlement. They thus formed part of the estate of the zamindar and the rights of resumption therein vested in the zamindar. They constituted presettlement undertenure grants included in the assets of the Zamindari standing on the same position as post settlement grants.

PAST SETTLEMENTS

54. In 1803 the system of involving the individual responsibility of each ryot to Government for the dues on his own holding, was brought into operation by Mr. Hepburn in parts of the present taluks of Tiruvallur, Kancheepuram and Maduranthakam which were not permanently settled. It proved an immediate success. The ryots were satisfied and the revenue rose during the first year $1\frac{1}{3}$ higher than it had ever been before. The lands were surveyed and classified first into irrigated garden and dry and then into sorts or grades with an assessment often fixed, rather with reference to the nature of the crop than to the intrinsic fertility of the soil. An average outturn was fixed, 20 per cent deducted therefrom for cultivation expenses and half the remainder taken as the Government share.

55. Little seems to have been done for the next twelve years, but system was fitfully extended to other parts of the district. During the 20 years from 1816, twelve or thirteen Collectors were engaged on the work. Their arrangements, though seldom accepted by the Board of Revenue, practically remained in force for want of anything better, subject to such modifications as emergencies required. In 1865 the charge for a second crop on unirrigated lands was struck off by the Board of Revenue. The last important act of Government prior to the regular settlement was to reduce the assessment on irrigated land to a maximum of Rs. 8-5-1 per acre.

56. The next problem in the Settlement, was to tackle the strong objection of the Mirasdars to the assignment of waste land to outsiders. This led to the recognition by Government of the claim of the mirasidars to levy what have been well called "Manorial fees" (Swatantram) from all persons newly taking up waste lands for cultivation.

ORIGINAL SETTLEMENT

On 24th November, 1870 Mr. Banbury submitted tentative proposals for an appropriate set of rates for the various soils in Saidapet and Ponneri taluks based on experiments in the villages commanded by the Red Hills and Sholavaram tanks. Operations were extended to the whole of the Saidapet, Ponneri and Tiruvallur taluks these going by the name "Principal Division" and revised proposals were submitted by Mr. Banbury in his scheme report dated 13th April, 1874. This scheme report was approved by Government in G.O.No. 295, dated 24th February, 1875. Mr. Puckle was ordered to carry out the Settlement as sanctioned. Major Stuart continued with

the work on the same lines throughout Saidapet and Ponneri Taluks. Major Stuart also prepared and submitted a separate scheme report for Conjeevaram and Chingleput taluks in the same lines advocated by Mr. Banbury and it was approved by Government in G.O. No. 541, dated 6th February, 1877. No separate scheme report was found necessary for the 6th and last taluk of Madurantakam.

Taluk.	Scheme report.	G.O. approving the scheme.	Year of introduction of settlement.
(1)	(2)	(3)	(4)
Saidapet.. .. .	Mr. Banbury in his report, dated 13th April 1874.	G.O. No. 295, dated 24th February 1875.	1875 to 1878.
Ponneri			
Tiruvallur			
Conjeevaram	Major Stuart's report, dated 8th May 1876.	G.O. No. 541, dated 6th February 1877.	1877 to 1878.
Chinglepu			
Madurantakam	No separate scheme prepared ..	....	....

58. The original settlement of the District referred to above was thus the work of a number of officers but Mr. Puckle's work was prominent among them. This settlement was first worked out for the principal division comprising the taluks of Saidapet, Ponneri and Tiruvellur and it was afterwards found that the remaining 3 taluks known as the subdivision taluks presented no such special features as to make the same scheme unsuitable for them also. The salient features of the original settlement are:—

(1) *Classification of Irrigation Sources.*—The sources of irrigation as such were not classified, but the villages were divided into 3 groups according to the general quality of the irrigation in the village. In fixing the groups attention appears to have been paid mostly to the capacity of the chief source in the village, but the general fertility and the situation were also considered. The inequalities produced by such a method were to some extent obviated by manipulating the soil classification.

(2) *Dry Grouping.*—Villages were divided into three dry groups, more with reference to the fertility of the dry lands and facilities for irrigation, than with reference to their nearness to markets. From a reading of Mr. Banbury's scheme reports it is seen that wet and dry lands have invariably been dealt with together in the matter of grouping.

To quote Mr. Banbury—

I must remark that in this tract contiguity and geographical nicety cannot be maintained as a village with a well supplied tank and fair soil may often be found next door to one devoid of these advantages. The same remark applied to the dry lands where a low lying village favourably off, may be situated in the vicinity of others no better than the ordinary run.

This may also in a way explain the eccentric grouping given to villages in Saidapet and Ponneri taluks. The western portion of Kancheepuram and the entire Madurantakam fall in the 2nd group. The grouping made in Chingleput and Tiruvallur taluks correspond fairly well with the general fertility of the tracts and with their distance from the chief markets. Chingleput may be divided into an eastern third group portion and a western second group portion. Similarly Tiruvallur falls into a South-eastern second group and north-western third group portion, with the exception of a small cluster of second group villages around Nagalapuram village which has easy communication with the markets of Chittoor District.

(3) *Soil Classification.*—For both the principal and the sub-division taluks of Chingleput district, the five sort system for Regar and Red series and three sorts for the Arenaceous series were adopted. Only 470 acres of dry lands were put in the exceptional (permanently improved) series. For the poor, salt-impregnated Wet lands in Ponneri an extra sort was provided; this was numbered as 6 in the Red series and 4 in the Arenaceous.

Red soils accounted for 3/4 of the dry area and for over half the wet. Black soils were rare in the north but became more common in the south, until in Madurantakam where they covered 9/10th of the wet area and a third of the dry. The arenaceous series occurred in the coastal taluks and mostly confined to dry lands. The blocking of contiguous similar lands under the same class and sort was adopted in all the taluks at the time of original settlement on the proposals of Mr. Puckle. In the case of the principal taluks this process was probably done entirely in office at a late stage as a result of which curious discrepancies were noticed between the classification given and the state on ground.

(4) *Manavari Lands*.—This is a special feature in this district which had been engaging the attention of the Board and Government from long prior to the original settlement. They comprise lands suitable for paddy cultivation without any regular irrigation, and are practically unfit for the cultivation of dry crops owing to the high incidence of moisture available in the soil. Just before the original settlement such lands were treated as dry, but highly assessed (Rs. 4—8—9 being the highest rate). At the time of settlement, all manavari lands which were directly commanded by irrigation sources were transferred to wet, and the rest treated as dry, but assessed at special rates which were usually one taram, but sometimes 2 or 3 tarams, higher than that of the other dry lands in the same block.

(5) *Second Crop Charge*.—All lands receiving an assured supply for 2 crops in all ordinary seasons were registered as double crop, the rate for such lands being 1½ times the taram assessment. And compounding was allowed at 1/3rd of the first crop charge for wet lands where the irrigation for the second crop was precarious. It was actually found that 1/3rd compounding occurred in the first two groups and ½th in all the three wet groups.

(6) *Water Spread Lands*.—Most of the occupied tank bed lands were registered as wet though not irrigable by any other source than the water spread on which they were situated, and some land as dry and some as manavari. The figures below will show the extent under the different descriptions out of the 11,448 acres of tank bed lands booked during the settlement.

	ACRES.	
Wet	8,203	Total .. 11,448
Dry	3,089	
Manavari	156	

The above does not include wet lands situated in the water spread of one tank but irrigable by another tank situated higher up.

(7) *Doruvu wells*.—Lands irrigated by doruvu wells situated on the banks of rivers were registered as baling wet and were exempted from any charge for the cultivation of the second crop. Re. 1 was also allowed as the baling remission.

(8) *Mirasi rights*.—It goes to the credit of Mr. Puckle for arriving at a settlement of this most vague and intriguing subject. His proposals were approved by Government in G.O. No. 590, dated 14th April 1875 and it was ordered that the nature of settlement and the rights conceded to the mirasidars should be clearly set forth in the Descriptive Memoir that accompanied each settlement register. The information given in the Descriptive Memoir is to the effect that the Government have recognised the mirasidars' claim to a percentage fee (Swadantaram) on the taram assessment which was fixed at 2 Annas in the Rupee of assessment of both dry and wet lands for which the lands were divided into (1) Pangu, (2) Darkast and (3) Waste. After stipulating the shares and conditions under each of these lands the names and shares of the then mirasidars were also noted in the Descriptive Memoir of the Settlement Register. Further, the Swatantaram fee payable for each field was entered in the body of the Settlement Register against all lands except lands which had already been granted on Darkast by Government, which were exempt from payment of Swatantaram since pattas had been issued to non-mirasidars prior to the settlement in these cases. Though no specific mention is made as to the agency for collecting these amounts, it was held that the Government had no hand in the collection and payment of these fees to the Mirasidars.

RESETTLEMENT.

59. Preliminary investigation of the District was commenced in July 1907. The table given below will show when the scheme reports were submitted and the orders of Government approving them as well as the resettlement notification:—

Taluks.	Government order approving the scheme.	Government order approving the Resettlement notification.	Introduction of resettlement.
(1)	(2)	(3)	(4)
1. Saidapet ..	Approved in G.O. No. 2240, dated 14th August 1909.	G.O. No. 2836, dated 15th October 1909.	In fasli 1319,
2. Chingleput ..			
3. Madurantakam ..	G.O. No. 2500, Revenue, dated 10th September 1909.	G.O. No. 3149, Revenue, dated 18th November 1909.	In fasli 1320.
4. Conjeevaram ..	G.O. No. 174, dated 18th January 1910.	G.O. No. 1060, Revenue, dated 1st April 1910.	
5. Tiruvallur ..	G.O. No. 1542, Revenue, dated 11th May 1910.	G.O. No. 2561, Revenue, dated 4th August 1910.	
6. Ponneri ..	G.O. No. 3992, Revenue, dated 15th December 1910.	G.O. No. 3992, Revenue, dated 15th December 1910.	

60. The resettlement took the form of a percentage enhancement of taram rates as was usually adopted at resettlement. The entire resettlement operations were done solely by G.A.D. Stuart, I.C.S., Special Settlement Officer. Most of his proposals were accepted with little or no opposition at all.

61. (1) *Reclassification of irrigation sources*.—The following were found to be the draw backs of the system of classification adopted at the original settlement:—

- Even during the original settlement manipulation of soil classification could not be freely done as the blocking system had to be adhered to which required that contiguous similar lands should bear the same classification.
- The table of wet rates was inelastic and no allowance could be made during the currency of settlement for changes in the source of irrigation of any land without disturbing the soil classification.
- It was not possible to effect a satisfactory composition for second crop as the rate of composition that was suitable for the best source in a village might be much too high for the poorer sources.

Mr. Stuart, therefore, proposed that the irrigation sources of the District should be reclassified into five classes on modern principles. The following classification of irrigation sources was, therefore, accepted.

First Class.—Those which can provide irrigation throughout the year.

Second Class.—River Spring channels and tanks that can provide irrigation for 8 months, but not for 12

Third Class.—All sources that can provide irrigation for six months or more but less than 8 months.

Fourth Class.—All sources that can provide irrigation for 3 months or more but less than 6 months.

Fifth Class.—All sources that can provide irrigation for less than 3 months.

The classification was thus to be based on a consideration of the capacity of the tank or source in relation to its ayacut, checked by reference to the extent that is usually cultivated with a 2nd crop.

(ii) *Dry Grouping*.—At the time of resettlement Mr. Stuart after examining the grouping carefully, came to the conclusion that on the whole, the dry grouping of villages at the time of original settlement was fair and corresponded to the general fertility and situation relatively to markets of the villages. He, therefore, did not consider any regrouping necessary at the time of resettlement. He also noticed that in the old Settlement a reduction or enhancement of group was used to counteract a too high or too low incidence due to severe or lenient classification, thus making the fabric of assessment a complex one.

(iii) *Reclassification of soils*.—At the time of re-settlement Mr. Stuart was faced with discrepancies and the anomalies in soil classification consequent on regrouping of irrigation sources. He also noticed in a few cases deliberate under assessment, mostly in Chingleput Taluk. He proceeded on the basis that the old tarams should

be retained as far as possible by suitably adjusting the soil classification when the wet grouping is altered, with discretion however to alter the classification which would amount to increasing or decreasing the taram in deserving cases. The latter procedure was found necessary in a very few cases. When the wet group remained unaltered in nearly all cases, small adjustments of classification were resorted to, to obviate glaring errors in sorting. The dry lands classified as permanently improved at the original settlement were transferred to their appropriate classes and shorts.

(iv) *Second Crop Charge*.—Though Mr. Stuart's proposals at 'resettlement to adopt 1/3rd to 1/6th charge as the compounding rates for second crop for the revised classification of sources (2 to 5, respectively) was accepted, yet his proposal to register as double crop wet, under all sources, lands getting an assured supply for a second crop was turned down, and Government ordered that registry of double crop lands can be only under a first class source, and it will be at the option of the ryots to compound the charge for second crop on wet land under other classes of sources in accordance with the rules laid down in B.S.O. 1.

(v) *Manavari Lands*.—Mr. Stuart strongly recommended the separate treatment of the dry lands growing rainfed paddy under the new description 'Manavari' to take its rightful place intermediary between wet and dry lands. This description of lands comprise ACHUKATTUS also, where the Achukattus (i.e. fairly high ridges erected so as to impound water) do not affect the supply to a Government source. Where they are found to intercept the supply to a Government source they are to be registered as dry and assessed at special rates and liable to be charged water rate as in the case of the usual dry lands. A special set of rates for Manavari lands was, therefore, introduced. They were treated as dry for purposes of remission and water rate charged for irrigation by direct flow. But when water rate is charged, the ordinary dry rate and not the Manavari rate should be charged.

(vi) *Water Spread Lands*.—The wet classification assigned to waterspread lands at the original settlement was not interfered with during re-settlement. Mr. Stuart proposed a uniform treatment of the waterspread lands which were not registered as wet under a source higher up. His original proposal to treat as wet these lands also on the ground that differential water rate system was to be introduced in that district was turned down as it was in variance with G.O. No. 1178-R, dated 26th July 1879 which required the registry of such lands as dry and no water rate was to be charged, but the lands should be assessed at the highest dry rate. Mr. Stuart then pressed for the registry of such lands as Manavari which would be in keeping with the spirit of the G.O. as well as a consistent and rational manner of treatment of tank bed lands. He also proposed the assigning of the highest sort to those lands under their respective classification. This modification met with the approval of the Board and Government and was incorporated in the re-settlement notifications.

(vii) *Doruvu Wells*.—Mr. Stuart recommended the continuance of the existing procedure of registering the ayacut under Doruvu wells as baling wet land although in the districts of Guntur, Kurnool and Cuddapah such lands were treated as dry and levied a concessional water charge. Mr. Stuart based his argument on the score that in those districts such a treatment was in order as only dry crops were raised by doruvu wells whereas in Chingleput district a regular wet crop paddy was cultivated by doruvu wells. The Board recommended the proposal of the Settlement Officer but the Government vetoed it in their order No. 2240, dated the 14th August 1908 and ordered that the wells should be dealt with in accordance with G.O. No. 1402, Revenue, dated 20th May 1908 according to which the ayacut lands under the doruvu wells were to be registered as dry and charged a concessional water rate (viz W.—D/4) since water is to be baled out.

(viii) *Mirasi Rights*.—Mr. G. D. A. Stuart in his report to Board of Revenue (reference No. Dis. 471, dated 27th March 1908) traced the history of Mirasi rights right from the early days up to the time of original settlement and made proposals for getting over the main hurdles.

62. Mr. Stuart came to the conclusion that there was no need whatsoever to record in the resettlement Diglott Registers any information regarding the amount of

SOUTH ARCOT DISTRICT.

SOUTH ARCOT DISTRICT.

PART I.

1. (a) *Physical description*.—South Arcot is a littoral district as three of its taluks (viz.) Chidambaram, Cuddalore and Tindivanam lie on the coast line of the Bay of Bengal which marks its eastern boundary. The centrally administered State of Pondicherry is located as a small enclave on this east coast. On the north of the district lie Chingleput and North Arcot districts the northern boundary of the district being just about 40 miles from the city of Madras. It is flanked on the west by Salem district and on its south lies Tiruchirappalli. The south east corner touches Thanjavur district whose rural economy and agricultural practices overlap the conditions in Chidambaram taluk and are richly reflected in the pattern of rural life and social interaction in this part of South Arcot district. The southern boundary follows the length of two rivers, the Vellar which divides it from Tiruchirappalli district and Coleroon which separates it from Thanjavur. To some extent, the massive Kalrayan hills spreading over Kallakurichi taluk marks the natural boundary between South Arcot and Salem. The venerated temple at Chidambaram dedicated to Lord Nataraja is a centre of religious and tourist attraction. Etymologically, the district derives its name from the fact that originally it consisted of that portion of the Mogul Subha of Arcot to the south of the River Palar usually referred to as the "Southern Division of Arcot" (Tamil Arcot—"Arukadu"), the tradition being that in the distant past, the country around the Palar river was covered by six forests wherein dwelt six Rishis.

2. (b) *Economic condition*.—According to the 1971 census the area of South Arcot is 10,898 sq. kilo metres, of which the cultivated area is 63.68 per cent. The population is:—

Urban—512,997.
Rural—2,972,702.
Total—3,485,699.

The strength of cattle wealth is as follows:—

White cattle—1,399,528.
Black cattle—1,966,208.
Sheep—422,307.
Goat—403,096.
Other livestock—3,739.
Pigs—98,377.
Total Poultry—376,744.

3,772 villages have been electrified, besides 2,326 Harijan colonies.

3. *Irrigation*.—The following major irrigation sources serve the district:—

1. Coleroon Lower Anicut.
2. Gadilam.
3. Vellar.
4. Sathanur Reservoir I and II stages in Ponniyar.
5. Vidur Reservoir.
6. Gomukhi Nadhi Project.
7. Manimuktha Nadhi.

4. *Agriculture*.—The district, however is predominantly dry, notwithstanding the irrigation sources mentioned above and is nearly self sufficient in the matter of food production. Besides paddy, groundnut, sugarcane and gingelly are grown extensively. Well irrigation by pumpsets supports the commercial crops grown in dry lands. There

were as many as 65,373 energised pumpsets working in the district in the year 1971. The extension of cultivation of sugarcane around Nellikuppam is accounted for by the existence of the sugar factory there owned by M/s. E.I.D. Parry Limited. The irrigated dry lands are sown with dry crops like varaghu, cumbu, cholam, ragi and groundnut, as soon as the south west monsoon sets in July-August and harvested in November-December. The north east monsoon, which is more copious, supports a single crop paddy on wet lands (not served by Projects) which comes up for harvest in December-January. Casuarina is grown extensively in Cuddalore and Chidambaram taluks for commercial exploitation.

5. *Industries*.—The clay available around Panruti and Vadalur has helped starting ceramic industry. The lignite mined at Neyveli supports the thermal plant erected there. A non-affiliating, teaching and residential university established at Annamalai-nagar helps spread of education at undergraduate and post-graduate levels.

6. *Communication*.—The district is well served by roads. The metre gauge railway line from Madras to Mayuram traverses the district with branch lines to Katpadi, Salem and Pondichery. It is one of the economically well advanced districts with around progress.

II. Political history:

7. South Arcot, like any other territory in South India, shared its fortunes in the early times with the sway of the three great Tamil rulers Chola, Chera and Pandya. It also once formed part of the Thondaimandalam included in the territory of the Pallavas believed to have been part of the dominion of King Vishnugupta of Conjeevaram¹. The construction of the ancient Siva temple at Thirupapuliur near Cuddalore town is ascribed to Mahendra Varma I, a Pallava King. The district had formed part of the Pallava realm as long as that dynasty was in power. Towards the close of the 8th century, the Pallavas were supplanted by the Gangee—Pallavas and after them the turn of fortunes of the reigning monarchs of the Chola, Pandya and Chera Kingdoms affected South Arcot². On their decline portions of the district passed under the domination of the Hoysalas of Dwarasamudra and by the last quarter of the 14th century South Arcot formed part of the Vijayanagar territories and controlled from Gingee, their great fortress. Around this place centred much of the conflicts of the Muslim and Maratha forces till the Mogul Emperor, Aurangzeb, resolved to reduce the place to provide himself with an impregnable seat of local Government in the far south. It took 7 years for his generals to vanquish Gingee, the "Eastern Troy". Aurangzeb divided his empire into a number of Subhas or provinces in charge of Subedars or Viceroys under whom were lower officers styled Nawabs. South Arcot went into the formation of one such Mogul Subha of the Carnatic with Headquarters at Arcot, whose head bore the title of "Nawab of Walajah"³. By the middle of the 18th century, more than one European power had obtained a footing in the area. First to arrive were the Portugese who founded a Settlement at Porto Novo. They were overthrown by the Dutch who established factories at Porto Novo and Devanampatnam (Fort St. David in Cuddalore taluk). Their sole purpose was trade and commerce and so their doings had little effect on the chronicles of the district. The history of the district from the time of the advent of foreign elements was marked by bitter rivalry for the office of Nawab of the Carnatic. The story of their intrigues and the long rivalry and bitter contest between the British East India Company and the French who took sides in the Carnatic wars, is intimately bound with the history of the district, which witnessed its closing scene at the fall of Pondicherry in 1761⁴. After the close of the III Mysore war, the Nawabship of the Carnatic was conferred on the protege of the British, Azam-ud-Daulah, the last of the Arcot Nawabs, with whom an arrangement was concluded in 1801 by which he handed over to the company in perpetuity the "sole and exclusive administration of the Civil and Military Governments of all the territories and dependancies of the Carnatic". South Arcot thus passed with the rest of the Carnatic

1. The Pallavas of Kanchi by R. Gopalan, 1928.

2. The Chola by K. A. Nilakanta Sastri Vol. I, 1935.

3. Maratha rule in the Carnatic by C. K. Srinivasan, 1945.

4. Studies in Madras Administration Vol. I by Dr. B. S. Baliga, 1949.

5. Gazetteer of South Arcot district by W. Francis, Volume I, 1906

under the dominion of the English and from that date forth its political history has been uneventful. In 1806, Pondicherry was restored to the French who after holding the territory for nearly 1½ centuries handed it back to the independent Government of India. Pondicherry now constitutes a separate centrally administered state as an enclave within the district.

III. Land Revenue Administration :

8. Revenue Administration under the British in South Arcot began in the Fort St. David or Cuddalore (Gudalur) in 1690 with the acquisition from the Marathas of the Tiruvendipuram territory consisting of 26 villages and extended to the jagir of Chinnappanayakanpalayam consisting of two villages from 1750 and 1762 respectively, with the cession of those territories by the Nawab of Arcot. Between 1782 and 1783 and again between 1790 and 1799 more areas practically comprising the whole of the district were temporarily assigned by the Nawab to the British to foot his expenditure on internicine wars. Continuity of administration was, however, ensured only from 1801 when this district, along with the other tracts were permanently ceded by the Nawab.

9. For a longtime, the old territories brought to the British very little revenue. The villages were either let out to the renters for a term of years or managed under amani (i.e.) under a settlement made directly with the ryots, following the systems prevailing under the Nawab's regime with little alteration. Thus, in the Tiruvendipuram country, there were three types of ryots, the "Nattars", the 'Ulkudis' and the 'Purakudis'. The nattars claimed special customary rights and perquisites, but these were ordered to be abolished in 1768 and thenceforth till 1775 they differed nowise from the ulkudis. In 1775 their privileges were restored, only to be again abolished in 1786 and substituted by a commission of 5 per cent on the net revenues of the farms which they enjoyed till 1806. The ulkudis (dwellers within) were those ryots who had always resided on the farm, while the purakudis (dwellers without) were outside cultivators brought into it occasionally to till the land not taken up by the ulkudis. The land was usually either granted on a fixed rent to the ryots or cultivated on the sharing system. In both cases deductions amounting to 10½ per cent were made from the crop for the fees to the village officers, artisans, temples, etc. before the ryot was allowed to remove any portion of it. The land was classed either as paddy (wet) land or "small grain" (dry) land. The dry land was usually assigned on a fixed rent either annually or for a term of years in accordance with immemorial custom; the wet land was either rented or cultivated as on the sharing system. In the latter case, the share of the crop which was taken by the Government or the renter, whom the Government sometimes employed, differed according as the land was watered by channels or by baling with picottahs. If it was supplied by channels, the ryot's share, after making the customary deductions, was two-thirds of the crop. The use of the Picottah brought forth some concessions. If the land was rented, instead of being cultivated on the sharing system, arrangements were similarly made by which the purakudis obtained it on easier terms than the ulkudis¹.

10. The Revenue system that was in vogue at the advent of the British was that introduced by Rayaji in the carnatic country in 1764 A.D. Rayaji, a Brahmin born in Buva nagiri, rose by sheer ability from the position of a sthala karnam, or revenue accountant, to that of the Manager of the whole of the Arcot country. He conducted a survey of the arable, waste, wet and dry lands and regulated the rates of waram (Government share) on wet land and tirva (money assessment) on dry land. He imposed three rates of assessment; one for ear-crops (Kadir), one for podcrops (Kai) and a third for second crops (Puvasi). He allowed the ryots rent free house sites (Manai mafs) the Brahmins getting 7 guntas for a house of one 'manai' of 80 feet square, the Non-Brahmins five guntas in an ordinary village and two in agharams of Brahmin villages. This gunta, a standard unit of land measurement was 24 "feet" square, the feet being, it is said, those of the tallest man in the district. A margin of two more "feet" was allowed and these 26 feet approximated to 24 english feet (under the foot pound system).

6. Manuel of the South Arcot District by J. H. Garstin 1878.

1. Gazetteer of South Arcot district by W. Francis, Volume I, 1906.

One hundred guntas so formed made up of "Kani". This kani (1.32 acres) is still the local standard of land extent adopted by the ryots. His grain measure was a kalam (called Rayaji kalam) of which 100 went to the Madras garce (4.39 tons) and which was sub-divided into 12 Rayaji markals, each containing eight addas. For the first 10 years of his management he adopted the amani system under which the ryots paid their dues direct to Government. But the receipts fell off and in 1774 the Nawab having rented out the whole subha to him, he divided it among five subrenters, who in turn employed sub-renters for whole villages; and in each of these villages, the ryots were collectively held responsible for the assessment fixed on the village under the renting System. The revenue thus collected by Rayaji seems to have been high; but the British Officers, while the country was transferred to their management, never seemed to have collected such high revenue. The situation was rendered worse for them by the appalling results produced by Hyder Ali's invasion of the Carnatic in 1780. It was not till the cession of the Carnatic in 1801 that the British made any attempts to collect the land revenue in a systematic manner.

11. The history of systematic administration of land revenue in South Arcot by the British can thus be said to begin with the cession of the Carnatic by the Nawab of Arcot in 1801.

IV. Village Settlement:

12. Captain Graham appointed to take charge of the taluks of Arcot in 1801 A.D. became the first Collector of South Arcot. In his settlement, Graham reduced the prevalent assessment in the district by about 30 per cent on necessity for a moderation in Land revenue assessment, in keeping with the actual economic circumstances of the ryots and called it village settlement.

13. The Board of Revenue would not reconcile itself to such a step reduction in revenue, nor with this village settlement, as they found that his settlements were made not in all cases with the head inhabitants of the villages under joint security for the revenue but in most cases with renters, who were utter strangers, under their own individual security. The Board also found that his accounts were full of inconsistencies. On this pretext, he was removed from the district towards the end of 1802; Mr. Garrow, the Secretary to the Board, was sent to the district in his place. But the settlements made by Mr. Garrow proved to be by no means successful. He did not believe in village settlements; such settlements, he said, benefited only the principal ryots and not the numerous body of small ryots. He wanted to introduce the ryotwari settlements which were then, under the influence of Alexander Read and Thomas Munro, fast coming into vogue. But he had no time to do this, as the season had far advanced. In 1802-1803, therefore, he merely followed the footsteps of Rayaji, raised the assessment adhoc to the highest possible pitch and concluded settlements with the heads of villages. He fixed the rates of waram and tirva on dry land at the level at which they stood in 1800; and the ryots' share of the gross produce of the waram after the deduction of the usual meras and swatantrams, came to 40 per cent if they were non-Brahmins and 45 per cent if they were Brahmins or Payakaris. He, however, gave remissions for baling, but he imposed several miscellaneous imposts such as sadalwar, mamul, nazzar or an arbitrary addition of 1 to 3½ per cent to the revenue and so forth, all of which were in vogue in the Nawab's days and which made the settlement 10 per cent above that of 1800-1801, which was itself 13 per cent higher than the average of the preceding nine years. The ryots were hard hit by this oppression. In the next year, in 1803, when Mr. Garrow was making preparation to introduce the ryotwari settlement on this basis, the heads of villages who got alarmed appealed to the Board. The Board refused to concede but the Government viewed the situation with not a little concern and removed Mr. Garrow in December, 1803.¹

14. Major Macleod, reported as the next Collector early in 1804, when the season was extremely unfavourable and many families had actually left the district, after selling their cattle at low prices. The Board asked him to adopt the ryotwari settlement.

¹ Gazetteer of South Arcot District by W. Francis, 1906.

² General report of Board of Revenue, dated 20th February 1809.

instead of the village settlement and if that were not possible at once, to make a village settlement exactly on the lines followed by Mr. Garrow, commencing the survey forthwith, in order to introduce the ryotwari settlement at the earliest possible moment. He, however, felt that the country was over assessed and actually made a village settlement for the year 1803-1804 which brought in Rs. 9,57,200 less than the revenue derived by Mr. Garrow's settlement. But the Board did not agree with him; it held that, until a survey had been made, nothing could be said about the severity of the assessments. Mr. Macleod lost all interest in his work. In March, 1805 he applied for leave on the ground of ill-health and was succeeded by Mr. Ravenshaw.

15. Mr. Ravenshaw's administration (March 1805 to February 1813) was a memorable one. It was during his time that a formidable combination of the heads of villages with the karnams was revealed and a ryotwari settlement based on survey was first introduced but abandoned soon after in favour of triennial leases in a village settlement with the heads of villages, followed by a decennial lease.

16. He went into the whole question of assessments, showed beyond a shadow of doubt that they were too high and proposed that, wherever the assessment of the nanja lands exceeded 5 pagodas and that on punja lands 2 pagodas per kani, it should be reduced to that level and that all the existing numerous and oppressive ready money collections, called ressums and nazzars should be abolished. The Board, at last, felt convinced of the heaviness of the assessments and the ready money collections and proposed to the Government that the relief recommended by him should be given at once, without even waiting for the completion of the survey, which as a matter of fact, had not yet been begun. The Government approved entirely the abolition of the ready money collections and ordered that the settlement for fasli 1215 (1805-1806) should be carried out on the principle of an equal division of crop between the Government and the ryot, and that the survey should be conducted without delay. The season for fasli 1215 however being far advanced, Mr. Ravenshaw reported that the equal division of crop could be effected only in subsequent faslis, as the survey proceeded. But he reduced the nanja and punja rates to five pagodas and two pagodas per kani, respectively, as proposed by him and abolished all the ready money collections. Paradoxically, in spite of these reductions, the revenue began to increase appreciably. Thus in 1804-1805 it was 3,97,600 star pagodas and in 1805-1806 it rose to 6,54,336 star pagodas.

17. The survey was begun in 1805-1806, the standard of measurement being Rayoji's gunta of 24 feet square, 100 of which made a kani. It was completed by August 1807 in the seven taluks of Gingee (senji), Tindivanam, Valudavur, Villupuram, Tiruvannamallur, Tiruvadi and Bhuvanagiri, and was followed in these areas in 1808 by a settlement based upon it. The survey classified the land into cultivated, waste and not cultivated, and divided them into fields. It brought to account 1,46,209 kanis of arable dry and 16,757 kanis of arable wet land more than had been shown in the old accounts. The settlement classified and valued the produce of each field according "to the best information obtained" and with reference to its soil (not less than 26 varieties of dry soils, 18 of wet and 16 of garden being distinguished) and then fixed an assessment on it on the general principle of an equal division of the crop between the Government and the ryot. The money value of the Government's share was arrived at adopting the commutation rate for the standard produce on different categories of land and laid on a scale. According to this scale, there were sixteen wet, twelve dry and nine garden land rates, but the average rates in any village were not to exceed five pagodas (Rs. 17.8.0) for wet and two pagodas (Rs. 7) for dry land per kani. The average wet and dry rates for the whole of the settled taluks worked out to Rs. 9.7.9 and Rs. 3.2.2., respectively, per acre. Deductions of 28 per cent were made on wet land depending entirely on rain or irrigated by picottahs, and of 10 per cent on all land belonging to the Brahmins or Muslims and actually cultivated by them. On the other hand, much wet land and some dry land was classified as double crop, and

¹ General report of the Board of Revenue dated 5-10-1806.

assessments for both crops were collected irrespective of whether a second crop was raised or not. The settlement of fasli 1217 (1807—1808) was made in the seven taluks mentioned above in accordance with this survey while the survey of the other taluks was steadily pushed on.

18. Meanwhile, the ryotwari settlement had temporarily gone under eclipse and the village settlement had obtained recognition in Madras based on the recommendation of the Tanjore Commission made early in 1807. The Government approved it as being the least liable to objection and better calculated for an ultimate measure of permanency than the ryotwari and zamindari or mutadari settlements. By the close of 1807, Mr. Hodgson, a Member of the Board who constituted the Tanjore Commission, having toured through the districts of Coimbatore and Tirunelveli submitted two reports to the Government urging, in both, the necessity for the adoption of village settlements. It was the time when Mr. Munroe had recommended the adoption of Ryotwari system as the basis of a permanent Settlement on the experience gained by him in the ceded districts.

19. The Board was however strongly in favour of a permanent village settlement which appealed to it as the ancient method of settlement in all districts, save in Malabar and South Kanara where traces of private property existed. Under that system, the country was to be divided into villages and in each village, the Government share was to be received from the nanja lands in kind at rates varying from 40 to 60 per cent of the gross produce after deducting a certain portion in the threshing season. The Government share in punja lands was to be received in cash either at so much for a fixed measure of land or at so much for the same measure of land varying with the produce. Referring to the ryotwari settlement which Munro had advocated, instead of a permanent zamindari settlement, believing that, while it permanently settled the minimum income of the Government though at a level of 25 per cent less than the prevailing rates, it provided for the future augmentation of that income with the extension of cultivation and the increase of population, the Board thought it inadvisable to make so large a sacrifice as one fourth of the revenue. In the Board's view, it was impossible for the Collector with his other preoccupation to attend to all formalities needed for resorting to the ryotwari settlement. On the other hand, the village system advocated by Mr. Hodgson, which was as old as Manu, appeared to the Board an ideal mode of settlement. It enumerated the advantages of a village settlement as follows:—

1. It was familiar to the people;
2. It would facilitate and reduce the charges of collection;
3. It demanded very little attention from the Collectors;
4. It promised not to create any discontent so long as the village was not over assessed and;
5. It afforded ample protection to the ryots against the oppressions of the heads of villages.

On all these grounds the Board recommended that a village settlement might be made in all districts in which the permanent zamindari settlement had not been introduced.¹

20. Under this system the assessment on each village was to be fixed for a period of three years in the first instance with reference to the accounts of cultivation, the jumma and the actual collections for a series of past years. It was to be payable under all circumstances, extraordinary calamities excepted, in which case alone a remission might be made at the direction of the Government. In villages suffering under adverse seasons or other drawbacks, a progressive assessment might be fixed or the lease deferred or made only for one year with the ryots of the villages collectively or individually as before. Ordinary repairs of tanks, etc. should be carried out by the renters, but repairs of magnitude, or new works calculated to increase the revenue would be undertaken by the Government on the condition of proportionate increase of assessment. In

¹ General report of the Board of Revenue, dated 15th February 1808.

² Studies in Madras Administration by Dr. B. S. Baliga
Volume II 1949.

districts where the mirasi rights existed the mirasdars must be given preference and made jointly and severally responsible for the assessment but wherever they refused to agree to reasonable terms, engagements might be made with one or more of the mirasdars or with others. In districts where the mirasi rights did not exist, engagements might be made with patels or other heads of villages or even the resident ryots in preference to strangers. In all cases pattas were to be issued by the renters to the cultivating ryots for their mutual security against loss on the one hand and oppression on the other. It should, however, be expressly stipulated that the establishment of village assessments would not preclude the Government from prosecuting a survey for equalization of the rates of assessment in districts where they might not have yet been completed.

21. Mr. Ravenshaw introduced the triennial lease in the South Arcot District from fasli 1218 (1808—1809), concluding such leases with the heads of villages. He fixed the assessment on each village upon a consideration of the average collection of the past seven years, the revenue of the preceding fasli and the extent of waste susceptible of immediate cultivation. Of the 3,987 villages in the district, 3,742 were so leased. The remaining 245 included 81 shrotriem villages, 59 which were deserted and 105 which (as no one was found willing to lease them) were kept under amani, that is, under the direct administration of the officers of the Government. The total amount of all the revenue so arrived at was 41,600 star pagodas in excess of that of the preceding fasli.

22. But the experiment proved a complete failure. The price of grain fell, the seasons were unfavourable, cultivators were scarce on account of the oppressions of the renters, and what cultivators there were, fell more and more into arrears with their payments. In the first year of the lease, personal property to the value of 14,870 star pagodas was distrained for arrears. In the second, the figures rose to 33,826 pagodas; and, in the third, it reached 54,656 pagodas (Rs. 1,91,296).¹

23. The same tale of failure was reported from all other districts in which the triennial lease system had been introduced. But the Board deluded itself by believing that the village leases had failed because of the unfavourable seasons, the low price of grain, the short period of the lease, and the freedom from compulsion which the cultivators enjoyed under the new system of judicature. It believed that the ryotwari settlement was the most inexpedient measure for permanency, and that the zamindari or the mutadari settlement was equally objectionable. In its opinion, the village settlement, first made on a long lease, say seven or ten years, and then permanently fixed at a standard rent which it called a 'kist' was the settlement best calculated to give the ryots "a permanent interest in the improvement of land, if not the proprietary right in the soil, without involving the necessity of considerable remissions and without introducing strangers or shocking and fettering the people with novel and arbitrary regulations". Such a kist, it thought, might be determined on "a calculation of the average collections of the former years and the general capabilities and permanent resources of the villages". In villages where the headmen or the principal inhabitants might agree to pay the kist, they should receive a cowl, investing them with all the rights of the Government in the waste lands in the village, and assuring them that, so long as they continued to pay the kist, they would remain in possession of their lands without any additional assessment. In those villages, where the poverty of the inhabitants, the low state of cultivation or the large extent of available waste land might preclude an immediate settlement on adequate terms, a temporary settlement might be made on a moderate progressive rent and the principal inhabitants informed that, on their agreeing to pay the 'kist', they would be placed on the footing of permanent renters. This 'kist' the Board considered, would when the country improved, amount to one-third only of the gross produce of land whereas it then stood at about one-half. The Board was quite sanguine that village settlements so made would, in course of time, produce the best results. And it recommended that such settlements might be ordered subject to being made permanent on the approval of the Court of Directors.

24. The Government sanctioned these proposals, ordered that the village settlements should be made decennial in the first instance, subject to permanency on the approval

¹ Gazetteer of South Arcot District by W. Francis Volume I 1806.

of the Court of Directors and strongly recommended that measure to the Court of Directors dwelling at length on its merits. They stated that the immediate advantage of the settlement would be simplification of the revenue system, the avoidance of all labour involved in temporary settlements, the decrease in the charges of collection, the reduction in taluk establishments and the release of ample time for the Collectors, which they could devote usefully to their other duties.¹

25. The decennial lease was duly introduced in South Arcot from fasli 1221 (1811-1812), but it proved another failure. Mindful of their experiences with triennial leases, the renters showed no disposition to bind themselves in a similar manner for a longer period and in the first year of the lease only 579 of all the villages of the district were taken up. In the next year, 1812-1813, when Mr. Hyde became Collector in the place of Mr. Ravenshaw, the number of villages leased rose to 2,069 and in the next three years to 2,613, 2,765 and 2,801, respectively. But Mr. Hyde year after year, complained that the renters were robbing the ryots of the money necessary for carrying on the cultivation and that the condition of the ryots was rapidly deteriorating.²

V. Ryotwari Settlement:

26. By this time, however, the Court of Directors had begun to doubt the expediency of any permanent system of land revenue and resolved to introduce the ryotwari settlements in all the temporarily assessed districts. In 1812 they wrote an important despatch to Madras. They were, surprised at the general establishment of the village settlement as a measure of permanency conditional on their sanction when they had not been fully apprised of the results of the triennial leases introduced in the several districts. They had ample evidence from Bengal that great errors had been committed in concluding the permanent settlement with the zamindars and others in the State. A similar settlement formed in Madras, they remarked, had not been found successful. They could see little difference between the muttadari settlement which had already failed in Madras and the permanent village settlement which had been urged for general adoption. Both affected vitally the interest and rights of the small landed proprietors or ryots. The patta Regulation which was intended to protect the rights of the ryots had almost become a dead letter alike in Bengal and Madras. The Zamindars and Muttadars had habitually disregarded this regulation and the mirasdars and heads of villages who were required to grant pattas to the ryots might likewise do the same. The principal objection raised against the ryotwari settlement they said, was its detail. But Munro did not find his administration impeded by the details while working that system either in the Salem, or in South Kanara or in the Ceded districts. The question was whether it had better be carried on by the Collectors or Zamindars or others. Moreover the details were involved chiefly in the jamabandi and once the jamabandi was over the collection went on by itself. The Directors quoted the authority of several of the Company's servants, including the views of Lord William Bentinck, in favour of the ryotwari system. They pointed out that, that system had two great advantages. One was that it secured effectively to the State better than any other system, an adequate cultivation. The other was that it ideally suited the country in which the Hindu Law of Inheritance led to the division and sub-division of properties into small holdings. For all these reasons the Court of Directors ordered that in all non-permanently settled districts the ryotwari system should be adopted, and that where the village rents had been already established, the leases should be declared terminable at the expiration of the period for which they had been granted. They warned the Government of the responsibility, that would attach to them for any detriment to the Company's interests from disobedience to these orders.

27. On receipt of the Director's orders, the Government wrote two despatches to them justifying the village settlement once again and expressing fears that a reversion to the ryotwari settlement might mean considerable loss of revenue as it would become necessary under it, to lower the assessments in order to really benefit the ryots. But

the Directors stood firm; they repeated their orders and the Government were therefore compelled to issue orders to the several Collectors to reintroduce the ryotwari settlement on the expiration of the village leases.

28. The ryotwari settlement which was ordered to be adopted differed in some respects from that introduced by Read, Munroe, Ravenshaw and others previously in the various districts. It was ordered that the ryots were everywhere to be freely allowed to take up or give up lands as they thought fit at the time of the jamabandi every year. The settlement was to be made with persons who had a hereditary prescriptive right to enter into direct engagements with the Government and wherever there was over-assessment it was to be lowered. This over assessment had chiefly resulted from a defective survey which had proceeded from the details to the aggregate and not from the aggregate to the details. This type of survey was therefore to be avoided. Before assessing each cultivable field hereafter the aggregate maximum demand upon the whole arable land in the village should be determined. The aggregate should, on no account, exceed the average collection of former years of the village. It should be distributed over each field in detail in proportion to its productive quality as shown by the survey or the village accounts. A final point in regard to which the new settlement was to differ from the old was that an extra assessment to the extent of 10 per cent was to be imposed on the more fortunate ryot in order to compensate the Government for the failure of the unfortunate ryot.

29. These orders were issued by the Board in 1818. Mr. Hyde was told to introduce the new ryotwari settlement at once into such of the villages as had fallen into arrears in fasli 1231 (1821-1822) and also to prepare the ground for its introduction in the other villages on the expiration of the decennial leases. On the expiration of the decennial leases, Mr. Hyde introduced the ryotwari settlement in fasli 1231 (1821-1822), which progressively brought in Rs. 18,07,426 in fasli 1234. He reported to the Board that Mr. Ravenshaw's rates had been fixed too high, that the ryot's share of the gross produce should be 60 per cent, or at least 55 per cent, instead of the 50 per cent and that the commutation rate of five kalams per pagoda should be reduced to six kalams. The Board, however, alarmed at the idea of the relinquishment of 3½ lakhs of revenue which these proposals involved, called for more information. But, Mr. Hyde apparently never sent the information.

30. He was succeeded in 1826 by Mr. Brooke Culliffe, who in 1827 made a survey and settlement in the taluks of Setupattu, Tiruvannamalai, Tirukkailur, Elvanasur, Kallakurichi and Vridachalam. He, like Mr. Hyde, considered that Mr. Ravenshaw's rates were very excessive, but succeeded only partially in reducing them, on account of the opposition of the Board. But he succeeded in introducing several beneficial reforms, such as the inauguration of the system of paying the revenue by instalments, or kists; the abolition of the practice of "Dittam" whereby a ryot was required to bind himself to cultivate and pay for a certain extent of land each year, the doing away with taram barti, a plan under which the ryots were prevented from relinquishing land heavily assessed in favour of lightly assessed, by being charged the revenue due on any of the former which they gave up in addition to that of the latter which they cultivated in its stead, the improvement of the methods of conducting the jamabandi so that the ryots might be brought into more direct contact with the European Officers and have more chance of representing errors in the Karnam's accounts, and the issue of regular pattas stating the names and numbers of fields held by each ryot, their extent, classification and assessment and the kists in which the assessment was to be paid.

31. His immediate successors did little to change the revenue administration. In 1840 however, Mr. Asheton, raised a storm by issuing instructions to the effect that the manai mafs (already mentioned as having been granted on certain scales by Rayaji) were to pay assessment unless they were specially exempted in the survey accounts or by specific authority. This evolved strong and organised protest from the ryots and he eventually announced that the order would be withdrawn.

¹ Studies in Madras Administration by Dr. B. S. Baliga, Volume II of 1949.

² Gazetteer of South Arcot District by W. Francis, Volume I of 1906.

¹ Studies in Madras Administration by Dr. B. S. Baliga, Volume II of 1949.
² Gazetteer of South Arcot District by W. Francis, Volume I of 1906.

32. The Government were displeased with his tactlessness and removed him from his post and appointed Mr. John Dent (who had been Collector of the District immediately before him and who was at that time the Senior Member of the Board) as a Commissioner to enquire into the incidents. After making investigations on the spot, Mr. Dent issued a proclamation declaring that portions of nattam, occupied by houses or backyards, even if cultivated with tobacco and vegetables for the use of the occupants, would be exempted from assessment; that the other portions of the village site which, were cultivated would be charged the highest dry rate of the village; that the assessed land which had been already occupied by houses and backyards which did not cover a greater extent than allowed by a certain scale sanctioned in 1833 would be exempt from payment of revenue but that similar lands so occupied in future would be charged as though it were cultivated. The ryots represented to him also some twenty-four other grievances after examining which he issued a series of orders, known for many years afterwards as "Dent's Hukumnama". Ravenshaw's rates of assessment were however continued.¹

33. Nothing important happened in the district until 1851, when Mr. Edward Maltby was appointed its Collector. In an able report written in 1853, he proved conclusively that Mr. Ravenshaw's assessments, which more or less still prevailed in several taluks of the district, were excessive, that because of these excessive assessments people were emigrating every year and no less than 54 per cent of the wet land and 77 per cent of the dry land were still lying uncultivated. He pointed out that the assessments in South Arcot were much higher than in the neighbouring districts, viz., Chingleput, Thanjavur and Tiruchirappalli and urged that they should be remodelled on a basis which would leave with the ryots 60 per cent of the gross produce of wet land and 66 per cent of that of dry land. He argued that, though these reductions might, at first, involve a big loss in revenue, eventually they would be able to make up the loss by the increase in the extent of cultivation. The Board and the Government agreed generally with his suggestion, and as a result, a notification was issued in 1854 which made the following reductions in the existing assessments in the then existing ten surveyed taluks:—

34. (i) In the case of wet lands, the classification of land as double crop and doubtful double crop was abolished, wet land formerly so classed being entered as single crop and charged for a second crop at half the rate of the first, only when this second was actually grown; (ii) Land already classed as single crop was not to be charged for a second crop even if one was grown; (iii) Moreover, a deduction of 25 per cent from the first ten of Mr. Ravenshaw's sixteen wet rates and 20 per cent from the last six was made; these concessions were not however, declared applicable to fields which were rainfed or watered by baling which were to receive their usual 25 per cent remission and to be granted another 10 per cent in addition; (iv) In the case of dry lands the classification of dry land as double crop was also abolished; (v) A reduction of 33-1/3 per cent on the first eight of Mr. Ravenshaw's dry rates and 25 per cent on the last four was granted whether the fields possessed private wells or not; (vi) Garden land was abolished as a separate class and was assessed at the highest dry rate; (vii) the deduction of 10 per cent allowed to the Brahmins and Muslims was done away with (viii) the remission for seed beds was discontinued (ix) dry land cultivated with Government water was transferred to wet, water rate (Kasur) being charged meanwhile; (x) and one anna per kani was added to each of the rates to form a road fund for making and improving the district roads.

35. Mr. Maltby's prediction that the immediate loss in revenue would eventually be made up by extension of cultivation came true almost at once. In 1855-1856 the year after the introduction of the concessions, an enormous extent of 235,274 acres was newly brought under the plough and in 1856-57 a further area of 139,775 acres. By the end of this latter fasli the revenue due to fresh cultivation more than counterbalanced the loss incurred by the lowering of the assessments and the amount of wet land left untilled in the district fell from 54 per cent to 38 per cent and of the dry land from 77 per cent to 66 per cent. It can thus truly be said that the prosperity of the district dates from the changes inaugurated by Mr. Maltby.

¹ Gazetteer of South Arcot District by W. Francis. Volume I, 1906

36. In 1854, Mr. Hall, who followed Mr. Maltby as Collector, set himself to examine the assessments which were in force in the remainder of the district, namely, in the then Chidambaram and Mannargudi taluks, in the so called "taluk" of Cuddalore (Gudalur) which consisted of 50 villages and in the lapsed jagir of Sankarapuram, consisting of 4 groups viz., Sankarapuram, Chekkadi, Palayamkottai and Kollamalai. (The history of this Jagir is dealt with elsewhere below).

37. Between 1834 and 1846 the villages in the Palayamkottai and Kollamalai portions of Sankarapuram jagir had been surveyed and classified by Mr. Ashton. His proposals as well as the proposals of his successors, Mr. Hallet in 1842 and Mr. Davis in 1847 had been left unnoticed, and nothing had been done till Mr. Priestley commenced the survey of the villages in 1853. Mr. Hall reported in 1855 that in the Palayamkottai villages the dry lands were assessed at rates which varied in the same field according to the class of the ryot and the kind of crop. Additional cases of all kinds such as Nazars, etc., were also levied. In 1857, he settled these villages (in Palayamkottai group) in a systematic manner, his work being based on Captain Priestley's survey. In the next year 1858, settlement was introduced in Kollamalai group of villages. It may be stated here that, when the new settlement made in the year 1858 was introduced into the then Chidambaram and Mannargudi taluks in 1861-1862, his rates were only slightly altered to render them uniform with the assessment thereby brought into force in the country surrounding them. In the Chekkadi villages, however, no improvement in the revenue system was effected till much later in 1874 when a systematic survey and settlement was made, and that in the Sankarapuram villages the old system actually subsisted till 1889-1890 when the new settlement then made throughout the district was introduced therein.

38. In the Cuddalore taluk Mr. Hall found that the wet rates varied from Rs. 3-8-0 to as much as Rs. 38-8-0 per kani and that 33-1/4 per cent of the wet land was untilled. He proposed various reductions in the assessments ranging from 5 to 30 per cent and the Government sanctioned all those which were not above 10 per cent. In the dry lands he found that nearly 33 per cent was untilled and he proposed, and the Government sanctioned the reduction to Rs. 7 per kani of all assessments which were in excess of that amount. And, as elsewhere, the deduction of 10 per cent allowed to the Brahmins and Muslims was done away with and one anna per kani was added to the new rates for the Road Fund. In the Mannargudi and Chidambaram taluks the assessments temporarily introduced by Mr. Ravenshaw were still in force. According to these, all dry land had been charged one uniform rate, namely Rs. 3-12-7 per kani though the Brahmins paid only Rs. 3-10-0 and for all garden land, one uniform rate of Rs. 10-15-0 per kani. Mr. Hall proposed to do away with the deductions to the Brahmins, to add one anna for the Road fund and to charge all dry land 3-10-0 per kani and all garden land Rs. 7 per kani. The Government agreed to all this. As to the wet land, Mr. Ravenshaw had grouped the villages into five classes, of which the fifth included those which possessed only manavari wet land; and in each of these classes he had fixed (besides an average charge for all waste) four different money rates. Those in the fifth class had been raised by one-third in 1838 after the construction of the Lower Anicut across the Coleroon (Kollidam) which had brought them regular irrigation. Mr. Hall proposed to reduce the rates in the first four classes by 20 per cent and those in fifth by 10 per cent. To this also the Government agreed. The rates then stood at about the same standard as elsewhere in the district except that the minimum rates were higher. On Mr. Hall's recommendation, second crop was charged at half the assessment for first crop and instructions were issued in regard to the levy of Kassar on dry lands irrigated from Government sources. As before, the reductions in the assessment led to a large extension of cultivation, the average area tilled in the three years succeeding the change being nearly 20,000 kanis in excess of the average in the triennium preceding it.¹

39. In 1859 some important changes were made. The rates on dry land introduced by Mr. Maltby were still further lowered; the ryots were allowed to relinquish any land at any time during the fasli, instead of only at the beginning of it as before; remissions

¹ Gazetteer of the South Arcot district by W. Francis, Volume I, 1906
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for land in a patta which was left waste were abolished, the ryots being required to pay for all they held except wet land which was left waste for want of water; rules were passed to hinder persons who had relinquished land from taking it up again, and the village establishments throughout the district were revised, and the existing thirteen taluks grouped into eight (54 villages of Settopattu being transferred to North Arcot).¹

40. In 1861, a much more important change was made when the modern system of survey and settlement was introduced into chidambaram and Mannargudi. According to this system which was chalked out for the whole State in 1855 and the subsequent years, the lines on which the settlement was to be made were laid down as follows. A revenue survey showing all the physical features such as hills, jungles, roads, channels, tanks, topes, houses and cultivable lands was to be conducted. In the case of the cultivable land, the shapes of the fields were to be accurately shown. Permanent boundary marks were to be established and field, village and taluk maps were to be prepared. As to the settlement operations, soils were to be divided into a few series and classes based on origin and differences of composition and further divided into five sorts, the best, the good, the ordinary, the inferior and the worst.

41. Money rates were worked out adopting paddy for wet lands and cumbu for dry lands as standard crops. For the purposes of simplicity and for avoiding multiplication of rates, the classes and sorts of soil which were alike were merged in grades called "Tarams", their descent from the highest to the lowest being by a uniform amount in each 'taram'.

42. It was Mr. Newill the father of modern settlement who conducted the settlement of Chidambaram and Mannargudi adopting these modern principles. He relied on the survey made by captain Priestley. He divided the soil into 15 'tarams' according to their quality and distributed the lands, both dry and wet, in one or other of these 'tarams'. After repeated enquires and local examinations, he arrived at the grain valuation for the irrigated lands for the various 'tarams' ranging from 45 to 15 kalams per acre. He then merged all the 15 tarams into 9 classes only with reference to their productive powers. He fixed the commutation price at $6\frac{1}{2}$ kalams (24 measures) to the pagoda, equivalent to Rs. 7.12.8 a Madras garce, after taking into consideration the ryots' selling price of Samba rice for a series of years past and the cost of cartage to the market. He next calculated the expenses of cultivation after a protracted enquiry and made also a deduction of 15 to 30 per cent out of the gross produce for hedges, banks and other unprofitable parts of fields, the percentage varying in the inverse ratio to the nature of irrigation. He divided the villages into three grades as regards irrigation. He fixed the rates for the lands classed in the medium or second grade of irrigation after deducting from the gross produce the expenses of cultivation and 25 per cent remission on account of hedges, banks, etc. He raised the medium assessment by one grade in the lands of the third class, after making an allowance of 15 per cent deduction on account of hedges, banks, etc., in the former case and 30 per deduction in the latter case.

43. Though in many villages the assessment was raised the total effect of the resettlement was a decrease, amounting to Rs. 93,000 in revenue.

44. From the next twenty-six years, until another settlement operation began, no general revision of assessments was carried out in any part of the district but, as elsewhere, numerous minor changes were effected which considerably improved the revenue administration. Manavari land, which was previously assessed as wet land subject to a deduction of 25 per cent and which was increased in 1854 to 35 per cent, was in 1864 transferred to the head of wet or dry according to means of irrigation. In 1866 it was ordered that no additional charges for water for second crop should be levied on dry land containing wells, and that land classed as wet but dependent solely on private wells should be transferred to dry and charged the highest dry rate. In the same year the classification of land as "garden" was abolished, such land being transferred to wet, if irrigated and to dry, if not. In 1869 the levy of prohibitory assessment on waste and

poramboke cultivated without permission was sanctioned. In 1874 second crop assessment was ordered to be charged throughout the district on all wet land classed as single crop, on which a second crop had been raised with Government water, this system having been already introduced at the resettlement of Chidambaram and Mannargudi. In 1875 the rule requiring that transfers of registration and applications for land must deal with no area less than a survey field was abrogated; and "squatting" on Government waste was recognised. In 1876 a curious practice viz., the karayedu system which had long existed in three villages—Vanur and Pulichapallam in Villupuram and Meyyur in Thirukkailur—of periodically re-distributing among ryots the land of the village, was finally put a stop to.¹

45. Then came the settlement of 1887–1893, which was based upon a complete resurvey of all the taluks and which dealt with the whole district. It was conducted by Sri J. Lakshmikanta Rao, the Deputy Commissioner of Revenue Settlement. The new rates which he fixed were first introduced in the Cuddalore and Villupuram taluks, and later in all the other taluks. Under it for purpose of dry assessments, the villages were arranged into three groups, the last of which contained those among the Gingee hills; the second those in the Gingee division of Tindivanam, in the north-west of Villupuram and in the western borders of Tirukkailur and Kallakurichi; and the first the remainder of the district. For the purposes of wet assessment four classes of irrigation sources were distinguished. The first class consisted of all irrigation under the ancient channels, of the Coleroon, the Gadilam, the Ponnaiyar, the Vellar and the Manimuktanadi as well as the tanks directly fed by them. The second class constituted all irrigation under direct river channels unconnected with anicuts, spring channels, tanks directly fed by such sources and rainfed tanks holding five months supply and upwards. The third class was composed of all irrigation under spring channels and rain-fed tanks of an ordinary character and tanks indirectly fed by the second class sources. The fourth and the last class included all small shallow and indifferent tanks. By this grouping and classification, a higher scale of rates was applied to the best and most favoured tracts of the country and a lower scale to those less favourably situated or indifferently irrigated. The process by which the money rates were calculated followed the modern principles.

46. A deduction of one rupee per acre was made for baling from the assessment of the first crop and half a rupee from that of the second crop if the lands were irrigated solely by lift. The special water rates were abolished and water-rates were levied, in this as in all other districts, in accordance with those laid down in the Board's Standing Order No. 5. The assessment on the irrigated lands of the 'gundu' or 'cannon ball' villages of the Cuddalore taluk was till then a consolidated assessment without any distinction between single and double crop chargens. This anomaly was now removed by the new settlement. All tracts of unfailing double crop land under superior or first class sources of supply were registered as double crop adding to the first crop charge an additional charge of half the single crop rate and thus consolidating the rate of assessment.

As a result of the survey and the settlement there was a total increase in the cultivated area (both wet and dry) of 7 per cent and total increase in the assessment of 3 per cent. The cost of the survey and settlement came to Rs. 16,22,683.²

VI. Resettlement.

47. The resettlement of the district was made after thirty years during 1918–23. It was based on the scheme report³ submitted by Mr. H. A. Watson and was introduced in the Cuddalore taluk in 1917–18; in the Villupuram, Tindivanam and Gingee taluks in 1918–19 in the Kallakurichi and Tirukkailur taluks in 1920–21; in the Chidambaram taluk in 1921–22; and in the Vridachalam taluk in 1922–23. It may be mentioned here that after the original settlement of the year 1887, Tiruvannamalai taluk was transferred to North Arcot district in the year 1911 and a fresh taluk Gingee was carved out of portions of Villupuram and Tindivanam taluks. The resettlement of South Arcot as thus reshaped took the form of percentage enhancement of

¹ Gazetteer of the South Arcot district by W. Francis, Volume I, 1908

² Memorandum on current and Revenue settlements by E. Stock 1880

¹ Board's Proceedings No. 4398 dated 3rd September 1859.

² B. P. No. 214, dated 29th May 1894.

³ G.O. No. 476, Revenue, dated 4—2—1916.

assessment and was based mainly on the rise in the prices of staple foodgrains since the last settlement. No general reclassification of soils was made, as the classification made at the original settlement was on the whole found satisfactory. But several other changes were made, the most important of which were as follows: At the original settlement, it will be remembered, the irrigation sources were grouped into four classes. This classification did not take into sufficient account the superiority of irrigation afforded by Coleroon fed sources, which had been increased by improvements made since then by the Government. In order to rectify this defect and, at the same time, to provide for the introduction of normal rates of composition for second crop charge, the irrigation sources of the district were reclassified thus. Coleroon first class was to consist of the best irrigation under the Coleroon Lower Anaicut. Ordinary second class was to comprise all irrigation under the anicut channels of the Gadilam, the Ponniyar, the Vellar and the Manimuktanadi as well as the tanks directly fed by them and other sources which ordinarily afforded a supply of eight months and upwards. Coleroon second class was to include irrigation sources supplied from the Lower Anaicut which were placed in the second class at the original settlement. Ordinary third class was to cover all irrigation under the anaicut channels of smaller rivers, direct river channels unconnected with anaicuts, spring channels of the same capacity as river channels, tanks directly fed by these sources as well as tanks directly fed by second class sources and rainfed tanks and other sources which ordinarily afforded a supply for less than eight months but not less than five months. Coleroon third class was to comprise irrigation sources supplied from the Lower Anaicut which were placed in the third class at the original settlement. Ordinary fourth class was to consist of all irrigation under smaller spring channels and tanks indirectly fed by third class sources and also rain-fed tanks and other sources which ordinarily afforded a supply for less than five but not less than three months. And finally, the last class, the ordinary fifth class, was to include all small, shallow and indifferent tanks. Besides this classification, a definite classification was ordered to be assigned to all spring ponds or oozes and lands regularly cultivated with wet crops with the help of water from them; they were ordered to be registered as wet and those which regularly grew two wet crops to be registered as double crop lands. This category of spring sources is a peculiarity of South Arcot district. Special wet rates were also ordered to be applied to all wet lands affected by the Toludur Project. The occupied dry land commanded by the system were made liable to be compulsorily converted into wet and assessed at the special rates, and the classification of soil was made liable to revision. Lands in the water spread of tanks registered as wet under the same tank were transferred to dry and assessed at special rates (adopting normally one taram above), the rates varying from Rs. 0.9.0 to 213.0 (Rs. 0.56 nP. to 2.81 per acre).

48. The existing classification of the soils in the district was retained, but inequalities or irregularities wherever revealed were set right, particularly in lands which had been transferred from dry to wet or vice versa, lands assigned by the Revenue Department since the earlier settlement and scattered fields lying as enclaves in large blocks of jungle poramboke.

49. The commutation rate showed an increase of 75 per cent over that adopted at the earlier settlement, but the enhancement of the existing money rates was limited to 30 per cent in the Coleroon tracts and to 18-3/4 per cent in the non-Coleroon tracts.

50. As regards charge for second crop, all lands registered as 'double crop' were continued to be so registered and declared to pay for second crop the same proportion of the first crop charge as they were hitherto paying. Lands registered as single crop and which in all ordinary seasons had an unfailing supply of water for two crops were registered as double crop; they were, however, made eligible for remission of the difference between the double and single crop charges if the water supply was insufficient for two crops in any year. The charge for a second crop when raised on land registered as single crop was declared to be one-half the single crop assessment. Holders of registered single crop lands were given the option of compounding at standard rates the charge for two crops on any single crop land under second, third, fourth and fifth class sources where the supply of water was not ordinarily unfailing. And among minor matters, the Government reserved to

themselves the right to impose at any time during the period of the resettlement whatever additional assessment they might deem necessary on any dry land on which wet crops were or were to be raised, by the aid of Achukattus in a manner, which might be regarded as objectionable.

51. The existing grouping of the dry land was left unaltered except in special cases. The commutation rates worked out for the standard crops viz., cumbu and varagu increased by 84 and 75 per cent, respectively, over the rates adopted at the original settlement. It was thought equitable to raise the existing money rates for the dry lands by 12-1/2 per cent.

52. Fixed fish rents were enhanced by 30 per cent in the Coleroon tracts and by 18-3/4 per cent in the non-Coleroon tracts. When the resettlement resulted in an increase of more than 25 per cent in the assessment payable on any individual patta, the increment was ordered to be spread over a series of years by way of increment remission unless it was due to increase in area ascertained in the course of resurvey; the transfer of land from dry to wet, or the transfer of land from single crop to double crop; nor was it to be applied to cases in which the total increase did not exceed one rupee.¹

53. The cost of the resettlement operations, including the cost of the survey and the special staff was Rs. 25,09,859. The resettlement however brought in an increase in land revenue amounting to Rs. 9,73,061.²

54. The policy of resettlement soon underwent a complete change. From 1930 onwards agricultural prices having fallen on account of the general economic depression, special remissions equal to the percentage enhancement at the last resettlement were granted in South Arcot as elsewhere. As it was decided to hold in abeyance all resettlement operations, and the system of periodical resettlement itself was abandoned as a matter of State Policy from the year 1937 onwards, these resettlement rates have come to stay, though the special remission was withdrawn at the advent of the Second World War.³

VII. Permanent Settlement

55. Having thus traced the history of the ryotwari settlement, we may now turn to the history of the permanent settlement and the inams. The permanent settlement introduced by Cornwallis in Bengal in 1793 was extended to several districts in Madras at the commencement of the last century, and in a few years it had become a favourite system of administration with the Government. This permanent settlement would have been introduced into the whole of South Arcot had it not been for the timely warning issued by the Court of Directors of the East India Company, that it should on no account, be introduced into the newly acquired territories without their prior approval.⁴ There was, however, nothing to prevent its introduction into the Company's old possessions. Mr. Fallowfield, who was the Collector of the Cuddalore and Tiruvendipuram countries (the Company's old possessions) therefore, proposed in 1806, that the permanent settlement might be introduced in those countries. He proposed that, on the basis of past collections, an assessment of 4,800 star pagodas might be fixed for 5 years for the Cuddalore country, to be made permanent at the end of the period at 5,000 star pagodas per annum. The Board considered that 5,000 star pagodas might be fixed at once but suggested that, as a method of political expediency, the Government should retain possession of the environs of Cuddalore town and the harbour, that all gardens which were then held free of quit rent should be modestly assessed, and that the future proprietor of the estate should be declared to have no title to these lands or to the rent from them. As to the Tiruvendipuram country, Mr. Fallowfield proposed that it might be divided into six estates, namely Tiruvendipuram, Vanamadevy, Todamanatam Arrivetty, Alagiyanattam and Virapperumanallur, and that to these might be added a seventh estate consisting of the two jagir villages of

¹ G.O. No. 1023, Revenue, dated 13-3-1918.

² G.O. No. 2731, Revenue, dated 15th November 1920.

³ G.O. No. 3412, Revenue (Confidential), dated 20th December 1939.

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Chinnappanayakanpalayam and Naduvirappattu.⁴ He proposed an assessment of 9,400 star pagodas for 5 years for the six estates to be made permanent at 9,800 star pagodas at the end of that period; and an assessment of 1,150 star pagodas at the end of the period. The villages in the proposed seventh estate he said, had been held on a lease for 10 years from 1797 by Virasami Mudali at an annual rental of 950 star pagodas, and, on his death, by his father Appu Mudali. The Board generally approved all these proposals but recommended that the Tiruvendipuram Nattars should be continued to be given the 5 per cent commission which they had been enjoying.

56. The Government confirmed the peshkush of the Cuddalore and Tiruvendipuram countries at 5,000 and 9,800 star pagodas, respectively, and in regard to Chinnappanayakanpalayam ordered that the estate should be offered to Appu Mudali in perpetuity at a peshkush of 1,150 star pagodas, but that, if he refused the terms, it should be sold along with the other estates. The Cuddalore estate was not sold, as no offers were received when it was auctioned. The Tiruvendipuram estates were eventually handed over to the Nattars on their agreeing to pay the peshkush fixed and to forego the 5 per cent commission (fasli 1217). The Chinnappanayakanpalayam consisting of Chinnappanayakanpalayam and Naduvirappattu was offered and accepted by Appu Mudali at the peshkush fixed for it.¹

57. Subsequently one other estate was permanently settled, and that was estate of Vettavalam. Its history is this.

58. In 1801 when the district came into the possession of the British, they found that the palayagar of Vettavalam (consisting of some 32 villages of which five were shrotriems) was paying a peshkush of Rs. 4,000 and a nazarana of Rs. 1,000. They also found that he possessed the kaval jurisdiction and a kaval income from 377 Government villages amounting to above 3,000 pagodas annually. Captain Graham assumed the palayam but allowed the palayagar to enjoy his kaval emoluments; and these together with a tenth of the net revenue of his palayam were paid to him till 1804, when his allowances were increased to one-third of the net revenues of the palayam. Shortly afterwards the kaval fees were resumed and a pension amounting to 15 per cent of these fees was settled upon him, as in the case of the other palayagars. He enjoyed this pension and one third of the net revenue till his death, when his brother, who succeeded him, put in a claim for both. The Board now held that the Government were bound to continue the palayam allowance as that was granted as a substitute for the profits which the palayam would have yielded to its proprietor. It however suggested that an agreement might be made with the palayagar by which, on his agreeing to waive all claims to his palayam, the village of Vettavalam and some other surrounding villages might be granted to him on a permanent tenure. The Government agreed to this and in 1816, thirteen villages were granted to him on peshkush. On these was fixed 10 star pagodas—But a sanad was granted to the palayagar only in 1871. The kaval pension was not granted to him.

59. Of these estates, some disappeared in course of time and only four estates remained until recently and these were (1) Vettavalam, (2) Alagiyannattam, (3) Chinappanayakanpalayam and Naduvirappattu and (4) Mandakapattu. The last was formed in 1853 out of a portion of Alagiyannattam when that portion was sold for arrears at public auction for Rs. 3,500.

VIII. Inam Settlement:

60. As for the inams, a detailed enquiry into the inams of the district was made by the inam Commissioner in 1861. He found that there were few tenures here requiring special orders. Most of these were grants by ancient rajahs for the personal benefit of the holders or for the support of religious or charitable institutions. Among others, the Kattubadi inams having been as early as 1,806, declared by the Government to be life tenure, he proposed to enfranchise them on a quit-rent of one-half the assessment in addition to the jodi then borne by them. The few kaval inams which

¹ Manual of South Arcot District by J. H. Garstin 1878.

² South Arcot Collectorates, Volume No. 30.

³ Boards Consultation, dated 28th February 1853.

⁴ Boards Consultation No. 31, dated 15th October 1807.

occurred in the Cuddalore taluk, he proposed to treat similarly, unless it could be shown that the obligation to render service had been authoritatively revoked. The Uru Maniam, which had already been resumed out of which a few remained in the Cuddalore taluk, he proposed to treat as personal grants. Besides these tenures, he said, there was another tenure peculiar to the Cuddalore taluk namely, the Daftar Inam Gardens of the old Fort St. David and Tiruvendipuram Farms. Some of these were granted by the Chief-in-Council of Cuddalore in the early days of British rule and were treated as free-holds, while some others, though granted by subordinate officers who had no right to grant them, had by prescription, become free holds for all practical purposes. He proposed to treat both these types of inams as freeholds. There were some others also, he said, which were of doubtful character, and these he proposed to deal with as follows:—

61. Those which had been cultivated and enjoyed rent-free for fifty years were to be enfranchised on a quit-rent of one-half of their assessment; those for which no assessments were entered in the accounts, as well as those which were new, were to be assessed at the same rates as were charged for adjoining Government lands of similar quality, but without reference to the improvements made by the holders. All these proposals were accepted by the Government and carried out by the Inam Commissioner.

62. Nor is this all. At the time of the original settlement of the district, it was found that 146-1/2 acres of land within the Cuddalore municipality had paid no assessment or quit-rent whatever and though it was wholly covered with fruit trees, was shown in the account as manaimaf. The whole of it was enfranchised at one half of the assessment.

63. The enquiry revealed that some of the inams of the district had an interesting history. Viraperumanallur in the Cuddalore taluk was granted in 1813 to one Ramasami Pillai "as a reward for services rendered under Governor Farquhar at Malacca and the Island of Mauritania", Bommayapalayam in Villupuram was given for the support of a math there, and, in the same village were certain rent-free land and a tope which were assigned for the upkeep of a choultry called after Ananda Ranga Pillai, the famous Dubash of Dupleix. There is evidence to show that Dupleix and his wife visited the math, the choultry and the tope on 14th December 1744. Vepperi in the Tindivanam taluk was granted by the Government in 1805 on the recommendation of the Duke of Wellington, then Major-General Sir Arthur Wellesly, to Subedar Durrahkhan who had lost five relatives and been himself disabled at the battle of Assaye.

IX. Jagirs.

64. The Jagir of Sankarapuram had been originally, in 1789, conferred by Nawab Muhammad Ali on his Minister Saiyad Muhammad Azimkhan Bahadur and had consisted of some 182 villages grouped into four estates around Sankarapuram, Chekkadi, Palaiyamkottai and Kollamalai. It had been enjoyed by Muhammad Azim until his death and thereafter by his eldest son, Saiyed Kallim Ulla Khan. A dispute having arisen subsequently among the various members of the family, as to the amount of their several shares in the property, the jagir had become the subject of a suit in the Supreme Court and, during the pendency of litigation had been placed under the management of the Collector (1828-1829). At length in January 1829 the Government ordered the resumption of the jagir from 1st February of that year and the members of the family of the jagirdar had been pensioned off. The history of ryotwari settlement of the villages comprised in this jagir has been dealt with earlier.

65. The Inam Commissioner also dealt with three 'Hill estates', as they were called, situated in the Kallakurichi taluk, belonging to the palayagars named Ariya Goundan, Kurumba Goundan and Jadaya Goundan, and comprising ninety-six hill villages with their dependent hamlets covering an extent of 221.16 sq. miles. These estates had not been resumed when the general resumption of the palayagars' lands was made, possibly because they were then situated in the Sankarapuram jagir, nor had they been granted originally in connection with the kaval office of the palayagars, and they constituted in fact their mukhasas. Ariya Goundan held no kaval office under

the British Government but he paid, ever since the days of the Nawab, a small nazzar or peshkush of Rs. 37.5.2 which was probably imposed in consequence of his holding no office. The other two palayagars, who held their villages rent-free, had kaval in the Government taluks, but with the abolition of their offices, their lands and fees were resumed and money pensions were conferred on them. Kurumba Goundar, however, continued to enjoy kaval maniams in the villages of the resumed jagir of Sankarapuram. The Inam Commissioner treated all these three jagirs as personal grants and enfranchised them on a quit rent equal to one eighth of their value. These Jagirs are included in the schedule to the Impartible Estates Act of 1904.

66. The three jagirs were treated as Inam Estates falling under section 3 (2) (d) of the Estate Land Act 1908 in view of their enfranchisement by the Inam Commissioner by the issue of title deeds.

67. The Assistant Settlement Officer, Tiruvallur who took up enquiry under section 9 of Act 26/48 held in his S.R. No. 9 to 11 of 1953, dated 15th January 1954, that these three jagirs were not inam estates. Appeals were filed by the State before the Estate Abolition Tribunal. The Estate Abolition Tribunal in R.A. Nos. 4 to 6, dated 29th September 1959 held that these 3 jagirs were not estates within the meaning of section 3 (2) (d) of the Estate Land Act 1908 as it stood prior to the Third Amendment Act 1936 and that it was unnecessary to give a finding on the question whether they became estates after the Amendment Act 1936. The jagirs were notified to be taken over under the Tamil Nadu Inam Estate (Abolition and Conversion into Ryotwari) Act 1963 (Act 26/63). The W.Ps. 212 to 214/66 filed by the jagirdars against that notification were dismissed by the High Court. They filed Civil Appeals in C.A. Nos. 2543, 2544 and 2576 before the Supreme Court and they were also dismissed. Subsequently they again filed W.P.M. 4345 to 4347/70 in the High Court and obtained stay. By a common order the High Court dismissed these writ petitions on 15th September 1972 with the observation that the petitioners were at liberty to file Civil Suits to establish their rights.

68. The Jagirdars filed suits in O.S. Nos. 32, 34 and 36/73 on the file of the Sub-Court, Cuddalore. The pendency of these suits imposed the implementation of the Prime Minister's Twenty Point Economic Programme in these hill villages, particularly the emancipation of the hill tribes (the Malayalees) whose status was akin to that of bonded laborers with no right to landed property. While serious consideration was being given to the question if these Jagirs can be taken over under a special legislation, notwithstanding the pendency of the suits, good sense came to prevail on the Jagirdars and they withdraw their suits. The Jagirs were eventually taken over under Act 26/63 on 25th August 1976. Measures to introduce revenue administration have been set on foot, heralding a new epoch in the life of the hill tribes.

69. The anachronistic revenue administration of the Jagirdars provides an interesting study.

70. The three Jagirs are divided into 9 'Nadus' as detailed below:—

Ariakoundan Jagir

1. Vallathan Nadu.
2. Kadaiyan Nadu.

1 Inam selection of South Arcot.

Kurumba Koundan Jagir.

1. Thumbai Nadu.
2. Athipathi Nadu.
3. Thenmalai Nadu.

Jadayakoundan Jagir.

1. Uzhavu Nadu.
2. Uppu Nadu.
3. Madhu Nadu.
4. Sundappa Nadu.

All the 3 Jagirs are unsurveyed, and the actual extent of each village is not known, nor do the jagirdars have any accounts or records to show the extent of land under various classification such as cultivated, uncultivated, waste, forest, communal lands, etc., in the hill villages. The villagers, and the koundars, who act as headmen, know the traditional boundary of the villages and respect it.

71. *The system in vogue and all other particulars.*—A headman and a menial are appointed for each village. The headman is designated as "Kounder" and the menial as "Kangani". The kounder is responsible for the collection of the various taxes levied within his village, and the Kangani is to assist the Kounder in collection work.

72. Groups of villages are formed into Nadu. Moopar and Nattar are appointed for the supervision of collection of taxes by the koundars. The appointment is hereditary and is made by the jagirdars. The Nattar, Moopar, kounder and Kangani get a very nominal amount of remuneration from the jagirdar, but they are exempt from payment of various taxes in vogue. The Malayalies (i.e.) the hill tribes, pay various taxes but are allowed to cultivate any extent of land without any agricultural tax.

73. Some of the taxes levied on them are:

- Koduvavari
- Ervari
- House Tax
- Kavali vari
- Asadu vari
- Marriage tax
- Vazhavetti vari
- Meikal vari
- Pilluvvari
- Inam vari

74. The Kounder collects in the month of Thai (January-February) the entire amount fixed as beriz for the village by the jagirdar with reference to the number of families, ploughs, bachelors etc., on the basis of which the tax is levied and pays the amount to the jagirdar. Levy of other taxes such as marriage tax, Valavetti vari etc., is made by the Mooper. Marriages among Malayalies are celebrated only after getting the permission of the mooper concerned.

75. Widow remarriage is encouraged. It is a principle in vogue that there should be no widow in any of the families of Malayalies in the Jagir. Even Widows of old age are forced to marry men of their equal age. If a woman deserts her husband and remarries some one else, the jagirdar collects Rs. 100 as tax, penalty etc. The Malayalies are allowed to fell any trees, other than valuable trees such as Sandal wood, Kadukka, Kottai trees etc., without any tax. The malayali collects all the minor forest produce without paying any tax. The Jagirdar appoints contractors for the purchase of bamboos, timber trees, Kadukka and other produce from the Malayalies.

No person other than the contractor is allowed to purchase anything from the Malayali. The contractor pays a lumpsum amount to the jagirdar every year for the privilege of purchasing the produce from the Malayalis. The minor forest produce is enumerated below:—

Bamboo, Timber trees, wood used for the manufacture of ploughs, carts etc., Green Manure, Kadukka, Pungam Kottai, Poochankottai, Thathamkottai, Wax, Kalpasi, Ettikottai and Avaarampattai.

76. A malayali of one village cannot go to another village either to collect minor forest produce or for cultivation of land.

Once in 4 or 5 years, the jagirdars go round the jagirs, village by village, in Palanquin (பலங்கு) and collect taxes within their village limits. Besides the taxes specified in the foregoing paragraphs the jagirdar collects from the Moopnar the following levies for each Nadu, besides the dues from the cultivators themselves.

1. Ponal Nadu Theervai—which may amount to Rs. 100 per Nadu.
2. Gingelly tax Rs. 150 per Nadu.
3. Tamarind: One 'Kottai' (3 to 5 kilos) of Tamarind from each village.
4. Grain: One Kandagam (1½ bags of grain other than varagu) per village.

The villagers in the Revenue villages adjacent to the jagirs have been exercising some customary rights in the jagirs such as collection of green manure, firewood, bamboos for building, grazing their cattle in the jagir area etc. Such villages are called 'Kavathi' (கவத்தி) villages. The jagirdars collect annually grains or money on an adhoc basis from the villagers of the Kavathi villages and allow them to enjoy their customary rights.

PAYMENT OF JODI, QUIT RENT AND CESSSES BY EACH JAGIRDARS TO THE GOVERNMENT.

Name of Jagir.	Jodi and quit-rent	Cess.	Total.
1. Ariyakounder Jagir	70.00	135-00	205-00
2. Kurumbakounder Jagir	154-00	553-00	707-00
3. Jadayagounder Jagir	225-00	811-00	1,036-00

77. *Transport facilities.*—There are no roads in the Jagir area, but only cart tracts to Jagir villages in the plains on which bullock carts can go. There is not even a cart tract in the villages on the hills.

78. All the villages comprised in Ariakoundan kagir are on hills, while in Kurumbagoundan Jagir, the seven villages comprised in the Thumbainadu, Thurur in Thenmalai Nadu and Anaimaduvu, and Moolakadu villages in Athipathi Nadu are in the plains and the other villages are on hills. The Kurumbagounden Jagirdar is having a register, called "adangal" for the villages in the plains, wherein all the agricultural lands are entered. The description of the land is noted in this "adangal" with a serial number and by local names such as "Moopnar Koviladi", "Merku Kina-thadi", "Semparuthi Kadu" etc. The name of the cultivator, nature of crop raised and its approximate extent and the tax levied are noted in the adangal. The extent is noted in terms of "Anna" or Visam equating a rupee for a "Khani" (i.e. 1-1/3 acre). This adangal is maintained only for assessing the tax to be levied on cultivated lands. No tax is levied if the land is left waste. The adangal is maintained only for villages where people other than "Malayalis" reside, to facilitate levy of tax for lands cultivated. In villages, where the Malayalis live, the adangal is not maintained as no tax for lands cultivated is levied in those villages.

In Jadaya Gounder Jagir the following villages are in the plains, and the rest of the villages are on hills, but no accounts are kept in this Jagir, even for villages in the plains.

Uzhavunadu	Sundappanadu	Madhu Nadu
(1) Pothiyan	(1) Kalapadal	(1) Methiapadi
(2) Mayambachi	(2) Methaparai	(2) Paranginathan

79. *Crops Cultivated.*—The following crops are raised in the villages in the jagirs.

(i) *Villages in the Plains.*—Irrigated paddy, irrigated ragi, Groundnut (Manavari), Cumbu, Varagu, Cholam and red gram.

(ii) *Villages in the hills.*—Paddy (B.C.) Ragi, Cumbu, Varagu, Castor, Samai, Thina, Beans (கொத்தி) Cholam and Horsegram.

80. *Method of cultivation.*—The lands in villages in the plains, are classified as "Ayan" and "Kallankuthu" or "Koil" and are cultivated with ploughs. In some lands wells have been sunk for irrigation of paddy and irrigated dry crops. In the villages on the hills, the lands are classified as follows:

1. Uzhavu Kadu.
2. Alagankadu.
3. Punal Kadu.

1. *Uzhavu Kadu.*—Uzhavu kadu is land of even ground as in plains. These lands are located in meadows between hills and on terraces surrounding the hills, and are ploughed with ploughs as is done in the plains. Broad-cast paddy, ragi, cumbu, cholam, etc., are cultivated in these lands.

2. *Alagankadu.*—Land which was disafforested in the previous years is called Alagankadu. This land will be uneven in level, located as it is on the slopes of the hills. The land will be covered by rocks and hillocks, with patches of soil here and there. These small patches of earth, which may be less than even a cent each, are prepared for sowing with the aid of "Kalaikottu" (கலாக்கோட்டு) and seeds are sown. Alagankadu lands are not cultivated every year.

3. *Punal Kadu.*—Lands are disafforested periodically. The "Malayalis" select plots of lands on the slopes of hills and disafforest them solely for the purpose of cultivation. The bushes and shrubs are cleared and trees felled in the plots selected. The stumps are burnt. In selecting plots for disafforestation, plots with valuable trees, such as sandal wood "Kadukkai" trees, etc., are avoided. Great care is taken while burning the bushes and stumps of shrubs, etc., to protect valuable trees being damaged by fire. The forest department has posted foresters and guards to protect valuable trees in the private forests from being cut and destroyed. It is stated that the "Malayalis" who were obliged to get the permission of the District Forest Officer to disafforest plots for forming punalkadu under the provisions of the Preservation of Private Forests Act, got an order of the competent court to dispense with the procedure of getting permission, on the plea, that they had the customary right to fell trees without the intervention of Government.

81. The patches of land covered with earth here and there are prepared with the "Kalaikottu" and sown just at the commencement of rainy season. As the lands are on the slopes of hills and generally under rocks, they cannot be ploughed with ploughs. The seeds grow spontaneously and give a yield, even twice or more the normal yield one can get from the lands in the plains on account of the humus deposited through ages in the patches of virgin earth in punalkadu. No weed grows in these patches, and hence no weeding is undertaken. The sprouts and the stumps of shrubs of trees are cut. No expenditure is incurred in any of the processes. Manual labour alone is involved. Punalkadu lands of a year are called, "Alagankadu" next year.

82. *In Kurumba Koundan Jagir.*—The following taxes are collected for lands put to agricultural use from people, other than Malayalis, in the following villages, in the plain inhabited by various communities such as:

- (i) *Pudupalapattu.*—Vanniar, Naidu, Chettiar and Harijans.
- (ii) *Palayapalapattu.*—Muslims and Vanniar.
- (iii) *Kallipatti.*—Vanniar, Naidu and Harijans.

93. *Settlement.*—Vettavalam Zamin Estate was settled in fasli 1367 while in the other estate villages taken over under Act XXVI of 1948, ryotwari settlement was introduced in fasli 1369. The inam villages notified and taken over under Act 26/63 were settled taluk-wise during faslis 1378 to 1382 and the settlement of the minor inams was also completed along with these whole inams.

94. *Perambulation.*—Before taking up settlement field work, the Assistant Settlement Officer/Settlement Officer prepared necessary perambulation reports after extensive tour of the district and study of the various problems, while random inspections were made by the Director of Settlements and the Settlement Commissioner. Vettavalam Zamin Estate was covered in the Perambulation report of Thiru G. M. White, then Assistant Settlement Officer, Krishnagiri endorsed by Thiru S. Krishnaswami, I.A.S., Settlement Officer, Salem. The perambulation of the other tract was done by Thiru G. Tirumal, Assistant Settlement Officer, Tiruppathur and endorsed by Thiru M. Parameswaran Pillai, I.A.S., Settlement Officer, Madras.

95. The distinct feature of Estate settlement work is that the soils and irrigation sources are classified for the first time and the appropriate money rates prevailing in the adjoining resettled tract are applied to them. This work did not pose any problem in South Arcot district where estate areas were situated in small bits as exclaves. The Officers who perambulated the tract found that the soils were, by and large, akin to those obtaining in the ryotwari tract, economic condition was similar in all respects and that the original proposals for the re-settlement of the ryotwari area in the entire district submitted by Mr. H. A. Watson, I.C.S. in his R.Dis. No. 1926, dated 11th October 1916 and approved by the Government in G.O. No. 476, Revenue, dated 21st February 1918 would hold good for the estate area also. They recommended the adoption for the estate area settlement rates of assessment contained in the resettlement notification which was approved in G.O. No. 1023, Revenue, dated 13th March 1918 and which is the only re-settlement notification in force in the district and applicable to all the taluks of this district. The main features of their recommendations are:—

1. Provision was to be made for three series in soil classification (viz) Regar, Red ferruginous and Arenacious and among them only the following classes of soil to be adopted (i.e.) III, IV, V, VII, VIII, XII, XIII and XIV (i.e.) Clay, loam and sand under regar, loam and sand under red ferruginous, loam, sand and heavy sand under arenacious. All the classes were to be divided into 5 sorts each except the last three which would have three sorts each.

2. The classification of irrigation sources was to follow the same pattern as in the ryotwari tract and to provide for.

Coleroon	First Class.
Ordinary	Second Class.
Coleroon	Second Class.
Ordinary	Third Class.
Coleroon	Third Class and
Ordinary	Fourth and Fifth Classes.

All the irrigation sources directly fed by Coleroon however ancient were to be placed in the first class.

Ordinary fifth class sources applied to "small shallow and indifferent tanks and all other sources affording supply for less than three months." This included spring channels and self springs which were suitably classified with reference to the resettlement notification.

3. They recommended that there was no need to introduce 'Manavari' classification.

4. Lands irrigated by spring ponds were to be ordinarily registered as single crop wet and if the ryots opted to compound and register the lands as double crop, such lands could be compounded and registered as Double Crop lands with the usual concession applicable thereto.

5. For the lands lying in the water spread of tanks, the general principles laid down in the B.S.O. should be followed —If the holders of the lands were eligible for patta, they will be liable to a special rate not exceeding the highest dry rate of the district.

96. The principles as approved by the Government as well as the taram rates set out in the re-settlement notification of 1918 were embodied in the Settlement notification issued under Section 22 of the Abolition Act in G.O. 540, Revenue, dated 30th January 1960. The same principles and rates were extended to the Inam Estates when they were taken over subsequently and a separate settlement notification was issued for them in G.O. 2546, Revenue, dated 5th August 1966. The minor inams were settled with reference to the principles applicable to the respective villages in which they were situated though under another separate notification.

97. *Billkayam tenure.*—There is a special tenure obtaining in Cuddalore taluk of this district, called Billkayam lands (Bill Garden). They were also known as Dufter gardens or Puduthottam and covered an area of 765.63 acres at the time of last re-settlement with an assessment of Rs. 1,350.10.0. These were cases of temporary leases or isolated fields on special rates of assessment renewable year to year, or at intervals. In paragraph 22 of B.P. 28, dated 16th January 1894 it was ordered that they were liable to be assessed at the full settlement rates when they reverted to Government. The Special Settlement Officer had reported that there were about 500 acres of this type of lands in Cuddalore taluk at the last re-settlement, but only portions thereof were in the possession of the descendants of the original grantees, that such cases had been retained while fields which had passed from their possession were transferred to ayan and classified and assessed at the appropriate taram or ground rent rates. The alienation of the remaining extent of Ac. 105.85 retained as Billkayam lands at re-settlement was watched by the Revenue Department after the introduction of re-settlement and action taken to levy full re-settlement taram assessment dispensing thereafter with the issue of the annual bills to the alienees. The Billkayam character was eventually ordered to be abolished in B.P. No. 1384, dated 30th August 1921 by levy of full assessment. Since such lands as existed in the estate areas did not fall within the scope of the Abolition Act, the rules prescribed by the Government were ordered to be followed in compiling the accounts at Settlement, these lands being exhibited in a separate section in the inam 'B' register of the village at the end of confirmed Title Deed minor inams and service tenure lands covered by Section 17 (1) (b) of the Abolition Act. The character of these lands was ryotwari, but they were however dealt with by mistake at the minor inam settlement, as they were continued to be retained in the Inam 'B' register. This tenure has no particular significance at settlement and does not merit notice from the revenue aspect either.

83. The rates of land tax and cess are detailed below: The other unusual taxes are not collected from them.

Ayan Land (Resembling dry lands).—

Land Tax—Rs. 2.12.0 (2.75) per kani.

Cess—Re. 0.4.0 (0.25).

Cowle land: Land with rocks.—

Land Tax—Rs. 2.0.0 per kani.

Cess—Re. 0.4.0 (0.25).

84. Others who hold Lands in the plains in the Jadayahondan Jagir pay the following taxes:—

1. *Water Tax.*—There are four small anicuts in the Gomukhi river and its tributaries at Mayamanadi, Malliapadi Paranganatham and Mattaparai. The lands in the above villages (which are in the plains) irrigated with the aid of water taken through channels from the anicuts, are levied water cess. In villages where two crops can be raised the charge for water is Rs. 16 per kani a year, and in villages where only one crop can be raised, the charge is Rs. 10 per kani.

2. *Land tax.*—Land Tax at Rs. 3 or 4 per kani is levied for lands in the villages in the plains which are cultivated by persons other than Malayalis.

85. All the villages were constituted a "hill blok" for lommunity development activities and special attention was being paid in that direction. But due to the objection of the landholders the blok was abolished.

X. BERIZ DEDUCTION.

86. A few words may be said here about the beriz deduction which the temples in the district are receiving in lieu of the inams which they were formerly enjoying. Prior to the assumption of the Government of the Carnatic by the British the temples derived revenues from various sources, such as (a) Swatantrams and Miras, (b) russums, (c) Vartanai, (d) Magamai and (e) Tarapadi maniams. The system worked very badly. Soon after the British took over the district, all the allowances paid to the temples, the total value of which was estimated at Rs. 68,862 in 1803-04, were resumed, but not their landed inams. In 1906 Mr. Ravenshaw recommended that a fixed annual allowance of Rs. 89,250 should be given to the temples, explaining that though this was at the time in excess of the actual receipts, it was less than what they would amount to eventually as soon as the waste lands of the institutions were brought under cultivation. His proposals were accepted by the Government but in 1808 the amount of the allowance was reduced to Rs. 55,000 as the sum formerly granted was found to be far in excess of the actual receipts from the resumed allowances. Temple endowments continued to be managed by the State, but the States' indulgence in the religious institution of the "Pagans" was repugnant to the christian spirit of the then rulers. Ultimately in 1841, under the instructions of the Court of Directors, the Government divested themselves of the responsibility of managing temple endowments and those endowments were handed over to the trustees. The supervision of the Collectors over the temple was withdrawn and their responsibility was limited to paying to the trustees, the allowance already fixed. In 1854 the Government went a step further; they decided that the Collectors should not be required even to make the payment of annual allowances, from the public treasuries, that in lieu of these allowances, the temples should be given land as subvention, the assessments of which were to be 10 per cent in excess of the allowances in order to cover the charges of collection and vicissitudes of season. These orders were actually carried out in South Arcot but before they could be carried out in all the other districts, wide-spread protests were made by the trustees that they found it difficult to make the collections themselves.² As a result of this, the Government, with the concurrence of the Government of India, rescinded their orders and reverted to the system of granting money allowances.³ These allowances are, however, now paid not from the treasuries but from the revenue

(1) Board's consultation No. 32-33, dated 11th September 1854.

(2) G. O. No. 923, Revenue, dated 5th May 1871.

(3) G. O. No. 1301, Revenue, dated 27th September 1872.

collections of certain selected villages lying contiguous to the temples.⁴ Under this system the allowances are now paid by the village officers as soon as they collect the beriz or revenue of the villages. The beriz deductions so made amount to about Rs. 61,000 in the district.⁵ This method of payment is an exception to the general financial ethic that all receipts and charges should be accounted for in the consolidated fund of the State.

XI. ABOLITION OF ESTATES AND THEIR CONVERSION INTO RYOTWARI.

87. The permanently settled estates as well the whole inam villages of the district, including minor inams have been abolished and converted into ryotwari by the general legislation passed in the State. It may be seen that a small fraction of the District was only estate area, the rest having already become ryotwari even before the legislation to abolish estates was undertaken and hence this land reform measure has had little effect on the general economy of the district.

Introduction of settlement under the Act XXVI of 1948, Act 26/63 and 30/63.

88. I. *Take over of estates.*—In this district (South Arcot) 4 Zamin estates were notified under G.O. Ms. No. 3157, Revenue, dated 9th December 1950 and taken over by the Government on 3rd January 1951. Forty-four inam estates were subsequently notified in G.O. No. 2302, dated 1st September 1951 to be taken over on 1st October 1951, though some of them could be taken over only much later due to stay orders of Courts and protracted litigation. Twenty-three whole inam villages were notified later in G.O.P. No. 781, Revenue, dated 12th March 1965 and one inam estate in G.O. Rt. No. 31, Revenue, dated 28th February 1967 under Act 26/63. Except the two villages taken over on different dates due to stay orders of Courts and three hill jagirs all the other villages were taken over on 15th April 1965.

89. Vettavalam Zamin estate was also one of the Zamin estates notified in G.O. No. 3157, Revenue, dated 9th December 1950, for being taken over on 3rd January 1951. It was however, actually taken over on 22nd February 1956, due to stay orders of the High Court and the Supreme Court. It is comprised of seven villages situated in North Arcot and 5 villages in Tirukkoilur taluk of South Arcot district and one more village in the Villupuram taluk.

90. *Management of Estates.*—Pending introduction of Settlement, Vettavalam Zamin Estate was managed by the Estate Manager, Tiruppathur and the other estates by the Estate Manager, Cuddalore.

There were 2,246 minor inams in this district that had vested with the Government under Act 30/63, on and from the appointed day (i.e.) 15th February 1965. These minor inams were taken possession of by the Tahsildars concerned.

91. The Zamin and other estate villages do not lie in a specified licality but are spread all over the 8 taluks of the district and are lying as enclaves in ryotwari villages. They form a small fraction of the whole district. The Settlement work in this district has not posed any special features and it can be said to be uneventful.

92. *Survey.*—The survey of this area was conducted by the Officer in-charge, No. II, Survey Party, Salem. The cost of survey, excluding B.P. and H.L. recoverable from ryots, is Rs. 1,34,038 and it works out to Rs. 1,915 per sq. mile. The conversion of the measurements and extents into metric system is done along with the records relating to the ryotwari tract. After the reorganisation of the Survey Department into district units, the Survey work is carried on by the Assistant Director of Survey, Cuddalore.

7. Details, of survey and the total area covered are given below:—

Act. (1)	Initial Survey. (2)	Supplemental survey. (3)	Resurvey. (4)	Total area surveyed. (5)
				Sq. miles, 100'07
Act XXVI of 1948	36 estates.	12 estates.	1 estate.	
Act 26 of 1963	21 estates.	....	....	26'70
Act 30 of 1963 .. .. .	....	2,246 inams.	....	88'16

(4) G. O. No. 1625, Revenue, dated 8th October 1878.

(5) Gazette of South Arcot District Part II-1932.

NORTH ARCOT DISTRICT.

1. (a) *Introduction.*

1. North Arcot district, which formed part of the region Thondaimandalam in days of yore, has been the scene of many thrilling events in the history of South India. Vellore, Arcot and Wandiwash, were scenes of many a warfare; the Vellore fort is a remarkable specimen of military architecture. There are many edifices and monuments like the monolithic rock-cut-temple at Mahendravadi (near Arkonam) which provide interesting archaeological study. Thiruvannamalai in which is situated a famous Saivite temple is an important place of pilgrimage. Arni, like Kancheepuram of Chingleput district, is noted for silk weaving. A noteworthy feature in the development of the district is the construction of a dam on the River Pennar at Sathanur which serves portions of South Arcot and North Arcot districts with a beautiful park adjoining it to provide tourist attraction. Though predominantly agricultural, but backward in other aspects, the district is making some progress in the field of industry also.

(b) *Formation of the district and changes in limits.*

2. The district derives its name from the fact that it is comprised that portion which lies north of the Palar river in the former Mussalman Subah of Arcot. In 1781, the Nawab assigned the revenues of the Carnatic to the East India Company when North Arcot passed under their management. The portion south of Palar river formed at first the southern division of Arcot. There have been repeated alterations in the limits of the district during the last century. Before 1808, North Arcot, with its headquarters at Chittoor included Krishnagiri division of Paramahal and Venkatagiri and Sydapor Zamindaris of Nellore Division, which were excluded in that year. Out of North Arcot Division, North Arcot and Chittoor districts were formed in 1808. The Chittoor district included some portions transferred from Cuddapah district and consisted of Chittoor, Kalahasti, Chandragiri, Palmaner, Punganur, Puthur and Tiruttani taluks. Some portions of the South Arcot were transferred to North Arcot district in the same year. The North Arcot district, as reconstituted, consisted of Walajapet, Arkonam, Cheyyar, Wandiwash, Gudiyatham, Polur, Vellore and the Arni Jagir and its headquarters was located at Vellore. Tirupattur taluk of Salem district was transferred to North Arcot district in 1911. Tiruvannamalai taluk from South Arcot district was transferred to North Arcot in the same year and it was bifurcated in the year 1929 to form Chengam Taluk. Arni Jagir was constituted into a separate taluk on 3rd January 1951 on the abolition of Arni Jagir. Arcot and Vaniyambadi were constituted into separate taluks later. According to the Andhra-Madras Alteration of Boundaries Act 1959, 34 stray villages of Andhra Pradesh were added to North Arcot district (8 villages to Gudiyatham taluk, 21 villages to Walajapet taluk and 5 villages to Arkonam taluk) besides the waterspread of Javajiramasamudram tank in Tirupattur taluk. There were five revenue divisions earlier, but reduced to three on the eve of separation of judiciary. In 1959, however, an additional division was formed later with its headquarters at Cheyyar. At present there are 13 taluks in the district comprised in four revenue divisions.

(c) *Physical features.*

3. The district of North Arcot which has an area 4690.40 square miles is an inland area lying between 11°55' and 13°15' of the Northern latitude and 78°20' and 79°50' of the eastern longitude. It is bounded on the north by Chittoor district of Andhra Pradesh, on the south by South Arcot district, on the west by Salem and Chittoor districts and on the east by Chingleput district.

4. The north western part of the district contains portions of the Eastern Ghats and their spurs. The loftiest mountains are the Javadis which cover the eastern part of the Tirupattur Taluk, the north western portion of Chengam taluk and the western part of Polur taluk. The spurs of Javadis run into Vellore taluk upto within six miles of Vellore. The general elevation of Javadis is 2,500 feet, with peaks rising up to 4,200 feet. The highest peaks are Swamimalai 4,200 feet, Kumbagudi 3,840 feet in Tirupattur taluk, Karnatagiri, 3,124 feet in Polur taluk and Kailasagiri 2,743 feet in Vellore taluk.

5. The Yelagiri hills lie in the central part of Tirupattur taluk. The hills in the southern part of Chengam taluk are part of the Kalrayan range in the South Arcot district while the Tenmalai spurs, off the Javadis, flank Chengam in the north-west. The eastern part of Tiruvannamalai taluk is an open flat country dominated by the venerated and imposing peak of Tiruvannamalai which is 2,669 feet high. Generally speaking, the western portion which is predominantly hilly is picturesque, as also the central and southern parts, while the eastern portion is, as a rule, flat and uninteresting. The general slope of the country is from west to east, from Mysore Plateau through the Kangundi Zamindari of Chittoor district of Andhra Pradesh. The district is dotted by numerous bare rocky hills, which characteristic has enabled construction of numerous tanks as the rock masses of the hills drain off the rain water without retaining it, and the hill streams which are thus formed flow into tanks, many of which are big lakes like Kaveripakkam and Mamandur tanks, which even extend to seven or eight square miles.

(d) Rivers:

6. The chief rivers of the district are the Palar and the South Pennar. The Cheyyar and Ponnai, which are tributaries of the Palar also serve extensive ayacuts, but except for a few days in a year these rivers are dry sandy wastes.

7. The Palar which rises near Nandidurg in Mysore State enters the district in the north-western corner of Tirupattur taluk. It then flows in an east-north-easterly direction through that taluk and strikes an easterly course along the boundary between Gudiyatham and Vellore taluks. It cuts across Walajapet taluk where it is intercepted by an anicut and passing along the boundary between Arkonam and Cheyyar taluks, enters Chingleput district. The tract traversed by this river is fed by copious sub soil springs and it is the most fertile region in this district.

8. *Palar Basin.*—Irrigation from the Palar is so saturated that orders were issued in G.O. No. 1617, Revenue, dated 19th June 1931 that (i) no new irrigation works should be constructed in the Palar Basin (ii) no extension of existing works should be undertaken with the object of increasing the quantity of water impounded or drained off by them (iii) no dry land in the Palar basin should be transferred to and registered as wet, (iv) no single crop wet land should be registered as double crop wet and (v) there should be no more composition of second crop charge for single crop wet lands. In G.O. No. 2240, Revenue, dated 11th December 1933 it was clarified that the above orders were not intended to affect the extension of irrigation that had already taken place by way of second crop cultivation on single crop wet land or one or two irrigated crops grown on dry lands, but only such irrigation as existed within the seven years prior to 1931 would alone be permitted on standard lists drawn up by the Collector. Some relaxations have been granted from time to time (e.g.) in G.O. No. 2549, Revenue, dated 30th September 1939, the ban on granting loans for sinking wells in the Palar basin was lifted, but prior permission should be got for sinking wells in river margins or near supply channels. In G.O. No. 3985, Public Works, dated 6th October 1948, it was ordered that surplus water available in the off season may be used for irrigating dry lands. There was some further relaxation in G.O. Ms. No. 1198, Public Works, dated 6th May 1961.

9. The Cheyyar which rises in the Javadi hills, flows in a southerly direction at first and turns south-eastwards near Chengam. After flowing in that direction over a distance of about eight miles, it takes a north-easterly course and passes through Polur, Wandiwash and Cheyyar taluks. Within the limits of Cheyyar taluk the river flows almost from west to east where the Cheyyar anicut is located and enters Chingleput district to join the river Palar eight miles east of Kancheepuram.

10. The Ponnai river which rises in Chittoor district flows along the western boundary of Walajapet taluk till it joins the Palar near Tiruvalam.

11. The rivers Goddar and Koundanya which flow from north to south in Gudiyatham taluk join the Palar near Ambur and Gudiyatham respectively.

12. The surplus waters of Kaveripakkam tank in Arkonam taluk give rise to the Courtellayar river which flows into Chingleput district, and forms the chief source of water supply to Madras city.

13. South Pennar which rises from Nandidurg in Mysore State enters this district after passing through Salem district with the name ponniyar. Thereafter it passes through the southern parts of Chengam taluk and enters South Arcot district. A dam has been constructed in the year 1957 on this river at Sathanur, at a distance of 13 miles from Tiruvannamalai to command ayacuts in North Arcot and South Arcot districts.

14. Among the lesser important rivers are the Pambar, traversing the Chengam and Tirupattur taluks, the Thuringilar and Olayar streams draining Thiruvannamalai taluk and the Kamandala and Naga nadhis traversing Arni taluk and combining to form the Kamandala-Naga nadhi.

(e) Forests:

15. The forests in this district cover an area of 1343 square miles which is 29 per cent of the area of the district. Large areas of forests are found in the taluks of Chengam Vellore, Polur, Arni, Tirupattur and Gudiyatham. The forests in Gudiyatham taluk are of fuel and scrub type. The reserve forests in the other taluks consist of hill forests, plain forests, scrub growth and Palar river plantations. The hill forests contain sandalwood and bamboo. The estate forests taken over in Arni and Tirupattur taluks contain only scrub jungle which are being developed under a scheme of afforestation.

(f) Soils:

16. The soils are predominantly red ferruginous loam and sand, with black soil area of about 16 per cent, confined to the neighbourhoods of the rivers Palar, Ponnai and Cheyyar and the ayacuts of a few big tanks. The black soil occurs in Gudiyatham, Walajapet, Arkonam, Cheyyar and Vellore taluks, while red soils are found in all the taluks.

(g) Rainfall:

17. The district benefits from both the south-west and north-east-monsoon winds, though the heavier rainfall occurs during the north east monsoon period. Cyclonic storms are not uncommon, usually occurring in May or October, at the change of the monsoon. The climate of the district is in general moderate. Arkonam, Cheyyar, Polur and Wandiwash taluks enjoy an equitable climate throughout the year. On the other hand, Vellore, Arni, Walajapet and Gudiyatham taluks which are interspersed by hills and mountains, as also Tiruvannamalai which is almost a flat country, are subjected to extreme climatic conditions very hot during summer and cold during winter. In Chengam and Tirupattur taluks the climate is cold during winter, but moderate during the other seasons.

(h) Agriculture:

18. North Arcot is one of those district in the State which depend to a large extent on seasonal rains for successful agricultural operations. Though not a leading agricultural district, it contains within its limits certain areas, especially in the taluks of Thiruvannamalai, Vellore, Cheyyar, Polur and Wandiwash, which enjoy good irrigational facilities and produce paddy on a big scale. Tanks, wells and rivers are the main sources of irrigation. The dams on the Palar and Cheyyar rivers and the newly constructed dam on the South Pennar at Sathanur have augmented the irrigation potential of the district. When the rivers are flooded, all tanks and ponds get filled up. Copious springs tapped from the river beds is a special feature of irrigation in this district. Besides, there are rainfed tanks and ponds. In recent years irrigation by pumpsets has contributed sizeably to increased food production. Sixty-one per cent of the working population are engaged in agriculture. Paddy is the main foodgrain produced in the district in wet lands, whereas Ragi, Cumbu and Horsegram are the chief dry crops. Besides these, other millets like Varagu and Samai are also cultivated. Under pulses, Redgram, Blackgram and Country Beans (Mochai) are grown in the district. Groundnut is the important major commercial crop cultivated.

Gingery is also another important oil seed grown in this district. Sugarcane grown on a large scale in the taluks of Vellore, Gudiyatham and Tirupattur feeds the Co-operative Sugar mills at Ambur and another factory at Melpattu. In Tirupattur taluk cotton is grown. Under fruit plantations, mango is grown on a large scale especially on both sides of the Palar river from Tirupattur to Walajah, Oranges near Gudiyatham and Ambur and Sithapal (custard apple) in Tirupattur and Gudiyatham taluks. In the hilly region, guava and lemon trees are grown by the Malayalee tribals. In between Jolarpet and Vaniyambadi, tomato is grown on a large scale. An export oriented scheme has given a boost to Cavendish and Robusta banana cultivation in recent years. An agricultural institute run by the American Mission near Katpadi from 1923 serves to suggest ways and means of improved agriculture. A sugarcane research institute is functioning at Melalathur in Gudiyatham taluk which advises cultivators on the improved methods of Sugarcane cultivation and jaggery manufacture.

19. (i) *Industry*.—Industrially, this district has not made any spectacular advancement. Next to agriculture, weaving is an important occupation of the people for a number of years. Besides the two textile mills in Gudiyatham (viz) Tirumagai Spinning Mills and Rajeswari Spinning Mills, a co-operative spinning mill at Vellore and two more private spinning mills at Arni and Sholingur have come up. Messrs Parry and Company established a factory at Ranipet in 1897 where Ceramic products are manufactured. The small Industries Promotion Corporation of Tamil Nadu has put up an industrial estate at Ranipet. The branch of the Indian Hume Pipes Limited at Arkonam is manufacturing cement concrete pipes. The State Government has also put up the continuous steel casting plant at Arkonam. Tanning is an important industry in places like Ranipet, Vaniyambadi, Ambur, Pernampet and Melvisharam. Leather tanned in this district which is marketed in the name of East India Skins and Hides has got demand in U.K. Several muslims and scheduled caste people are engaged in this industry. The Railway workshop at Arkonam adds to the employment potential in this district. The State Government have started Small Scale Industries at Vellore, Ambur, Kalasapakkam, Polur, Arcot, Vembakkam and Katpadi besides an industrial estate at Arkonam. A factory in the private sector manufactures stainless steel utensils at Katpadi.

20. Arni is famous for handloom products, while in Walajapet, carpet making is an important household industry. It is also thriving at Ambur and Udendram. Korai mat weaving is another important cottage industry in Wandiwash, Cheyyar and Arni taluks and in some of the villages in Gudiyatham, Vellore, Tirupattur and Tiruvannamalai taluks. There are many muslim families at Walajapet whose traditional household industry is making cane and bamboo articles.

II. Political History.

21. From the earliest times of which anything is known, down to the close of the ninth century A.D., the district formed part of the territory of the Pallavas, whose capital was Kancheepuram in Chingleput district. During the succeeding centuries, it came successively under the rule of the first line Cholas of Woriyur, the Rashtrakuta dynasty of Malkhed, the second line Cholas of Thanjavur and the Hindu Rulers of Vijayanagar, who were ultimately overthrown by the Mussalmans of the Deccan in 1565 at the battle of Talikota, when the country came under the sway of Sultans of Bijapur and Golconda. In 1687, the emperor Aurangzeb sent his general Zulfikar Khan to bring the extreme south under the Mughal rule; the district was then brought under the control of the Mohammadan Nawabs of Carnatic who made Arcot their headquarters.

22. During the next hundred years, many decisive battles in the history of Southern India were fought in North Arcot district. In 1749, the Nawab Anwaruddin was defeated and killed at Ambur by his rival Chanda Sahib, assisted by the French. During the war that followed on the Coromandel coast, Robert Clive captured Arcot, the capital of the newly proclaimed Nawab Chanda Sahib. On the renewal of the war in 1757, Arcot fell to the French. Eyre Coote, however, defeated Lally, the French General at Wandiwash in 1760, and soon after took back every fortress that had been lost to the French. Haider Ali of Mysore during his invasion of the Carnatic in 1767 laid siege to Ambur. But when a relieving army under Colonel Smith advanced, he raised the siege and retired to Kaveripak. In 1780, he again descended the ghats, laid

waste Vellore and the surrounding area and besieged Arcot. When he heard that a British army under Sir Hector Munro was on its way to Arcot, he abandoned the attempt. He succeeded, however, in smashing enroute a detachment under Colonel Bailie near Polur. He afterwards resumed the siege of Arcot, which surrendered, while Ambur was also taken. He next laid siege to Vellore and Wandiwash. The latter was defended by Lieutenant Flint and was later relieved by Sir Eyre Coote who commanded in Madras. Coote afterwards proceeded to the relief of Vellore and met the enemy at Sholingur where they had been drawn up to prevent him enroute. The action was not decisive, but Haider sustained heavy loss. Coote pushed on to Vellore and successfully provisioned it for three months. In 1782, he relieved Wandiwash, which had been again besieged and Flint was once more offering stout resistance. After the war ended in 1783, the district was no more the scene of any major fighting.

23. In 1781, the Nawab had assigned the revenues of the Carnatic to the East India Company, who held it till 1801 when it was ceded to them in full sovereignty by the Nawab Azim-ud-daula. Resistance to the British authority was first offered by the Poligar (Palayakars) chiefs, but by 1805 all of them were subdued. In 1806, there was a mutiny of the sepoy stationed at Vellore, but the out-break was successfully quelled by the British rulers who by then brought troops from Arcot under Colonel Gillespie for this purpose. It is in this background, that this district came into full control of the Britishers.

III. HISTORY OF THE ESTATE AREAS:

24. (1) *Arni Jagir*.—The biggest of the Zamindari estates in North Arcot district was Arni Jaghir covering an area of 180.36 sq. miles. It comprised 49 under Tenure estates in Arni and included villages lying as enclaves in Polur taluk. When North Arcot district was reconstituted in 1808 by addition of some taluks, Arni Jaghir was one of the areas so transferred to it, from South Arcot District. After the estate abolition in January, 1951 the erstwhile Arni Jaghir was constituted as a separate taluk for administrative convenience, considering its vast area.

25. Arni Jaghir was granted early in the 17th century by the Sultan of Bijapur to Vedaji Baskar Pant, a Maratta Brahmin as a reward for his faithful military service. It was held without interruption by his descendants till 1761 as a nominal dependency of the Tanjore Rajah, when the Nawab of Arcot attached it and dispossessed the jaghirdar for various acts of disobedience. In the year 1762, the jaghir was restored to the then representative of the family Thirumal Rao by the treaty of that year entered into between the Nawab of Arcot and the Tanjore Rajah at the instance and guarantee of the British. Owing to some disturbances by intriguing Brahmins under the jaghirdar, the Nawab of Arcot took possession of the Jaghir again in 1771 with the acquiescence of the Rajah of Tanjore and of the Madras Government but the Court of Directors disapproved of this arrangement as the Company's faith had been pledged to the Jagirdar by the treaty of the year 1762. The Nawab not having surrendered the jagir till 1789, the Court of Directors ordered its immediate restoration to the then representatives of the Jaghirdar's family. It was by a Cowle of 1789 by John Holland, Governor of Madras, that the Jaghirdar's title was restored to him by the British Government. It was treated as a life estate and so a fresh sunnad was given at each succession when the senior heir of the deceased Jaghirdar was recognised as rightful successor. Like this, fresh sunnads have been granted by the Government on 10th May 1776, 19th April 1825, 30th August 1853, 16th February 1872 and 2nd September 1902. One of the conditions in the sunnads is that the Jaghir was liable to resumption by the Government for failure to comply with the terms thereof. The terms of the sunnad are of a special description and are distinct from the usual terms of a Sunnad-Milkeut-Is'timrar issued under the Permanent Settlement Regulation, 1802. The sunnad is distinct in that it does not confer any power of alienation like other ordinary permanent sunnads granted under the said Regulation.

26. In the sunnad issued to the Jagirdars in 1902, the Government declared for the first time, by a specific clause inserted therein, that the jaghir was not hereditary but a conditional life grant and the alienation of the whole or part of it by sale, gift or otherwise was prohibited on pain of resumption of the same by the Government.

The reversionary right to the inams in the jaghir was also reserved to the Government. This change of attitude on the part of the Government invited a suit filed by the jaghirdar in O.S. No. 32 of 1907 on the file of the District Court, North Arcot for a declaration of the hereditary right to the jaghir and for the omission of the offending clauses from the sunnad issued by the Government. The clauses objected to by the plaintiff jaghirdar were the following:—

- “ 6 (i) You shall not transfer either by sale, gift or otherwise, the whole or any part of the Jaghir.
(ii) On breach of any of the conditions, your jaghir will be liable to be resumed by the Government.

The suit was eventually compromised *vide* G.O. No. 2399 (Confidential) Revenue, dated 28th August 1908 on the terms that the Government would recognise the claim of the jaghirdar to hold it in hereditary right and will issue a modified sunnad omitting clause 6—extracted above of the sunnad, dated 2nd September 1902, and that the jaghirdar on his part shall consent to the jaghir being scheduled under the Madras Impartible Estate Act II of 1904. The revised sunnad on these agreed terms was issued on 14th April 1909. Arni estate was not, therefore, one permanently settled under the Madras Regulation XXV of 1802, but all questions regarding the tenure of the Estate were to be regulated with reference to the terms contained in the last sunnad issued to the jaghirdar on 14th April 1909.

27. When the Inam Commissioner dealt with the Inams in the district in the year 1860, he referred to Arni Jagir Inams in the following terms:

“ Arni Jagir is an ancient hereditary jagir, charged with a small peshcush as a pledge of submission to the Government. The sannads given to the jaghirdars on their succession to the estate make no reservation of inams of any description ”.

28. In consequence he decided that all the Inams in the jagir lay without his cognizance. After the issue of the fresh sunnad in the year 1902, the Board of Revenue ordered in B. P. No. 115, dated 17th June 1903 that all village service inams may be enfranchised. The question of the status of the other inams in the jaghir was referred to the then Advocate-General Thiru P. S. Sivasami Iyer who opined that the sunnad of the year 1909 did not confer or create any hereditary right in the estate for the first time, but it only recognised the existence of such right that existed since the original cowl of the year 1789 and that any personal, religious or charitable Inam found to exist in the geographical limits of the estate and dating back to the year 1789 may be settled on the same lines as presettlement Inams in other estates. The Government, however, decided to drop further action in G.O. Confidential 748, Revenue, dated 12th March 1913 and again decided in G.O. Press No. 3184, Revenue, dated 4th November 1913 to surrender to the jagirdar this reversionary right to all such Inams, other than village service inams, in the jagir.

29. When the estate abolition was impending, the jagirdar by an order, dated 31st December 1950 (i.e.) 4 days prior to the taking over of the estate, resumed all the inams in the estate. The implication of this order of resumption was examined in detail and it was decided in Board's Reference (S.E.) B. 2223/51-12, dated 22nd July 1953 that it was only a record of the intention of the jagirdar to resume the inams which did not actually result in such resumption and the Government also concurred with this view of the Board in their G.O. Ms. No. 3060, Revenue, dated 31st October 1953. There were as many as 3691 such inam cases in this estate on the eve of its abolition.

30. (ii) *Kangundi Zamin*.—At the reallocation of villages between Chittoor and North Arcot districts, it was ordered in G.O. No. 2575, Revenue, dated 26th October 1928 that 22 villages of Kangundi zamin (16 ayan villages and 6 inams comprised therein) may be retained in Tiruppathur taluk and the rest (i.e.) the bulk of the estate may be attached to Chittoor district, Palmaner taluk. After the partition of the Andhra State on 1st July 1953, the Government ordered in G.O. No. 1160, Revenue, dated 8th May 1954 that the 16 ayan villages of the Kangundi Zamindari lying in Tirupathur taluk may be treated as a separate zamin Estate.

31. (iii) *Vettavalam Zamin*.—This zamin was originally in the South Arcot District with its villages comprised in Tiruvannamalai, Tirukkoilur and Vilupuram taluks. Consequent on the transfer of Tiruvannamalai taluk to North Arcot district in the

year 1911, its villages came to be comprised in two districts. On its abolition, the estate as a whole was treated as one unit and settled in accordance with the principles and resettlement rates applicable to South Arcot district.

32. The other estates in the district are all minor ones and do not deserve special mention. There is a concentration of zamin estates in Tirupattur taluk whereas there are only stray estates in the other taluks, Wandiwash taluk being conspicuous by the absence of any estate in it.

IV. LAND REVENUE ADMINISTRATION.

33. 1. *Under the Cholas*.—As in the other districts of the State, the rule of the Cholas marks the landmark in the history of land revenue administration of this district in the early periods. The land system under the Cholas contained the germs of modern principles of land revenue administration. The importance of a careful survey of land was even then realised and the same was undertaken during the reign of Rajaraja and there were instances of resurvey of lands from time to time. The rates of assessment were arrived at after a careful classification of land, for which purpose several factors (viz) the fertility of the soil, the location of the village, the tenure of the land, the kind of crop raised and the yield from the land were taken into account. Then land tax was fixed with reference to the quality of the lands and generally it was 1/6th of the gross produce. The land tax was then known as *ninra irai* (fixed tax). But periodical revision of the tax was made now and then so as to afford relief for reduced yield from the lands. This helped the cultivators especially in times of adversity due to natural calamities, etc. In the settlement of land under the Cholas, a distinction was made between paddy lands, waste lands and forest reclamation for fixing the rates of assessment. Some lands were either wholly or partially exempt from taxation and such lands included lands gifted to temples, brahmins and men of valour and heroism. The tax was collected both in kind and cash and they were collected either direct from the cultivators or through the village assembly. There were also well defined methods of land transfer during this period.

34. 2. *Under the Rashtrakutas*.—Very little is known about their land revenue administration. It is, however, evident from their political history that they encouraged agriculture and conducted a land survey; and during their time both grain measures and the land measures were standardised. They stimulated trade, especially with Rome, in Beryl, gold and fine Cloths.

35. 3. *Under The Vijayanagar Rulers*.—During their reign, the land revenue administration was left in the hands of Palayagars who were military chieftains. As enough material to reconstruct the history of the land system under these rulers is not available, we get no clear picture of the methods and taxes or rates of assessment prevalent during their time. But the land tax seems to have been very oppressive during this period. Though the land tax was fixed at 1/6th in theory, in practice it was more than 50 per cent of the gross produce. Besides, the people were burdened with customs and other levies under the weight of which some of them were forced to leave their native villages. Though there were instances of remission of taxes on the orders of the king, they were inadequate and paltry.

36. 4. *Under The Mohammadan Rulers*.—Land Revenue continued to be the main source of State revenue and it was supposed to be assessed at 1/3rd for wet land and 1/6th for dry land on the gross produce. But in practice, different taxes were levied for different tracts approximating to the inflated rates levied under Vijayanagar rule. For some time they followed the method of sharing the produce under the Amani system by which the ryots paid their dues direct to the Government. As receipts fell off this system was modified under which land revenue was collected by leasing out a village, or groups of villages, to middlemen. Though it was a convenient method to follow, it led to oppression and the middlemen enriched themselves by collecting more tax than was prescribed. The most striking feature of their land system was the grant of *takkavi* loan to poor ryots.

37. 5. *Under The British; in the Taluks of Vellore, Gudiyatham, Wandiwash, Cheyyar, Arkonam, Wallajah and Polur*.—We have seen that after the fall of the Vijayanagar Dynasty, the tract was disturbed by internecine wars when the land tax was increased from time to time on some pretext or another until the actual demand approached about 50 per cent of the gross produce and that the Muslims who occupied the

tract later followed the same rent reconciling themselves to it, as the "principle of half the gross produce" and adhered to it for the sole reason that it was found advantageous to them. Then came the early British Settlement which also adopted as the basis of taxation the 50 per cent share of the gross produce of all lands.

38. The first Collector of the District was Mr. George Stratton who introduced the system of renting each village at 50 per cent gross to the head inhabitants and making them jointly and severally responsible for the Government dues. This renting system was abused by the renters and the net result was that the ryots became more impoverished. Mr. Graeme who followed undertook a joint survey and classification in order to arrive at the assessment due on all lands. Mr. Graeme's Settlement of fasli 1214 formed the original Paimash records in which he divided the lands into 3 classes namely, Punjai, Nanjai and Garden; and for each type of land he arbitrarily fixed the share of the Government dues. Mr. Ravenshaw as Collector of South Arcot District had in the meantime carried out a settlement of the Taluks of Vellore, Arcot, Wandiwash and Polur including the Arni Jagir which were annexed to the North Arcot district from the South Arcot District in the year 1808. He had compulsorily fixed the consolidated assessment on the wet lands irrespective of the number of crops that was grown. Mr. Graeme, on the other hand, had separated the single crop and double crop assessments for the wet lands. Before the Settlement of these taluks was completed by Mr. Graeme and Mr. Ravenshaw, the work was stopped half through and the introduction of a three year lease was ordered, after which followed a decennial lease. The triennial and decennial leases were from faslis 1218-1220 and 1221-1230, respectively. On the termination of the latter leases of villages, a ryotwari settlement was again introduced, but the assessment proved very excessive and detrimental to the prosperity of the district; and Mr. Graeme recommended a general reduction of $12\frac{1}{2}$ per cent, or 2 annas on every rupee, of assessment and this was sanctioned by the Government. But even this reduction had not improved matters much; and a new survey was again commenced and completed. But the mode in which it was conducted was disapproved as useless. Further proposals for reduction were made by successive Collectors but they were not considered by the Board for several years. Finally Mr. Bourdillon proposed a general revision of assessment of the prevailing rates and submitted them to the Board in October 1862. Mr. Bourdillon recommended that Rs. 10/- should be taken as the highest wet rate per cawni for a single crop; and that a 30 per cent reduction should be made in wet and 15 per cent in dry lands throughout the district. These proposals were approved and sanctioned by the Government; and in 1855 Mr. George Benburry was appointed as Sub-Collector to give effect to these reductions and he worked out the reduction and framed a table of rates for application in the taluks north of the Palar ranging from Rs. 10 to Rs. 2 per cawni for wet, and Rs. 6 to annas 3 per cawni for dry. The highest rates for single crop wet were merged under the new rate of Rs. 10 and similarly the rates between Rs. 16-8-0 and 19 were merged within the new rate of Rs. 9-8-0 and so on. The table of rates as framed by Mr. Banburry descended by 8 annas from Rs. 10 to Rs. 6 and then by 4 annas to Rs. 2.

39. These wet rates could not be applied to the Taluks south of the Palar, where the previous assessment fixed by Mr. Ravenshaw was consolidated for any number of crops on wet lands. Mr. Banburry accordingly proposed the maximum rate of Rs. 15 for both crops on wet lands for certain taluks and Rs. 14 for other taluks, with the minimum rate of Rs. 2 per Cawni as in the northern taluks. The dry rates worked out for the Northern taluks were found suitable to the Southern taluks also. There were the corresponding decreases in the Government revenue, but the lighter assessment imposed upon the ryots no doubt had its benefits. Still it was found necessary in 1864 to sanction further reductions upon all lands that were left waste, both in wet and dry, so as to give an impetus to the ryots to extend cultivation.

40. Though all these reductions had their benefit yet the reductions were made without considering the inequalities in fertility between the various lands and it was found that the reductions unduly benefited the highly assessed lands than those of inferior quality as it was applied indiscriminately to all villages without considering the merits of each village; and it was also found that relief was given where no relief was called for; and the rates in other cases continued to be rather high. The system was also not found accurate. A scientific survey of the country was therefore found necessary. Demarcation was accordingly started in 1871 and the survey of the tract was completed in 1879.

VI. THE ORIGINAL SETTLEMENT OF THE NORTH ARCOT DISTRICT AND ITS LEADING FEATURES.

41. 1. *General*.—Excluding the taluks of Tirupattur, Chengam and Tiruvannamalai, which will be dealt with later, the Government by their memorandum printed in G.O. No. 575, dated 11th April 1878 sanctioned the settlement of the other taluks of North Arcot District. The proposals for the settlement of the district were worked out by Mr. Rundall and his report submitted in June, 1880 was based on the classification results of four out of the nine taluks of the district, viz., Chandragiri, Chittoor, Gudiyatham and Wandiwash. The proposals were worked out for these four taluks with a view that the rate of assessment framed may be extended to the other taluks of the district namely, Palamaner, Arcot, Vellore, Wandiwash and Polur. The proposal for the four taluks was sanctioned by the Government in G.O. No. 591, dated 6th April, 1881 and the new rates of assessment were introduced in those taluks in different faslis from fasli 1291 to 1295. The proposals for the four taluks mentioned excluded 65 jungle villages that had not been surveyed. Later these jungle villages were also included in the settlement of these four taluks.

42. 2. *The classification of the soils*.—The original settlement embraced three main series, viz., Exceptional, Regar and Red Ferruginous; the classification was done on the modern principles of five sorts under the Regar and Red Ferruginous series, which constituted the major portion of the tract that was settled. There was only a small area of 261 acres under dry (chiefly land under wells) which was placed under the permanently improved area in the Exceptional series, and constituted into 3 sorts, viz., best, ordinary and inferior; and this series disappeared at the re-settlement of the North Arcot district.

43. 3. *Classification of irrigation sources*.—In the original settlement conducted by Mr. Rundall the irrigation sources were divided into four classes, according to the quality and their capacity to supply water.

"First Class": All tanks supplied directly and well fed from the Palar and Ponnai anicut systems; and the best and most reliable source of irrigation of the several tanks such as the Kaveripauk, Mahendravadi etc., tanks.

"Second Class": Tanks indirectly fed from the forgoing anicut irrigation, or only after the rivers have been in flood for some time and the directly fed or first class tanks may have filled sufficiently to pass on any surplus supply, also river channels from the Palar, Ponnai and other rivers, affording a perennial supply and spring or Kasam Channel on a par with the latter as regards continuity of irrigation. Likewise river fed tanks and tanks of fair capacity well-fed by the drainage of a suitable extent of country.

"Third Class": Tanks of moderate size depending solely on local rainfall, the ordinary spring or kasam channels and the fair drainage sources.

"Fourth Class": Small shallow and indifferently fed tanks and the less reliable drainage sources.

44. 4. *Dry Grouping*.—The villages comprised in the taluks of the district as it was constituted at the original settlement were divided into 2 Groups for dry "with reference to the relative advantages of situation, capability of production, rainfall and other qualifications for dry cultivation". At the original settlement a third group was also provided for; but no necessity was found for its introduction. All the villages in Vellore, Arcot and Wandiwash taluks were placed in Group I. In Gudiyatham, Polur and Wallajapet taluks, the II (second) Group was also used, generally following the course of the river Palar; all villages to the north of the fertile belt area further from its course were placed in the II Group, while all other tracts were placed in the first group.

45. 5. *Basis for the settlement rates both wet and dry*.—In dry lands the standard crop adopted was Cumbu, Ragi and Varagu, taken in equal proportions. For the wet lands, paddy was taken as the standard crop and the outturn was based on actual experiment for each crop; the outturn arrived at by actual experiments, was converted into money value adopting the commutation rates prevailing during the 20 years from Faslis 1255 to 1274. These commutation rates are given below for a Garce of 3200 Madras Measures.

Cambu	...	Rs. 115.
Ragi	...	Rs. 126.
Paddy	...	Rs. 95.
Varagu	...	Rs. 75.

After deduction of 10 per cent for the difference between the wholesale and retail transactions, etc., the cost of cultivation was carefully ascertained and it was deducted from

the gross money value of the outturn adopted. A further deduction of 20 per cent was made for wet and dry for the vicissitudes of season and unprofitable areas and half the resulting net value was taken as the Government share. The wet rates were arranged in 18 tarams from Rs. 2 to Rs. 8 and dry lands under 10 tarams from 6 annas to Rs.3-8-0 per acre.

46. 6. *Revision of ayacuts.*—During the settlement, the ayacuts of each tank and other irrigation sources were duly revised and the wet extents formerly included under ruined irrigation sources were changed to dry or adjusted under another irrigation source if the land was commandable by that source depending upon the circumstances of each case. Lands regularly paying water rate or “Thirvai Jasthi” and which were classified as dry were transferred to wet and the rates of the settlement adopted. Special water rates which differed from place to place in the whole North Arcot district were abolished and the charge for water used from a Government irrigation source was made to conform with those prescribed under Board’s Standing Order No. 5.

47. 7. *Second crop charge.*—Wet lands which commanded an unfailing supply of water for raising two crops were registered as permanent double crop lands and charged $1\frac{1}{2}$ times the single crop rates. Compounding of the double crop was also allowed at $1/3$, $1/4$ and $1/5$ th under the more precarious sources of irrigation, subject to a minimum of one rupee. No regular system seems to have been adopted in the rates of composition, for it is found that different rates of composition have been allowed under the same class of irrigation sources. No remission was granted for land compounded at favourable rates. No extra charge for second crop was levied for wet lands under Doruvu, Dasabandam or Itifac wells vide G.O. No. 2091, dated 25th October 1879.

48. 8. *Baling remission.*—The usual baling remission of one rupee for first crop and $\frac{1}{2}$ rupee for the second crop was given for baling or lift by mechanical contrivances. Subsequent to the settlement, however, and before the Resettlement, the lands under Doruvu wells had since the issue of G.O. 2816, dated 25th August 1910 been converted into dry and only $\frac{1}{4}$ th of the differential water rate is charged for any number of crops that may be grown in the fasli. Those under Itifac wells were also transferred to dry in fasli 1294 with reference to Director’s proceedings No. 97, dated 15th January 1885. Dasabandamdars maintaining Dasabandam wells held some inam lands in the ayacut themselves or got in return some ready money allowance.

VII. THE RESETTLEMENT OF NORTH ARCOT DISTRICT AND ITS LEADING FEATURES:

49. 1. *General.*—When the re-settlement of North Arcot district commenced in 1913, of the 9 taluks comprised in the old North Arcot district the three northern taluks of Palamaner, Chandragiri and Chittoor were by that time already transferred to the new Chittoor district. Of the remaining 6 taluks in the North Arcot district, the three taluks of Wandiwash, Walajapet and Arcot were reconstituted by the distribution of villages into four new taluks namely Wallajapet, Arkonam, Cheyyar and Wandiwash, the name Arcot disappearing altogether. By this time 2 other taluks had been transferred to this district, Tirupattur from the old Salem district and Tiruvannamalai from the old South Arcot district. Within Tiruvannamalai taluk was also included at the time of transfer the Sub-taluk of Chengam, which was later constituted into a taluk. The taluk of Tirupattur had been settled and resettled together with the Northern taluks of Salem district; the second resettlement of Tirupattur taluk, alike the Northern taluks of Salem district, did not involve a revision of rates. Tiruvannamalai, with its sub taluk of Chengam, was settled with the South Arcot district and it was resettled on the lines of South Arcot district even after its transfer to North Arcot district. This part deals with the resettlement of the seven other taluks of the North Arcot district namely:—

- | | |
|----------------------------------|---------------------------|
| 1 Arkonam. | } Resettled in fasli 1323 |
| 2 Walajapet. | |
| 3 Gudiyatham. | |
| 4 Vellore. | |
| 5. Cheyyar.—Fasli 1323 and 1325. | |
| 6. Polur.—Fasli 1324. | |
| 7. Wandiwash.—Fasli 1325. | |

Rao Bahadur D. Krishnayya Pantulu Garu, B.A., the Special Settlement Officer, at Vellore submitted the scheme report for these 7 taluks, which in general took the form of a percentage enhancement of the existing rates. The scheme was sanctioned in G.O. No. 3165, Revenue, dated 1st November 1913 and the resettlement notification was issued in G.O. 3576, Revenue dated 5th December 1913.

50. 2. *Classification of soils.*—Mr. Krishnayya Pantulu found that the classification made at the original settlement had been well done. Mr. Gray, who prior to Mr. Krishnayya Pantulu had inspected the soil classification in 113 villages in the taluks of Gudiyatham, Wallajah, Vellore, Arcot and Polur had left a note to his successor which ran as follows:—

“In all the villages that I have inspected I have examined the soil classification and found that on the whole it was remarkably well done at the original settlement. The ryots as a rule admit this and in only one or two villages they have complained about mistakes in classification and blocking. Even in some cases where at first sight I was inclined to think there was a mistake, I generally found on questioning the villagers that there was a good reason for the classification assigned. Only in one or two villages did I come across some genuine and inexplicable mistakes.”

51. From his own inspections also Mr. D. Krishnayya Pantulu Garu, found that it was not necessary to carry out a general reclassification of soils, under dry and wet. He however, proposed that lands shown under the permanently improved series at the original settlement should be reclassified into appropriate classes and sorts under the Regar or Red Ferruginous series.

52. 3. *Dry Grouping.*—Mr. Rundall in his scheme report for the original settlement had mentioned “the second class includes the more northerly villages of Gudiyatham and Wallajapet taluks skirting the hills and having less depth of soil or indifferent sub-soil, more or less stoney”. Mr. Krishnayya Pantulu Garu found that there was no need to interfere with the dry grouping of the villages as they were placed at the original settlement, irrespective of the fact that further lines of communications by the laying of more roads had extended both the internal and external trade of the district. Mr. Krishnayya Pantulu Garu pointed out that in Wallajapet taluk the major Broad gauge railway line from Madras to Jalarpet covers the entire length of the taluk and that there are some good trunk roads running from north to south. He explained that the “seeming anomaly is rectified by the fact that the productive power of the soil also played an important part in determining the group. This latter tract in Wallajapet includes the more centrally situated villages of the Taluk rather hilly in parts and the whole of the eastern villages marching with the Chingleput district and Karvetnagar Zamindaries”. Thus, in short, the dry grouping fixed for the villages at the time of settlement were not altered at the re-settlement and they were retained.

53. 4. *Classification of irrigation sources.*—At the resettlement of the district Mr. Krishnayya Pantulu Garu observed that reclassification of fall the irrigation source was necessary and upon the orders existing at the time he proposed that the irrigation sources should be classified into 5 classes, namely:—

First class: Tanks supplied direct and well fed from the Palar and Ponnai anicut irrigation.

Second class: Tanks indirectly fed from the foregoing anicut irrigation and rainfed tanks containing more than 8 months supply and river channels from the Palar Ponnai and other rivers affording a perennial supply as also spring and kasam channels on a par with the river channels.

Third class: Minor river channels, spring channels and rainfed tanks containing more than 5 and less than 8 months supply.

Fourth class: Rainfed tanks from 3 to 5 months supply and other drainage sources with the same capacity.

Fifth class: Minor tanks and “Kuntas” of less than 3 months supply and similar precarious sources such as jungle streams.

54. He submitted that the above classification of irrigation sources was more or less in line with that sanctioned for Chingleput district under modern principles. The five classes of irrigation sources were accordingly sanctioned and all the irrigation sources were inspected by Gazetted Officers and reclassified on their merits with reference to the general principles enunciated in the re-settlement notification.

55. 5. *Enhancement of assessment over settlement rates.*—Mr. D. Krishnayya Pantulu Garu, having studied the improvements and the advancement in the tract and upon

further calculation of cultivation expenses, cost of seed, etc., using the same standard grains as were used at the original settlement, also taking into consideration the enhanced cost of living, proposed in his scheme report that the higher rates in wet be enhanced by 25 per cent over and above the settlement rate and that the other rates in wet be enhanced by 20 per cent. For the higher rates in dry he proposed an enhancement of 15 per cent. But he would leave untouched the lower rates in dry. The orders finally passed by the Government however, provided for an increase of a flat 25 per cent in wet and an enhancement of 15 per cent for the first 6 tarams in dry ranging from Rs. 3-8-0 to Re. 1-6-0. They directed further that the next two lower rates in dry, viz., Re. 1-0-0 and 0-12-0 be enhanced by 6½ per cent to Re. 1-1-0 and 0-13-0 respectively; the last 2 rates of 8 annas and 6 annas in dry were, however, left untouched.

56. 6. *Second crop charge*.—In the original settlement the second crop charge was not fixed on any uniform principle. The lands under second, third and fourth class sources were sometimes compulsorily registered as permanent double crop lands and charged 1½ times the single crop assessment; and the usual concession for irrigation supplemented by private wells was not fully given to the ryots. The reclassification of the irrigation sources removed these compulsory rates of composition and allowed for the introduction of the 5th class source with the 1/6th composition rate. Ordinary and favourable rates of composition were allowed on a uniform system with reference to the new class assigned to each source instead of levying the minimum rates as adopted at the original settlement.

57. 7. *Baling remission*.—Land irrigated by baling were allowed a remission of Re. 1 for the first crop, the remission for the second crop being fixed at ¼ of the second crop charge subject to a maximum of 8 annas.

58. 8. *Doruvu wells*.—Lands under Doruvu wells that had already been registered as dry by the Revenue Department after the original settlement were continued as dry.

59. 9. *Fish pattas*.—The question of fisheries was considered in North Arcot district by Mr. D. Krishnayya Pantulu Garu. In the districts of Chingleput and Tirunelveli the question of fisheries had been raised for the first time and orders of the Government obtained. The question of fisheries in the State of Madras as a whole was fully investigated with reference to G.O. No. 1452, dated 6th September 1879 and the Board's views were recorded in its proceedings No. 1674, dated 14th June 1879. The Collector of North Arcot district Mr. Whiteside reported on the system prevailing in North Arcot district and his report showed that there were two methods prevailing for dealing with fisheries in that district (viz).—

1. The issue of fish pattas and
2. Renting fishery, either annually or for a short term of years.

He stated :—

"The fish pattas were generally preferred by the people, rather than auction, as the fish patta was considered more convenient and less troublesome. By 'fish patta', it should not be understood that regular pattas were issued to the holders. The amount of rent to be paid used to be included in the ryot's patta as in the case of the land revenue and cesses. The fisheries are enjoyed in some instances by the village monigars and in others by all pattadars in proportion to their patta beriz. As the Board did not insist on the extension of the renting system but left it to the discretion of the Collector to manage the fishery revenue in the manner best suited to the circumstances of each district, the fish patta system was encouraged in the district and only large tanks were rented out".

60. The Government decided that the fish pattas may be continued at resettlement and ordered enhancement of 25 per cent of the patta value in conformity with the increase of wet rates and this was accordingly carried out at the resettlement. While passing this order the Government also observed that the existence of fish pattas for the first and second class sources was subject to the condition that if the sources were subsequently stocked by the fishery department, the Government reserved the right to cancel the fish pattas and dispose of the fish by public auction. It was reported to the Government at that time by the fishery department that there was hardly any likelihood of the third, fourth or fifth class sources being stocked with fish by the fishery department.

61. 10. *The Bilmuktha and Thattibund pattas*.—The term Bilmuktha adopted in various dialects according to Mr. H. H. Wilson's Glossary of "Judicial and Revenue terms of British India" means "according to agreement stipulated, fixed, consolidated". The peculiar tenure is found in the taluks of North Arcot and Chingleput districts. At the time of the re-settlement of North Arcot district it was found that at least there were 460 Bilmuktha cases "covering many thousands of trees for which the pattadars paid a trifling sum to Government".

62. It was estimated that for the whole tract under re-settlement only a sum of Rs. 2,759 was realised from many thousands of trees standing on an extent of over 45,000 acres. Mr. Krishnayya Pantulu Garu observed that the Bilmuktha patta lands fell under one or the other of the following heads:—

- (a) Lands classed as poramboke at Settlement.
- (b) Lands classed as Assessed wastes at Settlement.
- (c) Lands held on patta at Settlement whether by Bilmuktha pattadars or by others.
- (d) Lands comprising any two or all of the three above descriptions.

The original scheme report for the Settlement of North Arcot district did not deal with the Bilmuktha patta. But the subject had been under discussion for many years before the re-settlement of the district and proposals were also placed before the Board of Revenue to extinguish this type of tenure. Mr. D. Krishnayya could secure two original Bilmuktha pattas granted on Cadian leaves. It was seen that these Bilmuktha pattas were granted in 1851 by the Government of the Company. The Thattibund patta which is more peculiar only to Arkonam taluk differs from the Bilmuktha tenure in that the Thattibund patta as the term indicates, was originally granted only for palm trees, while the Bilmuktha patta included every variety of tree. The Bilmuktha or Thattibund patta does not specify the number of trees or any of the fields in which the trees stand. Previously Mr. Le. Fanu brought to the notice of the Board the case of a Bilmuktha patta where the pattadar was enjoying 1798 date trees, both young and old, for a trifling amount of Rs. 7-4-0. It was also urged by subsequent officers that the Bilmuktha tenure should be made extinct by the application of the Forest Act in some cases and yet in others by Land Acquisition Act, but the Board held that "the Bilmuktha pattadars have full property over the trees held by them"—vide Board's proceedings No. 464, Land Revenue, dated 8th July 1889. Subsequently the Board through the Collectors and Tahsildars of the District made an effort to bring to book the number of trees within the Bilmuktha patta and also to try and get the Bilmuktha pattadars to take the land on which the trees stood on assignment if the land was other than communal or poramboke. But all the orders practically remained as a dead letter. At the last re-settlement, however, an endeavour was made to investigate each case and the land on which Bilmuktha trees stood were also assigned to the Bilmuktha pattadar provided that the assessment of the land was greater than the Bilmuktha patta tree tax. Thus most of the Bilmuktha pattas which covered trees on assessed waste were assigned but there were the few cases where the Bilmuktha pattadar was not willing to take the land assigned to him.

63. In the remaining cases of Bilmukth trees standing either on porambokes or communal lands or on assessed and unassessed waste lands where the Bilmuktha pattadar refused to take the land, the Bilmuktha assignment with a lump sum was retained unaltered; they were shown in the descriptive memoirs but the number of trees were not shown. In the 2C account of the village concerned the R.S. Nos. upon which the trees stand, as claimed by the Bilmuktha pattadar, are noted together with the number of trees found on each R.S. number.

64. 11. *Miscellaneous*.—The other features of the re-settlement are that communal porambokes and cart tracks which had been previously surveyed with patta and Minor Inam lands were separately sub divided and registered as poramboke and in short, re-survey was done registering separately all sub-divisions in patta and inam lands. Lands were also set apart wherever possible as grazing ground with reference to the cattle census. The Old Bagayath lands were shown in the resettlement diplot with a note in the remarks column that they were freehold. In the case of Kayam patta lands, or patta lands permanently made over at favourable rates of assessment by

former Governments, and in some cases by former Collectors, in consideration of the trouble and inconvenience involved in reclaiming these lands and in restoring works of irrigation under which they were situated, the taram assessment was shown in the body of the Diglot registers with a note in the remarks column as "Kayam" patta assessment levied is Rs

VIII. SETTLEMENT OF THE TIRUPPATTUR TALUK OF NORTH ARCOT DISTRICT:

65. Tirupattur taluk is the continuation of the Krishnagiri-Dharmapuri plateau flanked on the east and mid-east by a range of hills. The middle portion is a continuous stretch of mittah villages. The Kangundi estate forest lies in the north-west and on the western side also there are a few forests. It divides itself into two basins, the Palar basin in the north and the Pambar basin in the south. The Broad gauge railway line from Madras to Cochin, with a branch from Jalarpet to Bangalore, traverses a good length of the taluk. The Madras-Bangalore National Highway and a few other State Highways also serve the taluk, but the communication to the interior villages is generally sparse.

66. The taluk formed part of Salem district till the year 1911, and was subsequently transferred to North Arcot district with reference to Sri W. Mayer's scheme of delimitation of districts approved in G.O.No. 1118, Public, dated 4th December 1910. Its history of settlement and the first re-settlement is that of Salem district. For the purpose of convenience Salem district was divided into two regions (viz.) (1) the southern taluks comprising the taluks of Salem, Athur, Namakkal and Tiruchengode and (2) the northern taluks comprising the taluks of Hosur, Krishnagiri, Dharmapuri, Uthangarai and Tirupattur. The southern taluks were considered to be generally better off than the northern taluks.

67. The features relating to the settlement and re-settlement of Tirupatture taluk are briefly given below.

68. Mr. Puckle's report for the settlement of Salem district was approved in G.O. No. 1427, Revenue, dated 20th May 1868. In accordance with the orders passed in G.O. No. 2681, Revenue, dated 28th September 1869, the new settlement was introduced. Soils were classified under the three sort system at the original settlement and superior red sand which was equal to best red loam was sorted as VIII-A. Dry lands were placed in Groups II to IV. Irrigation sources were placed in classes II to IV and the charge for a second crop on wet lands was compulsorily consolidated.

69. Mr. F.J. Richards submitted the report on the resettlement of these four northern taluks of Salem district which was approved in G.O. No. 1183, Revenue, dated 5th December 1905; and the resettlement notification was issued in G.O. No. 228, Revenue, dated 12th March 1906. At this re-settlement:—

- (1) The Government, inter alia, ordered the adoption of 5 sorts system of classification of all lands which were to be reclassified during resettlement in the northern taluks. The revision was made in other cases as a table process by reading 5th sort for the existing 3rd sort and fixing intermediate tarams for the new 3rd and 4th sorts. VIII-A soil would be equated to VIII-1 in the new process.
- (2) Reclassification was made in the case of land classified as permanently improved under the ayacuts of wells, unassessed waste lands and lands assigned by the Revenue Department subsequent to settlement.
- (3) The lands rented for grazing were not reclassified.
- (4) The proposal for enquiry into the title of each private kuttai and preparation of separate records of rights was given effect to; and
- (5) In the resettlement the percentage enhancement was limited to 12½ per cent to ensure uniformity with the Southern taluks.
- (6) There was no change in the classification of Irrigation sources.

70. The report on the introduction of re-settlement of the northern taluks submitted by Mr. Stuart was recorded in G.O. No. 1870, Revenue, dated 7th July 1908.

71. Before the second resettlement of the northern taluks of Salem district was taken up, Tirupattur taluk had by then come to be attached to North Arcot district in 1911. The second resettlement of this taluk was also taken up along with the Northern taluks of Salem district and a notification issued in G.O. Press No. 1044, Revenue, dated 22nd April 1938. Before the Government passed orders on the resettlement proposals of

Mr. Balaji Rao it was decided in G.O. No. 1067, Revenue, dated 21st May 1938, as of policy, that no resettlement operations could be initiated and that in districts where resettlement notifications had been prepared, only operations other than those relating to a revision of rates on a consideration of prices should be continued and as such no orders were passed in the case for revising the existing rates on consideration of prices. In view of this, no percentage enhancement of assessment was done in the second resettlement.

IX. SETTLEMENT OF TIRUVANNAMALAI AND CHENGAM TALUKS.

27. The old Tiruvannamalai taluk consisting of the present Tiruvannamalai and Chengam taluks formed part of South Arcot district. Based on the scheme of separation of districts prepared by Mr. Mayer, Tiruvannamalai taluk was added on to North Arcot district in 1911. The present Chengam taluk was a sub-taluk of old Tiruvannamalai taluk and after the settlement of the old Tiruvannamalai taluk, it was felt very difficult to administer by a single Tahsildar all the villages some of which were located more than 60 miles away and had to be reached through forests. With reference to the orders of the Government in G.O. No. 643, Press, dated 26th March 1929 Chengam taluk comprising 177 villages was constituted with effect from 1st April 1929. The Revenue history of Chengam taluk is, therefore, the history of Tiruvannamalai taluk.

73. *Physikal Features.*—The eastern part of Tiruvannamalai taluk is open flat country dominated by the imposing peak of Tiruvannamalai 2669 feet high. The western part of the taluk is broken by scattered hills and includes in the South West part the Kalrayan range and on the north-west the Tenmalai spurs off the Javadhis. Chengam taluk is more picturesque with a number of hills and forests. The soil is generally red sand or light loam. The chief river is the Ponnai which cuts across the South-west corner of this taluk. The only other river of any importance is the Cheyyar which rises in the Javadhis and flows through the narrow strip of land which lies between the Tirupattur Javadhis and the Tenmalais; takes a large semi-circular sweep round the south of the latter range and after forming for a short distance, the boundary between Tiruvannamalai and Polur taluks departs in a south-easterly direction through Polur, Wandiwash and Cheyyar taluks of North Arcot District, ultimately to empty into the Palar near Kancheepuram in Chingleput district limits. There are a few anaicuts across the Cheyyar in Tiruvannamalai taluk, but the river is not so important here as it is in the later part of its course after it has received the drainage from the whole of the eastern slopes of the Tenmalais and Polur Javadhis. In the South-west corner of the Taluk, which is cut off by the Ponnai there are several small rivers draining the northern slopes of the Kalrayans across which there have been constructed a considerable number of private anaicuts. As in South Arcot district, there are several rainfed tanks.

74. The rainfall is fairly equally divided between the two monsoons and has been generally favourable. The taluk is well served by roads, generally good, which radiate from Tiruvannamalai to the various parts of the taluk and also Chengam. The metregauge railway from Villupuram to Katpadi runs through this taluk from South to North for about 26 miles with four stations. A large and important fair is conducted at Tiruvannamalai during the annual Karthigai festival.

75. The proposal for settlement of South Arcot district, including Thiruvannamalai, was submitted by Sri J. Lakshmikantha Rao, Deputy Director of Revenue Settlement on 27th May 1886 and it was approved by the Government in G.O. No. 1134, Revenue, dated 6th December 1887. The settlement was based on the actual results of his investigation in the taluks of Cuddalore and Villupuram, which were selected as representative of the whole district comprising within their boundaries every variety of soil and irrigation found in the district. The settlement operations were taken up in 1883-84 and were completed in 1893-94. The settlement was thus introduced in Tiruvannamalai taluk in Fasli 1298 (1888). This original settlement followed the 5 sorts system of classification of soil, 3 groups of dry grouping, and irrigation sources classified into 4 classes. In the settlement there were no villages placed in the first dry group; the majority of the villages were placed in the II group, with 38 villages

in Chengam taluk in the remote corner of the western part of the taluk being placed in the IIIrd group. The classification of irrigation sources was done adopting the principles applicable to the non-coleroon tract in the South Arcot district.

76. At the time of the submission of the proposals for resettlement of this taluk, the Settlement Officer considered it not feasible to bring the resettlement rates of Tiruvannamalai taluk in line with those prevailing in the other taluks of North Arcot district as he found that the principles of settlement of North Arcot district and South Arcot District were basically different and no uniformity could be aimed at without resorting to a reclassification of soils and a reclassification of the irrigation sources. The fact also remained that the average soil of Tiruvannamalai taluk was far inferior to that in the taluks of North Arcot District, being more gravelly in nature.

77. As the resettlement of Tiruvannamalai taluk was due only in 1919-20, it was taken up separately. Mr. H. K. Watson submitted proposals for resettlement in 1916 and it was submitted to Government by the Board in B.P. 239, dated 3rd October 1917 and approved by the Government in G.O. No. 476, Revenue, dated 4th February 1918. The notification was published in G.O. No. 443, Revenue, dated 24th February 1919 and the introduction report regarding the resettlement was recorded by the Government in G.O. No. 317, Revenue, dated 26th February 1923. The resettlement followed almost the principles embodied in the original settlement except for some minor deviations. The existence of spring ponds and sub-soil springs which is a peculiarity in South Arcot District is conspicuously absent in this taluk. The provision for classification of such ponds and springs was not, therefore, included in the resettlement notification of Tiruvannamalai taluk.

X. HILL VILLAGES OF NORTH ARCOT DISTRICT.

78. *General.*—These villages are located in groups in the Javadhis, the Thenmalais and the Yelagiris and are distinct from villages on the plains in their population, culture, agricultural practices and facilities of communication. The Javadhis located in Tirupattur, Vellore and Polur taluks extend over an area of 28 miles from North to South and 10 to 15 miles from east to west, while the Thenmalais form a southern spur of the Javadhis in Chengam and Tiruvannamalai taluks and stretch over 16 miles north to south and 6 to 8 miles from east to west. The Yelagiris form a distinct group of 6 villages in Tirupattur Taluk. In general, the elevation of these hills is less than 3,000 ft. The population of these hills is mostly Malayalees, a hill tribe, and they live in distinct groups. Their mode of cultivation is primitive and they raise such crops as Cambu, Samai, Horsegram etc., in line with the crops raised on plains and market them in Shandies. Paddy is raised over a negligible extent under wells and springs. The Javadhis of Tirupattur, numbering 40 villages are formed into four groups for which the foresters maintain village accounts in lieu of Karnams; the District Forest Officer Tirupattur, exercises revenue powers and conducts the jama-bandhi of these villages as per G.O. No. 116, Revenue, dated 16th January 1917. The Javadhi villages of Vellore and Polur taluks and the Yelagiris, as well as the Thenmalais, are in-charge of the usual village establishment of karnams and village munsiffs.

79. *Revenue history of the hill villages.*—Prior to the British occupation, the hills were rented to the highest bidders and they were never surveyed nor assessed. The same system was followed by the East India Company from 1792 to 1804. In fasli 1214 a permanent assessment was fixed but it was never realised. The hills continued partly under the renting system and partly under "Amani" management till Fasli 1230, when Mr. Cockburn stopped the practice of renting. The renters levied the assessment variously on the extent of the land cultivated, the number of ploughs and hoes employed and their respective other circumstances. Mr. Cockburn continued the system, but the number of ploughs and hoes employed by each individual in each year was enumerated and entered in the account with their names. Dividing the assessment of each by the number of ploughs or hoes there were found to be 127 rates for ploughs and 22 rates for hoes. In faslis 1253 and 1254 the assessment was fixed at a uniform rate of Rs. 15 per plough except in cases where a mamool rate of more than Rs. 15 already existed. In fasli 1255 this principle was abandoned and the old rates were resumed. The system set a premium on fraud and Mr. Lockart recommended survey and classification pending which uniform rate of Rs. 10 per plough Rs. 3-8-0 per hoe, was to be levied. This proposal of Lockart was turned down by the

Board and the old system was reverted to and continued till fasli 1270 (1860-1861), when Mr. Langley ordered that a uniform rate of Re. 1 per acre should be substituted and put into force.

80. (a) *Javadhi Hill villages in Tirupattur taluk.*—The revenue accounts of the area showed that there were 43 villages out of which 3 were deserted. The other 40 villages were distributed into 4 Nadus in Tirupattur taluk.

1. Bimakulam	...	...	...	...	...	9
2. Pungampattu	...	...	...	...	...	13
3. Pudur	...	...	...	...	...	10
4. Nelvasal	...	...	...	...	...	8
Total	...	...	...	...	...	40

81. The survey was completed in 1899. Bhimakulam Nad is a level ground on a plateau 2000 to 2300' above sea level. Seven of the villages in Bhimakulam Nad are situated in compact blocks and connected by a cart track with Alangayam, an important marketing centre, whereas the other two villages are isolated in the forest. The climatic condition of Bhimakulam is healthy. The other Nads are malarial to which the Malayalis, who are the residents, are comparatively immune. The villages in the other Nads are more isolated and the ground is broken up by ravines. The communication is on pack animals only.

82. When proposals for the settlement of these hill villages was eventually taken up, Tirupattur taluk was to be shortly attached to North Arcot district. It was decided that one set of rates could conveniently be adopted for the Javadhis of Tirupattur as well as the Yelagiris which were similar in locational advantages.

Alternative proposals were considered for applying:

1. North Arcot district III group rates to Bhimakulam and IV group rates to other Nads or
2. Salem IV group rates to Bhimakulam and Vth group rates elsewhere.

83. In Board's reference No. 212, dated 8th June 1906, it was recommended that the Salem scale of rates might be more suitable for the areas in question. This proposal was accepted by Government in G.O. No. 2663, Revenue, dated 11th August 1906 and it was ordered that the scale of dry rates adopted for the IVth group and Vth group villages of Salem district be applied to the Javadhi hills. The villages in Bhimakulam Nad were accordingly placed in group IV and the remaining villages in group V. The settlement notification was approved in G.O. No. 212, Revenue, dated 30th January 1907. The general features of the settlement were as follows:

84. *Classification of soils.*—The soils were classified into five sorts on the same principles as those adopted in the hill villages of Southern taluks of the Salem district. All the soils belonged to the red ferruginous series. They were classified as either red loam or red sand.

85. *Irrigation sources.*—No irrigation source was recognised at settlement, though some negligible extent was under wet cultivation under private kuttais, springs or private wells.

86. *Settlement rates.*—The rates are the same as those sanctioned for the hill villages of the Southern taluks of Salem district with the only exception that the lower rates of Re. 0-4-0 and Re. 0-3-0 had been adopted in lieu of Re. 0-5-0 and Re. 0-4-0 respectively, under 12th and 13th tarams.

87. (b) *Settlement of the Yelagiris.*—The settlement of the six villages of the Yelagiris of Tirupattur taluk located as a different group away from the Javadhi hills was taken up in 1900 on the orders of the Government contained in G.O. No. 193, Revenue, dated 6th March 1900 in which the original settlement rates of the Northern taluks of Salem district were adopted and the villages were placed in dry group IV. There were

no wet lands. The proposal to apply the resettlement enhancement of 12½ per cent to these villages also was turned down twice by Government in G.O. No. 1183, Revenue, dated 5th December 1905 and G.O. No. 575, Revenue, dated 22nd June 1906.

88. The resettlement of the area was again considered in 1938 along with the second resettlement of the other villages of Tiruppattur taluk covered by G.O. No. 1044, Revenue, dated 22nd April 1938. The rates were not enhanced but the original settlement rates were allowed to continue.

89. (c) *Javadhi hill villages off Vellore and Polur taluks.*—The proposals for the settlement of the Javadhi hill villages in Vellore and Polur taluks were submitted by Mr. E. G. Richards, Special Settlement Officer, Salem in 1906 and the proposals were approved by Government in G.O. No. 1072, Revenue, dated 7th May 1907.

90. *Posting and Grouping.*—Most of the area of these hill villages is covered by Reserve Forest. For revenue purposes the Polur hills have been divided into 11 Nads, while topographically, the 11 nads are comprised in four divisions. The northern division is fairly level with some good soils and the area is readily accessible by ponies. The Central division contains a large plateau which is fairly level and easy of access from Amerdi. The western division consists of the plateau and a few detached villages very easy of access. The large blocks are well cleared of jungle and the fields are contiguous. Most of the villages in the South eastern division are small and isolated.

91. The hill villages of Vellore taluk are comprised in three blocks situated on a ridge south of the Ambur Valley through which the main line from Madras to Calicut passes.

92. While submitting his proposal, the Settlement Officer proposed to adopt for these villages the rates prevalent at that time in North Arcot district. The Government were, however, of the opinion that it was desirable to treat alike all the villages on the hills irrespective of whether they were comprised in the Salem or North Arcot district and directed the Settlement Officer, to revise the proposals accordingly.

93. The Government sanctioned the application to these villages (with the exception of the blocks No. 9-22 and 57 in the village of Mulakkadu) the scale of rates approved earlier for the villages in Tirupathur Javadhi hill villages in G.O. No. 1261, dated 24th December 1906. The excepted portions were treated as part of the plain villages and settled.

94. *The Special features of the settlement of these villages are.*—(1) The soils have been sorted in five sorts on the same principles as those in the case of the hill villages in Tirupattur taluk. All the soils belonged to the red-ferruginous series and were classed, as either red loam or red sand.

(2) The lands which were more favourably situated were placed in the IVth group and the remaining areas in the Vth group, in conformity with the grouping adopted for the Salem Javadhis.

95. (d) *Settlement of the Thenmalais.*—The Thenmalais formed part of Tiruvannamalai taluk in which the settlement rates approved for South Arcot district were in force. By the time they were taken up for settlement, the tract had been transferred to North Arcot district and re-settlement was in progress. It was thought expedient to adopt the resettlement rates of South Arcot district for the Thenmalais Hills also with suitable modifications and the Settlement Notification therefor was approved in G.O. No. 2660, Revenue, dated 19th November 1919, as proposed by Mr. H. A. Watson, I.C.S., special Settlement Officer. The salient features of the settlement are:—

1. No land was classed as wet ;
2. The soils which were entirely of the red ferruginous series, were divided into two classes loamy and sandy. These two classes were again subdivided into five sorts as usual.
3. In view of their inaccessibility, the villages were placed in the fourth group, (i.e.) in a group lower than the lowest group assigned to the villages on the plains of Tiruvannamalai taluk. As it was found that the adoption of even the fourth group rates would result in a heavy increase of assessment, the Government resolved to mitigate the hardship by assigning a lower sort to the lands than was warranted by their merits.

SALEM DISTRICT.

SALEM.

1. Introduction:

1. Salem prided as the largest district in the State, till it was bifurcated into Salem and Dharmapuri Districts on 2nd October 1965. It is situated in the interior of the southern peninsula, almost at the heart of the State of Tamil Nadu. This report deals with the undivided district as it originally stood, but references herein to the northern taluks wherever they occur, may be easily construed as referring to the area now comprised in Dharmapuri district. The district has extensive hilly and rocky areas, with undulating plains. The people present varying cultures, but the most dominant is the culture of Kongunad found chiefly in the Southern taluks of the district.

2. The district has in its limits the largest reservoir of South India (at Mettur). Though it does not benefit much the ryots of the district, it has helped the establishment of several industries at Mettur with the small quantity of electric power generated by it. Some big industries manufacturing paper, cement, cloth, aluminium, chemicals and metals are located in the district. Salem, however, predominantly depends on farming which supports a high percentage of its population (about 69 per cent). Weaving, cattle-rearing, mat weaving are some of the cottage industries that provide supplemental income to the villagers. Sericulture and sago industry are the recent developments in the district. The district abounds in natural resources with vast deposits of magnesite, bauxite, iron ore and lime stones and they are being exploited for the benefit of the district. The inauguration of the Salem Steel Plant to harness the iron ore deposits with the Lignite mined at Neyveli and to manufacture special steel, for which spade work is in progress, will be a landmark in the industrial development of this tract. This district has a low level of literacy and hence a backward one but it has a great potential for development. The progress made in the district during the past two decades shows a new life springing up, next only to Coimbatore district, which if properly harnessed may radically change its face. The evidence of increased industrial and commercial activities on the rapid march towards progress seen everywhere is a challenge to those officials and non-officials interested in the development of the district:—

Population—				
Rural ..	..	21,97,534		
Urban ..	..	7,95,382		
Total ..	..	29,92,916		
Towns and villages electrified				
4.6				
Harijan Colonies—				
Electrified	..	1,2		
Number of pumpsets	..	75,3		
Cattle—				
White Cattle	..	7,45,286		
Black Cattle	..	2,05,984		
Sheep	..	5,71,020		
Goat	..	3,60,340		
Other Livestock	..	5,663		
Total Poultry	..	7,78,855		

2. (a) Physical features:

Salem district lies between northern latitude 11°-14' and 12°-53' and between eastern longitude 77°-33' and 78°-53' overlooked by the Eastern Ghats. It is divisible into three natural tracts which are unrelated to each other in physical, ethnic or historical respects, the tracts commonly being known as the Balaghat, the Baramahal and Talaghat.

4. The Balaghat comprises the north-eastern portion of Hosur taluk and the north-western portion of Krishnagiri taluk, a flat terrain studded with hillocks and comprising Bagalur and Angusagiri Palayapats, the latter being sub-divided as Shulagiri and Berikai-palayams. It is almost part of the Mysore plateau. Thick jungle growth marks this region. The average elevation of this plateau is about 3,000 feet above sea level and it is an undulating terrain sloping towards the Cauvery in the south-west. The

time, the entire area in Salem district came under the rule of the Cholas. It is said that Gangavadi was then annexed to the Chola Territory and placed in charge of an Adigaman of Tagadur. The 12th century witnessed the decline of the Chola empire when the Hoysalas rose to power and routed the Cholas from Gangavadi. They are said to have captured Kolar, sacked Kotayur and overrun the western parts of Kongunad. The Baramahal and Talagat areas apparently still remained with the Cholas. But the Adigamans seem to have practically become free and owed only nominal allegiance to the Cholas.

13. The history of the 13th century resolves itself into dual between the Hoysalas and the Pandyas. When they were driven away from the North by the Yadavas, the Hoysalas retreated towards the south in Kongunad. It is stated that Jatavarman Soundara Pandyan I helped to drive away the Hoysala king Vira Someswara out of the Chola territory. But it is doubtful whether he made himself master of the Talaghat area, as there are records to show that Vira Someswara's son Vira Ramanatha later ruled the whole of Salem district and the Pandyas were then eclipsed by the Mohammadan emissaries of the Delhi Sultanate.

14. The 14th Century saw the rise of the Vijayanagar Kings. In 1365-66 A.D. Bukka I turned his attention towards the south to overthrow the Mohammedan sultanate of Madurai. One of these campaigns must have brought Salem district under the Vijayanagar Kings. They ruled these parts till 1565 A.D. when the glory of the Vijayanagar kings was laid in dust by the combined armies of the Deccan Sultans on the field at Talikotta. Hosur, Denkanikota and Salem became capitals of princelings, while Jagadeva Raya of Chennapatna ruled the Baramahal along with Mysore. Meanwhile, the ascendancy of the Madurai Nayaks reached its Zenith during the time of Tirumala Nayak who came to power in 1623 A.D. and this tract was placed in charge of Poligars owing allegiance to him. Ramachandra Nayaka one of his poligars was in charge of Talaimalai, a hill overlooking the Cauvery in the South Namakkal taluk. The Namakkal fort is said to have been built by them. The Gatti Mudaliars were in charge of the most dangerously exposed province of the Nayak Kingdom with Kaveripuram on the right bank of the Cauvery as their strategic capital, commanding one of the principal passes to the Mysore Plateau. The centre of their power seems, however, to have been Taramangalam where they have built a grand edifice of a temple. It is said their domination extended as far as Talaivasal to the east, Dharapuram in Coimbatore district in the west and Karur in Tiruchirappalli district in the south. The forts of greatest strategic importance held by the Gatti Mudaliars were Omalur and Attur.

15. By about 1635 A.D., the Muslim Sultans of Bijapur and Golkonda made inroads into the south, when the power of Tirumalai Nayak had waned. Balaghat area came under Bijapur. Meanwhile Kantirava Narasa Raja of Srirangapatnam took several places in Coimbatore from Gatti Mudaliars in 1641 A.D. Eleven years later, he seized Baramahal including Virabhadradurg, Pennagaram, Dharmapuri and Denkanikota. In 1654 A.D. he took over Hosur from Chandra Sankar. Dodda Devaraja the Mysore king wrested Omalur from the Gatti Mudaliars and thus erased them out of the political scene.

16. The aggression of Marattas, however, checked the power of the Mysore Kings. For a time Baramahal and Talaghat passed under the Maratta hands. In 1688-89 A.D. Chikka Deva Raya of Mysore felt strong enough once again to invade Baramahal and wrested Dharmapuri, Manukonda, Omalur and Paramathi. Kaveripatnam and Attur were also retrieved by Chikka Devaraya; the whole Salem district was in his hands before he died in 1704 A.D. Meanwhile Abdul Nabi Khan, Nawab of Cuddapah, extended his possession southwards and by 1714 A.D. he had made himself master of the Baramahal.

17. By about 1750 A.D. Haider Ali was in power in Mysore. Baramahal came under his sway in 1760 A.D. By 1767 A.D. the British Government at Madras planned an attack on Haider Ali and seized Kaveripatnam without serious opposition. Krishnagiri was then besieged. Meanwhile reinforcements came from Haider Ali and they drove away the British. Kaveripatnam was recaptured. Some months later the British

planned another invasion of the Baramahal. They took several places including Hosur. Further south Dharmapuri, Salem, Attur, Sendamangalam and Namakkal surrendered to the British without a blow. The victory, however, was short lived because Haider soon recovered Dharmapuri, Dhenkanikottai, Omalur, Salem and Namakkal. During the second Mysore war period, Salem district was in the hands of Haider.

18. Tipu succeeded Haider and proved to be a formidable power. In order to curb Tippas power the English formed an alliance with the Marattas and the Nizam and started the Third Mysore war in 1790 A.D. A wing of the British forces stationed itself fully reinforced at Kaveripatnam. Tipu rushed up to this place with full force but could not dislodge the British. A number of altercations took place between the contending forces in the Baramahal area. In 1791, Hosur, Anjetti, Nilagiri and Rathnagiri were taken by the British. Royakotta also fell to the British soon and eventually many other smaller forts fell without much of resistance. In October, 1791, Tipu sent a force from the south along the Toppur pass. The British force met this contingent at Pennagaram and forced a surrender. In March, 1792 A.D. a peace treaty was signed between Tipu and the English. A half of the dominion of Tipu was taken away from him. The whole of Salem district, except the Balaghat and a portion of Hosur, came into the hands of the British. The first British Collector had his headquarters at Krishnagiri on strategic consideration.

19. The last Mysore war in 1799 added up several places in Hosur Taluk like Nilagiri, Anjetti Durgam, Rathnagiri and Kelamangalam which were recaptured to the British possession. After the fall of Srirangapatnam in which Tipu lost his life, the Balaghat area was also added to Salem district. The completed the British conquest of the tract.

20. *Administrative set up.*—The changes which took place in the administrative set up of the briefly described below:—

Year: 1885 Some areas totalling about 124 sq. miles were transferred from Salem to North Arcot and South Arcot districts.

Decennial mending:—

- 1901 There were only the following 9 taluks in the district Attur, Dharmapuri, Hosur, Krishnagiri, Namakkal, Salem, Tiruchengode, Tirupathur and Uttangarai.
- 1911 The number of taluks got reduced to 8 consequent on the transfer of Tirupattur to North Arcot district and Namakkal to Tiruchirappalli District. Omalur taluk was created from parts of Salem and Tiruchengode Taluks.
- 1921 The number of taluks increased to 10 consequent on the retransfer of Namakkal Taluk from Tiruchirappalli district and formation of a new taluk of Rasipuram which was formed from parts of Salem and Attur Taluks.
- 1931 The number of taluks increased to 11 consequent on the transfer of an area of about 137 sq. miles from Coimbatore district to Salem district. The transferred area was formed into a separate taluk of Mettur. Consequent on the transfer of Kuppam area from Chittoor district to Salem, the boundaries of Krishnagiri and Hosur taluks got slightly modified.
- 1941 The new taluk of yercaud was formed from Salem Taluk. Slight changes in Krishnagiri and Hosur taluks also took place during the decade 1931-1941. Mettur taluk was abolished and portions of it were added to Dharmapuri and Omalur Taluks. Some portions of Rasipuram taluk were taken away from it and added to Namakkal Taluk.
- 1951 Exchange of a few villages between Mysore and Madras State took place under the provisions of States (Absorption of enclaves) Order, 1950.
- 1961 Sankari taluk was formed from out of Tiruchengode taluk. Transfer of a few villages from Krishnagiri taluk to Andhra Pradesh also took place during the decade.
- 1965 The district was bifurcated into Salem and Dharmapuri districts, respectively.

II. Revenue Administration.

21. 1. *History of Land Revenue Settlement of Salem (a) Under the Ganga Rulers.*—When the Gangas were overlords of the Kongunadu, they followed the well recognised precept of Manu, that rulers should protect the cultivators and ensure peace to the

plateau is divided into four sections by the valleys of Chinnar, Pennar and the Markandadhi. The broken country between the Chinnar and the Cauvery is commonly called the Melagiri hills. The ghat line between the Chinnar and Pennar is occupied by a ridge of chaotic mountains jutting towards the plains of which Royacottah Durgam, Veerabadra Durgam and Hale Thimmaraya Durgam are the most conspicuous.

5. The Baramahal is a continuation of this tract extending upto the Thoppur ghat and consisting of an extensive basin with an elevation of 1,300 feet. It consists of the taluks of Dharmapuri, Hosur and Uthangarai and the greater parts of Krishnagiri and Hosur taluks. It is bounded on the north by portions of the Mysore plateau comprised in Kolar district. This area contains a large number of ridges and valleys through which a number of streams pass-by. Across Morapur valley in Dharmapuri taluk is the Pikkili Hills with peaks over 3,000 feet. On the west of Dharmapuri taluk, there is a lofty ridge east of the Cauvery consisting of Biganuramalai, Kopumalai, Kadirappanmalai and Segalamalai peaks, all between 2,000 feet to 3,000 feet. Between this ridge and the Cauvery there is a small ridge containing Karalamalai and Karungal Peaks. East of these ridges, lie the Perumbalai Hills. North of Thoppur River in Dharmapuri taluk lies the Vattamalai, an abrupt narrow ridge 11 miles in length, culminating in the Mukkanur Peak (4,201 feet). The tract comprising of Balaghat and Baramahal, commonly known as the northern taluks, has been constituted into the new Dharmapuri district, while the remaining southern taluks known as Talaghat are retained in Salem district.

6. In the central region, the Shevaroyas covering about 100 square miles are situated in the Yercaud taluk. Some of the peaks in this hill range are above 5,000 feet, among which Yercaud provides a good summer resort. An outlier of the Shevaroyas is the Kavaramalai hill in the south-western corner of Harur taluk. South-west of the Shevaroyas is another outlier, the Nagaramalai is Salem taluk. East and north-west of the Shevaroyas are the Thenandamalai range. It consists of the Theerthamalai in the north, the Chiterimalai in the centre and the Aranoothumalai in the south. The Kalrayan range of hills occupy the northern part of Attur taluk. The northern portion of this range is called the Chinna Kalrayan and the southern portion, the Peria Kalrayan. The Northern portion averages about 2,700 feet in height whereas the southern portion has peaks over 4,000 feet, but it indistinguishably merges with the three hill jagirs of south Arcot district. The Pachamalai is partly situated in the southern portion of Attur taluk and partly in Musiri taluk of Tiruchirappalli district. The Kollimalais are situated partly in Namakkal and partly in Rasipuram taluks. These hills contain peaks of over 4,000 feet. The Bodamalai is a lofty ridge running east to west 9 miles south of Salem and over a length of 12 miles. North of Bodamalai are three sets of hills, the westernmost of which is called Jeugu Thenmalai. The Sithamalai is in the west of Omalur taluk near the Mettur dam. The Palamalai is to the west of Mettur. The Kanjamalai is a rough-ridge, $4\frac{1}{2}$ miles long and 2 miles broad. It lies 5 miles south-west of Salem. This ridge contains plenty of iron ore, plans to exploit which are now taken up.

7. The Talaghat (the country below the ghats) which is the present Salem district differs little in general aspect from the adjacent districts of Tiruchirappalli, South Arcot and Coimbatore. It is divided into two portions by the watershed between the Cauvery and the Vellar river systems; on the east there are the taluks of Attur, Rasipuram and Namakkal and on the west, the taluks of Salem, Omalur and Tiruchengode. Salem and Omalur taluks slope gradually towards south and south-west up to the Cauvery which skirts the district and forms the natural boundary between Salem and Coimbatore districts.

2. (b) Rivers and Irrigation:

8. Except for Mettur Right Bank canal in Salem district and the Krishnagiri Reservoir Project in Dharmapuri district, all the other irrigation sources in the tract are either small river-channels or minor irrigation tanks. Barely one sixth of the total cultivated area is under irrigation and even here substantial private wells form the sole or supplemental source of irrigation. The biggest reservoir of the State located at Mettur was tapped for irrigation in Salem district in the year 1950, when the Mettur canal scheme was sanctioned. Under this scheme, a canal takes off from the high level sluice

of the dam, which after covering a distance of $4\frac{1}{2}$ miles branches off into two, one of which serves Coimbatore district and the other crosses the river through two big iron pipes, of 2 metres diameter each, to irrigate an extent of about 27,800 acres in Omalur, Tiruchengode and Sankari Taluks. Namakkal taluk is already served by the Raja Voikal, taking off the Jeddarpalayam regulator (and its branch the Komarapalayam channel) and also the Mohanur channel irrigating a total area of about 6,500 acres. An inter State project to generate Hydro Electric Power at Hogenakkal is being conceived but it is yet to take shape.

9. The Krishnagiri Reservoir Project constructed across Ponniyar river at a point three miles south of Krishnagiri town at a cost of about Rs. 2.5 crores benefits an extent of about 9,000 acres. The work on this project was started in 1954 and completed in 1957. There are two smaller anicuts across this river at Aliyalam and Nedungal, besides numerous unregulated channels taking off the river at the higher reaches. The Ponniyar river system irrigates a total area of about 35,000 acres.

10. Among the smaller irrigation works, in charge of the Public Works Department near Kaveripatnam. Smaller ones are in charge of the Panchayat Unions. These irrigation systems contribute not in a small measure to the agricultural economy of this arid tract. But the dry lands that receive the benefit of the two monsoons are exploited fully by substantial private wells. The affable climate of the district enables the raising of a good dry crop in all normal seasons. Chola, ragi, cumbu, paddy, groundnut, cotton and pulses are the chief crops. There are coffee plantations on the shevaroyas and Kollimalais and sugarcane cultivation around Mohanur.

3. Political History:

11. The ancient past of Kongunad, that is Salem district, is steeped in complete darkness. Its subsequent history is a record of a never ending struggle for supremacy between the ruling powers of the Deccan plateau and those of the Southern Peninsula. The Salem district lying on the border line has naturally been the target of the sway of fortunes and has witnessed many marches and counter marches in which the physical barrier of the Kalrayan and Shevaroy mountain ranges has played not an insignificant role. While Talaghat was a pawn in the struggle between the Cheras, Cholas and Pandyas in Kongunad, the history of Baramahal has told the fortunes of Tondamandalam, and that of Balaghat is aligned with Mysore. Thus the tract has never formed a separate political entity. Wedged between the Deccan and the plains, it has owed allegiance in turns to Pallavas, Cholas and Pandyas and then to Manyakketa, Dwarasamudra and Vijayanagar; ruled at one time by the viceroy of a distant Emperor and at another by his feudatory vassal; placed on the highway of conquering and vanquished armies, plundered again and again by Pathan and Maratha free-booters, and local adventurers ever ready to profit by the weakness of a suzerain, fought over by Madurai Nayak and Mysore Odeyar, by Haider Ali and the East India Company, too poor to support a capital, a dynasty or an army of its own and too important strategically to be left in peace by a powerful neighbour, the people of Salem have had a pitiable past, having been obliged to be ever at arms and scarcely left to the peaceful pursuit of agriculture and arts.

12. The earliest known chieftain who ruled Tagadur (present Dharmapuri) during the Sangam Era, is Adigaman Neduman Anji whose patronage sustained the famous poet Avvaiyyar. The next we hear is in the 8th century when the northern parts of Salem district were probably under the Pallava regime. Subsequently, we hear of the Ganga Pallavas having sway over the western parts of Salem district. The Western Gangas also are mentioned as having ruled Baramahal area during the end of the 8th century. In the beginning of the 9th century, the Rashtrakutas rose to power and influenced the history of the district for the next two centuries. During this period, the Cholas also rose to power in the south and Aditya I conquered the Kongunad in 894 A.D. In the year 949-950 A.D. the Cholas suffered a defeat from the Rashtrakutas whose decline however started later after the death of their powerful king Krishna III. The Chalukyas then came to power and seized large areas held by the Western Gangas. In 985 A.D. Raja Raja Chola I ascended the throne and he over-ran the kingdoms of the Western Chalukyas, Nolambas, Coorg and the Eastern Chalukyas. During this

community in return for a share of gross produce from their lands, consistent with the fertility of the soil. There were instances of lands being exempted, wholly or partially, from taxation, following the Chola system of administration as :—

1. SARVAMANYA lands over which Government had given up all rights.
2. TRIBHOGA lands enjoyed by private persons, temples or brahmins and
3. BRAHMADEYA AND DEVABHOGA lands exempted from land tax for certain periods or for all times.

22. Besides these, lands gifted to men of learning, heroes in battles and barhmins were also exempted from taxation.

23. One sixth of the gross produce, as laid down by Manu in the Dharma Sastra was usually the land tax collected by the King. But this rate varied according to circumstances and there were instances during the Ganga rule, where one-fifth of the gross produce was collected in cases of lands that were more productive, like wet lands located close to tanks, etc.

24. Land was classified into dry and wet. The term KHANDUGA, referred to in the inscriptions, may refer to a unit of dry land with a sowing capacity of a Khanduga, a measurement of grain, which is still in use in Salem. This shows that the method of assessment was based on the sowing capacity of a unit of land.

25. The land revenue, during this period, was generally collected both in kind and in cash. Grain was measured in units of MISHKA, KOLAGA, KHANDUGA, ADDA, which find mention in inscriptions of the Gangas. The land revenue was directly collected by the Government through the village officers called GAVUNDAS (now known in Salem as KAVUNDAN) and MANIAGAR, who helped the former. These officers also maintained a register of land sales and transfers.

26. (b) *Under the Cholas.*—The rule of the Cholas over the Kongu country, from 9th to 12th centuries A.D. brought about improvements over the Ganga's system. This extended Chola country was placed in-charge of a Governor known thereafter as Kongu Chola. The first regular survey of the Kongu country was undertaken in the reign of Rajaraja, the Great, and there were also instances of resurvey of lands from time to time, probably necessitated due to discrepancies that might have crept into the classification and assessment of certain lands, or due to changes relating to the lands. In the settlement of land under Cholas, a distinction was made between paddy lands, waste lands and forests reclaimed in fixing the rates of assessment. There were also the DEVADANA lands gifted to the temples, BRAHMADEYA and SALABHOGA lands gifted to the brahmins and VIRABHOGA AND PADIPARRU lands given to men of valour and heroism, which were wholly or partially exempt from tax.

27. The relationship between the landlords and the tenants was regulated on a stable basis during the Chola period. Under them there were three predominant types of land ownership. They were :

(a) individual ownership of land by which the State directly received land tax from the owner of the land, who was then known as "IRAUKUDIGAL";

(b) MELVARAM or tenancy cultivation by which the landlord employed a number of tenants to cultivate his land in return for MELVARAM payment made to him. This system resembled the modern system of tenancy prevalent everywhere in the State.

(c) peasant proprietorship of various terms like VELLAN VAGAI by which lands were held by the people on a ryotwari basis; though lands were distributed on the above tenures, there were instances of transfer of certain lands from one tenure to another whenever necessity arose.

28. The method of collecting land tax both in kind and in cash, as it prevailed in the earlier Ganga period, was continued in the Chola period also. Land tax was collected either directly by the Government or through an intermediary body, the village assembly. The latter method was more in vogue during this period, by which the land revenue administration along with some other powers, was entrusted to the assemblies of the villages, known as SABHA, NAGARAM or UR. These assemblies employed the village and temple officers for collecting the land revenue.

29. There were also well defined methods of land transfer in the Chola Period. Land transfers were made either on AJNAKRAYAM (fixed price) or on PERUVILAI (by auction) or on SABHA OR UR VILAI (price fixed by the auction carried out by the village assembly). It is also of great interest to note that proper care was taken to include all the rights of the purchasers—like water rights, etc., in the transfer documents. These facts clearly show that a highly developed system of land revenue administration existed in the period which proved to be the high water mark in the Chola Administration.

30. (i) *Under the Vijayanagar and Nayak Rulers.*—Under the Vijayanagar Rulers, the land revenue administration was left in the hands of the Palayagars who were military chieftains, so also under the later Madura Nayaks. As enough material to reconstruct the history of the system under these rulers is not available, we get no clear picture of the methods and rates of assessment prevalent during that time. But the land tax seems to have been very oppressive during the period. Though the land tax was fixed at one-sixth in theory, in practice it was even more than 50 per cent of the gross produce. Besides, the people were burdened with customs and other levies under the weight of which they were forced to leave their native villages. Though there were instances of remissions of taxes on the orders of the King, they were inadequate and paltry.

31. (d) *Under the Mysore Rulers.*—Under the Mysore rulers, who were the former feudatories of the Vijayanagar Rulers, agriculture continued to be the most predominant occupation of the region. Land tax was the major source of the State revenue. There were instances of land survey being carried out, especially in the reign of Chikka Deva. But the land survey proved to be a failure as no uniform measurement was employed throughout the empire. Moreover, the rate of assessment was also oppressive. The average value of the land was first fixed and then lands were classified into three sorts based on the fertility of the soil. They were then distributed among cultivators by a special assembly. This system presented many difficulties. Firstly some people received more land than they could cultivate with consequent waste by lands lying fallow. Secondly in the course of distributing the lands, the assembly gave the best lands to its favourites. Later on, this evil was remedied by the introduction of the "Shift System", by which the best lands were periodically handed over to different persons. But this system prevented the lands from being cultivated to the best ability of the cultivator who had no security of tenure. Thirdly, the assessment was too high. Apart from land tax there were about 60 other taxes. Lastly, the land owner did not cultivate his land directly. The land was cultivated either by the PANGAL (Tenant) who took two-fifths of the gross produce as his share, or by PADIYALS (Servants) who were paid annually. The land owners preferred the latter one. This paved the way for the rise of middlemen in agriculture.

32. (i) *Under the Muhammadan rulers—Hyder and Tipu.*—Under the Muhammadan Rulers, land revenue continued to be the main source of State revenue, but it was assessed higher at one-third of the gross produce for wet lands and half of the gross produce for dry lands based on a systematic survey of the lands. In Baramahal in Salem, dry lands paid an annual tax equivalent to $\frac{1}{2}$ to $3\frac{1}{2}$ rupees per acre while wet lands paid 2 to 14 rupees in 1792. Different taxes were levied for different crops. Sugarcane was taxed 72 pagodas per candy. Special interest was shown in the cultivation of betel and mulberry. Hyder Ali introduced a system of revenue administration by officer in a hierarchy which was later imbibed by the British when they assumed power. The most striking feature of his land system was the granting of Takkavi loans to the poor ryots. But as the Sultans were engaged in constant wars the

enjoyed light assessment. Read took up the last group and introduced some changes. He proposed either to restore the villages to the mamdars on payment of 1/3 of their value or to allow them 1/3 share of the collection of the villages and take them under Sirkar management. This latter (called Trishvekam) gradually superseded the former (Jodigai) tenure. These villages were known as "share villages" which marked the peculiar inam tenure in Salem district.

43. The inam settlement of 1862-66 superseded the previous tenures. Under the settlement, the proprietors of the "share villages" got the same on a commuted Jodi fixed with reference to the past collection by Government and future prospects. The tenures of "Sarvamanyams", "Jodigai" inams and "share villages" were enfranchised subject to the payment of a favourable quit-rent, in proportions varying from 1/6th to 3/8th of the full assessment. The full value of the shares of such of the villages, as had reverted to Government was added to the quit-rent. The consent of the Mittadars was taken for the commutation. Where they did not consent, the TRISHVEKAM tenure was applied under the rules of the enfranchisement. Service Jaghirs were also enfranchised on favourable tenures of quit-rents. The inams resumed by Government were called "Japti inams", Inams not so resumed, were called "Jari Inams". The Inams granted by the Mittadars were called "Ayilwar" Inams, largest number of which was met with only in the 3 big palayams of Hosur taluk. In the District Gazetteer the term "Ayilwar" is explained in a foot-note as "Inams granted by the Poligar since 1800 in his own authority and not recognised by the Inams Commissioner. There is no other clue in regard to the nature and scope of these inams".

In his Glossary of South Indian Revenue Terms in the Book: "Land Tenures in the Madras Presidency" Thiru S. Sundararaja Iyengar has described the tenure Ayilwar as "Subsequent or recent".

(iv) *Original settlement.*—In 1871-73 settlement of the ryotwari tract based on modern lines was introduced in Salem on the proposals of Mr. Puckle who divided the District into two parts (viz.) the southern portion consisting of the taluks of Salem, Attur, Namakkal and Tiruchengode and the Northern portion consisting of the Taluks of Hosur, Krishnagiri, Tiruppattur, Uthangarai (Harur) and Dharmapuri. Mr. Puckle's forecast of the probable revenue based on his proposals contemplated "Loss of Revenue" to the Government. When the new settlement was introduced in the District by Mr. Goodrich, he suggested the upgradation of some tracts of red sandy soil which were fertile and equated to the best red loam to offset the loss. This proposal was approved. Though the soil was classified into six varieties, (viz.) "black clay, loam and sand, red loam and sand, and permanently improved" which distinguished "Garden land" from ordinary dry land with 2 sorts under it whereas the other varieties had three sorts each, an extraordinary sort was introduced under red sands and described as VIII-A to cover the superior sandy soil which was found to contain the nutrient "Yerva Tuva Nala" or powdery red earth. An allowance of 20 per cent of the gross outturn in the Northern Taluks and 15 per cent in the southern taluks was made for the vicissitudes of season in case of dry lands and an allowance of 10 per cent on half of the net produce was allowed for unprofitable areas alone. Four dry and five wet groups were recognised for the whole district. As the soil in the northern taluks was thought to be poorer than in the southern taluks, and as the northern taluks were generally backward, the rates were ordered to be a taram lower in the northern taluks and this constituted the chief difference between the two tracts. Thus wet classes 1 to 4 and dry groups 1 to 3 were adopted in the southern taluks while they were 2 to 5 and 2 to 4, respectively, in the northern taluks. Dry grouping did not follow a set pattern but was designed to suit local conditions, and wherever there was any inconsistency it was set right by manipulating the sorting and this is the chief characteristic of the settlement of Salem district. In wet grouping also, the riverine sources were placed in 3 classes according to quantity of supply, the rainfed tanks being placed in the IV class and their ayacuts suitably "sorted" to set right differences in the capacity of tanks. In the northern taluks, smaller tanks were placed in the V class, the better among them being treated as IV class sources. No specific reduction was made on account of irrigation by lift but an allowance was made for the additional cost involved in lift irrigation by lowering the classification. The charge for second crop on wet land was

compulsorily consolidated throughout the district by adopting a variety of composition rates without discrimination but with the general consent of the ryots viz. (1) 1/3 of the first crop charge, (2) 1/4th of the 1st crop charge, (3) 1/4th minus 8 As. (4) 1/5 and (5) 1/5 minus eight annas. This compulsory consolidation of second crop charge was another important feature of this settlement. This feature was continued in the first and second resettlements also.

45. (v) *Settlement of Hill Villages.*—The original settlement did not cover hill vilages. Ten hill villages in Chitteri, out of a total 110 hill villages in the district, were first settled in Fasli 1309 (1899-1900). This settlement generally followed the principles adopted for the original settlement of the villages in the plains under the three sorts system ignoring the special conditions prevailing in them. These villages comprising a small tract were placed in the IV dry group. There were no wet lands. When the rest of the hill villages were taken up in 1904 for settlement, the inequity of treating them at par with the villages in the plains became apparent. On the proposals submitted by Mr. Brown, the classification of the soil was made in five sorts instead of three as in the plains to set right this inequity.

46. One interesting and very material factor about the settlement of hills was that the normal method of settlement procedure in arriving at Government's share of produce on land could not be applied. The difficulties in applying such a procedure have been outlined in detail by Mr. Richards in paragraph 4 of his report recorded in G.O. 605, Revenue, dated 30th June 1905. The more noticeable among the difficulties were:—

1. The crops grown on the hill tracts were not the standard grains on which the settlement of the district had been based.
2. Records of prices had not been maintained for any of the hill villages. This was a very serious hardship.
3. Estimate of the cost of cultivation was difficult as the malayali depended almost exclusively on the labour of the members of his own family for cultivation. One of their customs which is of interest can be traced to the absence of the labour market. Divorce is not allowed but clandestine relationship is winked at. When a son is born out of wedlock, it suits the husband to claim him, as it means one more at the plough for the family.
4. Difficulties of communication are real and nowhere comparable to those that exist in the plains even for the most unfavourably situated villages.

47. These and other difficulties made the adoption of the usual settlement procedure impossible. The principle suggested by Mr. Richards for determining the suitable assessment is as follows, in his own words:—

"As far as possible, soil for soil comparison has been made with the nearest villages in the plains; the existing settlement in the plain villages being accepted as fair and adequate; after making proportionate allowance for disadvantages of situation, the assessment has been adjusted in accordance with the general condition of the villages concerned and the results checked with figures available for both the hills and the plains".

48. In other words, the rates for comparable soils in the nearest plain villages have been taken as the basis and then freely manipulated to produce what in the opinion of the inspecting officers was an equitable assessment. The method is arbitrary but probably just.

49. Here is the commentary of Mr. Richards himself in regard to the classification in Chitteri hill villages:—

"The classifiers paid little or no attention to the disadvantages under which the villages labour. In fixing the original classification, they freely used the first sorts in red loam and red sand with reference to the intrinsic quality of the soil. The supervisor and the Assistant Commissioner were steadily engaged in reducing this classification not because the quality of the soil would not warrant it, but obviously on account of the backwardness of the tract concerned."

50. The hill villages dealt with by Richards are as follows:—

1. Shevaroya.
2. Kalrayans hills (Arunuthu malai).
3. Bodamalais.
4. Namakkal Kollimalais.
5. Attur Kollimalais.

revenue was collected by leasing out the villages individually or in groups to middlemen. Though this was a convenient method to follow, it led to oppression and the middlemen, who later became the Zamindars under the British rule, enriched themselves by collecting more tax than was prescribed.

(f) *Under the English (i) First attempts at settlement.*—Under the British, the history of land revenue settlement in the district may be divided into four distinct stages:—

- (1) The introduction of Read's settlement or the beginning of the ryotwari system;
- (2) The experiment in the Zamindari Settlement and its decline;
- (3) Modifications in Read's settlement by the introduction of "Taram Kammi" system; and
- (4) The extension of the ryotwari settlement during 1871-74 for the rest of the district.

34. In 1792 as a result of the Treaty of Srirangapatnam after the first war with Tipu, the major portion of the district of Salem as also Baramahal came into the hands of the East India Company. Col. Read was appointed as the Collector of Baramahal and Salem and was immediately ordered by the Government to introduce a new land revenue settlement in the District, based on the lease system which was prevalent in the region till then. Read thought it necessary to survey the whole district before introducing any new settlement. An elaborate survey was carried out between 1793 and 1797 which continued undisturbed till the new settlement of 1871-73. During the progress of the survey, Read followed temporarily the native system of collection through intermediaries which the Government wished to establish on a permanent basis after observing it at least for five years. But Read thought that it was not practicable in Salem where the Government's share of the land produce fixed by Hyder Ali was highstrung and was unjust. He wanted to introduce a settlement with the ryots which was just to them, and at the same time, did not involve any sacrifice of the State revenue. He called this settlement as "RYOTWARI SETTLEMENT" by which each land was to be assessed according to its quality with freedom for the cultivator to keep the field or to throw it up and take another after informing the authorities in time. By this settlement he made all the resident cultivators of a village collectively responsible for the revenue due on the lands of the village cultivated during the year.

35. Read's settlement which commenced with Balghat, and was later widely extended by Munroe after an interval, incorporated the following principles to entitle Salem to the credit of being the cradle of the Ryotwari System.

- (a) The settlement was made directly by the Government with the ryots;
- (b) The whole land including the waste, was regarded as State property and the waste land was assessed when brought under cultivation; and
- (c) The freedom of abandoning portions of his holdings was given to the ryot. All the resident cultivators were held responsible to pay the revenue of the lands of a village.

36. The other novel feature prevalent was the grass patta lands on which "Pulvari" was collected for grazing cattle on waste land. This was not recognised for issue of patta at settlement, since no conferment of occupancy right arose in such cases.

37. Sukhavasi tenants, consisting of persons whose social status forbade their personally employing themselves in agricultural operations, were allowed remissions or concessions. Col. Read perpetuated them. But they were finally abolished in A.D. 1850-60.

38. The collection of kist was, during Read's tenure, spread over ten months of the year from August-September, to May-June. In 1877-78, they were reduced to six. Again in 1888-89, four equal instalments beginning from December came into vogue. But in 1906-07 January was substituted for December.

39. (ii) *Permanent settlement and its failure.*—The permanent settlement, or the mittah system as it was called in Salem, was first introduced in the southern division of the district called the Talaghat, which was parcelled into 129 estates or "Mittas". The assessment on each estate was fixed permanently, after taking into consideration the average collection of the past years and the survey rents. This permanent assessment, known as Peshkush, was generally fixed at two thirds of the gross collection of revenue. In return, the Zamindars issued paitas to the ryots specifying the rents due by them and the particulars of the lands in their holdings. The settlement was next introduced in the Baramahal by Mr. Cockburn, which along with Balaghat, was added to the North Arcot district till 1808, after which it was re-annexed to Salem. The Baramahal was divided into 66 estates and sold in auction to the highest bidders and the permanent assessment for each estate was fixed. In the taluks of Balaghat, the permanent settlement was not introduced as this region was by then surveyed and assessed by Capt. Read under the ryotwari system. Before Read could proceed further, he was called for military duty and his work was left undone, as the Board of Directors opposed this settlement at that time. But the system of permanent settlement received a set back when the estates were sold for arrears of revenue. This was mainly due to a high rate of assessment on the estates. By 1803 about 22 estates in the southern division were sold to the Government for arrears of revenue. By 1805 about 49 more estates were sold to the Government in the Baramahal. Thus, the permanent settlement proved a failure and within a few years the newly created estates were one by one coming back to the State. By 1813 there was a heavy loss of revenue, in the Baramahal of about 11 per cent and in the rest of the district of about 26 per cent. By 1820 many more mittas reverted to the Government for arrears of the Peshkush. Only a few mittas that survived the high assessment were continued.

40. The main causes for the failure of the permanent settlement are as follows:—

The rate of assessment was very high and Zamindars were unable to pay the high rates. The Hindu Law of inheritance militated against the integrity of the larger estates as the property was divisible among the male heirs. Further more, the Zamindars were strangers to the ryots and the estates and they could not exercise proper authority in collecting the revenue. The lack of proper administration of justice under the Regulation of 1802 which gave the Zamindars the right to distraint and ejectment, without even obtaining leave from any court, prompted them to ill treat the ryots in case of arrears and eject them on flimsy causes. Instead of increase in cultivation, more and more land became waste. Thus, the permanent settlement resulted in the loss of enormous revenue to the Government in spite of the few concessions made in 1816 and 1826. The revenue paid by the land lords to the Government in 1806 was more than Rs. 16½ lakhs, while in 1821 it was less than Rs. 8 lakhs and in 1836 it was around Rs. 5 lakhs. In 1850 it was even below Rs. 5 lakhs of which a good portion remained in arrears.

41. To remedy the defects of the permanent settlement, the introduction of various measures from time to time became inevitable. In 1816 the Board ordered a 10 per cent average reduction in the assessment fixed by Read. This was to be applied only to those estates that were bought by the Government. In 1818 the reduction was increased by Mr. Hargrave to 30 per cent in deserving cases. By 1820 the amount of reduction reached Rs. 1½ lakhs. These reductions did not result in making the settlement a success. The Government fell back on Read's Ryotwari Settlement in the reverted mittahs and gave concessions and reliefs such as Cowles and Taram Kammi. But these adhoc concessions also did not solve the problem.

42. (iii) *Inam Settlement.*—Inams were distinguished as to (i) inam villages and (ii) Minor Inams.

(i) Inam villages are mostly shrotriyams granted to Brahmins on favourable tenure. About 60,000 acres in villages in Salem fell under Shrotriyam. Read classified these inam villages into three groups. (1) Agraharam villages either rent free (Sarva Manyam) or subject to the payment of a favourable quit rent (Jodi) (2) Agraharams under the name Ardha Maniyam or "Half inams" and (3) Agraharams that

6. Pachamalais.
7. Chitteri Hill.
8. Kombai villages (4 in number).
9. Three plain villages.

51. The leading features of the settlement are:—

The money rates fixed in fasli 1309 were continued without any change. Dry lands were grouped in classes III, IV, V and VI, the V and VI being created with rates fixed for class IV plain villages in Harur taluk under the re-settlement rates. The village as distributed among various classes are as follows:—

	III	IV	V	VI
1. Shevaroy's	1	64	..	..
2. Kalrayan Hills	..	7	..	..
3. Namakkal Kollimalais	..	..	7	..
4. Attur Kollimalais	..	..	9	..
5. Pachamalais	..	..	..	1
6. Bodamalais	..	..	..	4
7. Chitteri Hills	..	10	..	..
8. Kombai villages	..	3	1	..
9. Plain villages	1	2	..	..
Total ..	2	86	17	5

52. The classification was done in five sorts for all villages except the ten Chitteri villages where the classification already made under the three sort system continued. A VI class was introduced for wet lands on the Kollimalais. The second crop charge was abandoned.

53. (vi) *Resettlement of hill villages.*—These hill villages were taken up for resettlement in 1926. Under the re-settlement no general reclassification of soils was resorted to. But certain changes in the dry grouping were made. Group VI was removed which led to the upgrading of the villages in Bodamalais and Pachamalais to Group V. The Malayali holdings in Jargumalais which were specially placed in group VI were raised to group IV to end the discrimination between Malayali and non-Malayali holdings. Thus the VIth dry group was given up at resettlement. To offset the increase in grouping, the resettlement enhancement of 12½ per cent was not applicable to these holdings. As regard wet lands in the Kollimalais, no change was made in the wet grouping and the exemption from second crop charge was continued. A uniform rate of Rs. 2 was to be levied on all wet lands in the villages.

54. For these hill villages both ordinary and special enhancement remissions (the former spread over 12 years in respect of increases arising from the revision of grouping and the latter spread over a period of 4 years in respect of increases arising from the percentage enhancement) were to be applied.

55. (vii) *Resettlement of Salem district.*—(a) *First Resettlement.*—The southern taluks as well as Uthangarai (i.e.) Harur among the northern taluks became ripe for resettlement in fasli 1310-1311, the resettlement notification for which was issued in G.O.

No. 244, Revenue, dated 4th March 1904. This re-settlement carried out by Mr. J. G. Burn contained the following features:—

1. The rates of the original settlement were enhanced by 12½ per cent.
2. No revision of classification nor grouping was made except in the cases of—
 - (a) Lands classed as permanently improved (except wet lands under the Cauvery).
 - (b) Baling wet lands.
 - (c) Lands classed as wet under the wells.
 - (d) lands assigned by the Revenue Department since the original settlement from porambokes, unclassified wastes and unsurveyed blocks.

3. The method of consolidating the second crop charge at original settlement was continued except in the case of lands under the Cauvery channels.

4. All dry assessed waste land was lowered one taram before imposing the enhanced assessment. Waste land assessed in the lowest taram was retained in that taram. All unassessed waste was also classified and placed in tarams in terms of orders passed in G.O. No. 1039, dated 10th October 1903.

56. But when Mr. F. J. Richards submitted his proposals for the re-settlement of the other northern taluks, he pointed out the steep difference in rates between the 2nd and 3rd sorts under each class. He advocated the adoption of the 5 sort system of assessment under each class, wherever reclassification was taken up, the expansion from 3 to 5 sorts being made as a table process without actual field work, by reading the existing 3rd sort as the 5th sort and introducing intermediate tarams for the 3 and 4th sorts without changing the taram rates. This was approved and embodied in the re-settlement notification for the northern taluks issued in G.O. Ms. 228, Revenue, dated 12th March 1906. The existing dry groups of villages were retained as also the classification of the irrigation sources.

57. The other important features of the resettlement of the northern taluks were:—

1. The rates of the original settlement were enhanced by 12½ per cent.
2. The method of consolidating the second crop charge at original settlement was continued.
3. The proposal for enquiry into each private kuttai on its merits and preparation of a separate record of rights was given effect to.
4. Lands rented for grazing were not reclassified.
5. The rate for the lowest dry taram (12th) viz. 4 annas remained unchanged whereas in the southern taluks it had been raised to 5 annas involving an increase of 25 per cent.
6. Reclassification was ordered in the case of—
 - (a) Lands classified as permanently improved.
 - (b) Lands in the ayacut of wells.
 - (c) Unassessed waste lands.
 - (d) Lands assigned by the Revenue Department subsequent to settlement.

In regard to 6 (c) the orders for northern taluks were different from those passed for the southern taluks where the taram was reduced by one before the enhancement was applied, whereas the waste lands in the northern taluks were classified denovo in the 5 sorts system.

58. (b) *Second resettlement.*—Mr. J. Balaji Rao did the second resettlement of the Southern taluks with reference to the resettlement notification approved in G.O. No. 258, Revenue, dated 1st February 1935.

59. Dry grouping, source classification and soil classification were not tampered as they were held to be closely connected operations and it was held one could not be altered without disturbing the other; the question of their revision was not, therefore, taken up. As stated earlier, the charge for second crop had also been used in manipulating the resultant assessment; the question of giving up compulsory consolidation of second crop charge would have meant a wholesale reclassification of sources and soils and hence the existing system was allowed to continue.

Arcot District. By a common judgment, dated 23rd March 1960, the Tribunal declared that these jagirs were 'not inam estates' under Section 2 (7) of the Estates Abolition Act, 1948. In effect it was deemed that the Tribunal held that they were 'estates' under Section 3 (2) (d) of the Estates Land Act, the grant to the jagirdars being of both warams. In view of this, the jagir was notified under Act 26/63 in G.O. P. No. 781, Revenue, dated 12th March 1965 for being taken over on 15th April 1965, and accordingly taken over on the notified date. The jagirdar among others filed Writ Petition 2130/66 in the High Court, Madras questioning the validity of the Act and the Notification made thereunder and obtain stay orders. By a common order, the High Court in a Batch of writ petitions in Subbachariar (vs) the State reported in 1967—I.M.L.J. 206 dismissed them upholding the constitutional validity of the Act. There was an appeal to the Supreme Court in C.A. 2546/65 and it was also dismissed by a common order in Kajamian Charities (Vs) the State reported in AIR. 1971 SCP. 161. When steps were again taken to take over the jagir, the jagirdar filed another writ petition 922/71. During its pendency, the jagirdar filed a petition for its withdrawal on the ground that he would like to agitate the issue before the civil court in a properly framed suit. The High Court dismissed it as withdrawn allowing four month's time to the jagirdar to file the suit. The suit thus filed in O.S. No. 689/73 on the file of the Sub-Court, Salem was ultimately withdrawn by Jagirdars thus enabling Government to implement its plans to develop the hills which are inhabited by tribals.

(xii) Umbaligai Inam.—The history of abolition of Umbaligai Inams needs mention here. Umbaligai or Amaram gran, according to Mr. Stratton implies ease and it denotes the favourable character of the tenure. Dr. Mclean defines it to mean "the command of one thousand horses". He also adds that "Amaram grant is a grant of land by the Prince or Poligar on condition of service, generally military or police".

75. In the first instance 12 Umbaligai Inam villages lying in Krishnagiri taluk and 29 villages in Hosur taluk (41 villages in all) were notified as Under Tenure estates of Berigai and Shulagiri Zamindaries along with the main Zamindari estates concerned. After the notification for the ryotwari settlement of the estates had been issued and settlement work had progressed to various stages, the tenure of Umbaligai inams came up for examination and it was found that they were resumable grants as held by the High Court in Sadasiva Rayudu (vs) Venkataswami (1932 Madras 289) and consequently they could not fall under Section 3 (2) (e) of the Estates Land Act which would apply only to villages held on a permanent under tenure.

76. It is seen that Mr. Stratton who was entrusted with the work of introducing permanent settlement in Salem district had reported inter alia that "A considerable portion of the resources of the Carnatic was applied to the maintenance of military forces which were not only useless to the defence and protection of the State but were pregnant with danger to internal tranquility and good Government". This view was endorsed by the Special Commission and accepted by the Court of Directors who issued a proclamation in the year 1801 abolishing all Amaram and Kattubadi tenures and directed that the military service of the Poligars be commuted. Since that time the Umbaligai inams had ceased to form part of the Zamindaries concerned. The Inam Commission which came into the scene later had enfranchised the Umbaligai inams by the issue of title deeds.

77. The notification of these villages as Under Tenures was, therefore, cancelled as per G.O. Ms. No. 1717, Revenue, dated 10th May 1958 and they were handed back to the landholders. After appropriately renotifying them as Inam estates, they were taken over again and settled.

78. (xiii) Komarapalyam Agraharam in Tiruchengode taluk.—The village with an extent of 3922.13 acres was held as 'not an inam estate' under Section 9 of Act XXVI of 1948. After the advent of Act 26/63, this estate was notified for being taken over on 15th April 1965. The inamdars filed W.P. 1367/65 in the High Court. By order dated 24th June 1965, the High Court allowed the writ petition and quashed the notification on the ground that it was not an inam at all, thus relying on an earlier decision relating to the same village prior to the Abolition Act. In coming to this

conclusion the High Court upheld its earlier view that the original grant was made in consideration of payment of a sum by the grantees, that the grant was not, therefore, an inam grant and that the inam title deed does not operate either to enlarge or abridge the rights of the inamdars under the original grant. Some of the ryots in this village took the matter on appeal to the Supreme Court in C.A. 1287/67. In Sengoda Goundan (vs.) State and another reported in 1974—II. MLJ. 1973, the Supreme Court confirmed the judgment of the High Court and dismissed the appeal. In view of the decisions, it has been proposed to include this village in the legislation to abolish such freeholds in this State which is pending consideration of the Government.

79. (xiv) Leaseholds.—There were four leasehold villages covering an extent of 10.52 sq. miles in Harur taluk. They have been taken over on 15th February 1965 under the Tamil Nadu Leaseholds (Abolition and Conversion into Ryotwari) Act 1963 (Act 27/63).

80. (xv) Minor Inams.—Under Act 30/63, 804 minor inams covering an area of 51.68 sq. miles have vested with the State on and from the appointed day viz., 15th April 1965 and all these minor inams were settled upto fasli 1380.

81. (xvi) Settlement of Estates.—The largest concentration of the estate area was in the Northern taluks now constituted into Dharmapuri district, though, among the Southern taluks, there was a substantial extent of estate area in Namakkal and Tiruchengode taluks.

82. The area to be settled not being homogenous, as seen from the earlier history of settlement and resettlement, the district was divided into two main tracts (viz) the Southern taluks and Northern taluks, following the pattern of the last resettlement. The resettlement notification for these tracts adopted the rates of assessment set out in the Re-settlement Notifications issued with G.O. No. 1344, Revenue, dated 1st February 1935 for the Southern taluks and G.O. No. 1344, Revenue, dated 22nd April 1938 for the Northern taluks, respectively. In respect of Harur taluk which strictly formed part of the northern taluks, the second resettlement had caused an anomaly due to the percentage enhancement effected along with the Southern taluks and this poor taluk had paradoxically been subjected to a higher rate of taxation. As the estate area in the taluk was still poorer, and was also geographically contiguous to the estates in the northern taluks, it was decided to apply to the estates in Harur taluk the rates adopted in the resettlement notification for the northern taluks.

83. The application of the re-settlement notification prevailing in the hill villages as approved in G.O. No. 1793, Revenue, dated 17th August 1936 was considered not worthwhile for adoption for the 4 estate villages in the Chitteri hills located in Dharmapuri and Athur taluks, which consisted of dry lands only and that the lowest taram rates for the IV group villages in the prevailing resettlement notifications may be adopted for those villages also.

84. The perambulation report prepared by Thiru S. Krishnaswami, I.A.S., as Assistant Settlement Officer, Salem and it was endorsed by Thiru R. V. Raman, I.A.S., as Settlement Officer, Tiruchirappalli. Thiru R. Thirumalai, I.A.S., who later assumed charge as Settlement Officer, Salem sent a supplemental report on a few aspects. The reports were studied by Thiru N. Subrahmanyam, I.C.S., Director of Settlements, Madras and Thiru S. Venkateswaran, I.C.S., Settlement Commissioner and after local inspections by them, proposals for settlement of the estate areas were submitted by them which were approved in G.O. Ms. No. 2240, Revenue, dated 20th July 1955. Two Settlement Notifications adopting the principles approved by Government were issued in G.O. Ms. No. 1751, Revenue, dated 1st May 1956 separately for the northern and the southern taluks; separate notifications issued for the settlement of the other Inams, Minor Inams and Leaseholds adopted the same principles. While these notifications embodied the ryotwari principles in general, they were made to suit the local conditions. For instance, in respect of the southern taluks, while the two sorts adopted at resettlement for permanently improved loam were retained, the other classes were put under the 5 sort system fitting the VIII-A sort against VIII-1 in this process, and confining the tarams to the existing table of assessment. The irrigation sources in the southern taluks were placed in 5 classes, adopting the pattern prevailing

60. The other important features of re-settlement were:—

1. The principle of reducing the assessment by one taram in the case of unoccupied waste before applying the enhancement was given up, as unnecessary. It may be remembered that this was not applied for the re-settlement of the northern taluks.
2. The rates for 1 class wet lands (under the Cauvery channels and the Mangalam tank) were enhanced by 1½ per cent and the rates for wet lands under the 2nd, 3rd, 4th and 5th class sources and on dry lands were enhanced by 12½ per cent.
3. Concessions by way of increment remission were allowed.

61. But however, his proposals for the second re-settlement of the northern taluks approved in G.O. No. 1044, Revenue, dated 22nd April 1938 did not result in the usual percentage enhancement of assessment, as by then it was decided in G.O. No. 1067, Revenue, dated 21st May 1937 that no re-settlement operations involving revision of money rates should hereafter be initiated. Harur taluk which had generally aligned itself with the settlement history of the northern taluks made a departure at this re-settlement as a percentage enhancement of assessment had already been enforced along with the southern taluks. The re-settlement of the other northern taluks was thus a limited one.

62. As for the southern taluks, and for precisely the same reasons, it was ordered that no reclassification of soils, revision of the dry grouping and alteration of the existing classification of irrigation sources was necessary. The existing system of compulsory consolidation of second crop charge on wet lands and the existing method of fixing it were allowed to continue.

63. The other important feature of re-settlement were:—

1. When transfer from dry to double crop wet were to be made, the double crop rate imposed on the adjacent land, and if there were more rates than one the highest of such rates, was ordered to be adopted. This order was necessary to rectify any anomalies which would have arisen if the appropriate double crop wet rate had been applied.
2. The existing method of allowing a sum of Rs. 1—8—0 per acre for 2 crops or one-fourth the consolidated assessment, whichever is less, as baling remission was allowed to continue.
3. As in the southern taluks, a detailed investigation of all private works of irrigation was made and a record of rights prepared.
4. In regard to the grass rent lands, the Government ordered that all such lands brought under cultivation in three out of the five faslis preceding resettlement should be assessed at the rates applicable to their soil classification and that the favourable rate of four annas should be continued for the rest and that these latter lands should also be assessed at rates appropriate to their soil classification when they were brought under cultivation during the currency of resettlement.

64. (viii) *voluntary irrigation cess*.—It is novel feature of this district that an irrigation cess is levied on all lands irrigated by the Cauvery channels, to cover the cost of the annual construction and maintenance of two crude bunds in the river, called korambus, based on an agreement between the ayacutdars and the Government. Earlier, the rate of levy was Rs. 2/- per acre in respect of lands commanding a direct flow of water and Re. 1 for baling wet lands. In the year 1927, these rates were enhanced to Rs. 3/- and Rs. 1.8.0., respectively, and these are the rates obtaining now.

65. During the first re-settlement, Mr. Burn advocated the abolition of this cess but the proposal did not find acceptance. During the second re-settlement of the southern taluks, also, the irrigation cess was ordered to be levied as a separate item; the power to enhance the cess or to add the cess to the land assessment, in case it was not levied as a separate item, during the currency of the resettlement was reserved (G.O. No. 258, dated 1st February 1935).

66. The cess levied in the district of Salem was brought within the scope of the Madras Irrigation (Voluntary Cess) Act, 1942 (*Vide* B.P. 11 Press, dated 16th April 1945). The control of the three channels vested with the Revenue Department but in G.O. 432, dated 4th February 1950 the Government directed the transfer of control of these channels to the control of the Public Works Department after obtaining the agreement of the ayacutdars to such a course. The administration of the cess was, however, retained with the Revenue Department (Memo. 759/J/50-7, dated 14th May 1950) and it still continues to be with that Department.

67. (ix) *Grass Patta Lands*.—In a note on Swarnadayam, the District Gazeteer makes the following observations:—

“The taxation of grazing was proleant. There was a poll-tax on the shepherd caste of Gollas and Kurumbars were taxed according to the numbers of their flocks. A tail tax was levied on the owners of cattle near Adamankottai and a bullock-tax on the sale of cattle at weekly markets and annual fairs. . . . But the most far-reaching was the ‘Pulvari’ or grass tax on ryots for permission to graze their cattle on waste land.”

68. The system of Pulvari gradually gave place to the custom of assigning lands at a favourable assessment in the district and this relates to the period before Read's settlement. It is now confined only to Hosur taluk, though it is met with in Rasipuram and Namakkal taluks, to a limited extent. In regard to the nature of these grass pattas, this is what the District Gazetteer has to say:—

“Grass pattas are considered revocable at will and if a Dark hast is put in for the assignment of grass land the grass renter is given the option of relinquishment or assignment.”

“The grazing tenure question has been tackled at the time of the original settlement. The Board of Revenue decided to abolish the grazing tenure system and charge full settlement rates in B. P. 393, of 21st February 1874 (See para 38 of the report of Mr. Richards considered in G.O. 1183, dated 5th December 1905). In regard to porambokes held on grass patta the Board decided to cancel the pattas but allowed that the land might be rented from year to year as pasture land—vide B.P. 2053 dated 1st August 1874.

“The result of these orders was stated to be a decline in agricultural prosperity of Hosur Taluk. On a reconsideration, the Government approved the proposals of Mr. Puckle, in G.O. 1401, dated 23rd September 1875 to register the entire area of the grazing lands in the lowest taram. The result was that these fields were reassessed at 4 as per acre, the classification being ignored. At the time such an order was passed the question whether these lands should not be reserved as grazing grounds for the community seems to have been considered—Mr. Puckle has stated—“Should every acre be cultivated, the cattle are not likely to suffer as there are thousands of acres of pasturage, as yet unsurveyed and unassessed that can feed all the cattle of Hosur.”

69. At the time of the first re-settlement, Mr. Balaji Rao found that out of 7,542.09 acres of grass rent lands originally classified as such, an extent of Ac. 2,553.08 had been brought under cultivation. On the ground that most of these lands lay interspersed among holdings, he opined that there was no reason to treat them differently from the adjoining ryotwari lands similarly placed. The Government agreed with him and ordered that “grass rent lands brought under cultivation for three out of five faslis should be assessed at rates appropriate to their soil classification and that the favourable rate of 4 as. should be continued for the rest and that these later lands should also be assessed at rates appropriate to their soil classification when they are brought under cultivation during the currency of resettlement” vide G.O. 1044, dated 22nd April 1938.

70. No such cases have been dealt with in any of the other taluks of the district at the time of settlement or later re-settlement.

Taking Over of Estate

71. 283. Zamin, 71 Under Tenure and 70 whole inam estates covering an area of 1520.73 sq. miles were notified to be taken over on 12th January 1951 and 1st October 1951 in G.O. Nos. 3212 (Revenue), dated 19th December 1950 and 2502 (Revenue), dated 1st September 1951 respectively, under Act XXVI of 1948, and most of them were taken over on the notified dates or soon after and settled.

72. Under Act 26/63, 69 inam estates covering an area of 137.68 sq. miles were notified in G.O. Press 781 (Revenue), dated 12th March 1965, 1119 (Revenue), dated 30th March 1965 for being taken over on 15th April 1965 and 1st May 1965, respectively. Out of this 59 estates were settled in fasli 1379, seven estates in fasli 1380 and one estate in fasli 1381. The remaining 2 estates (Periyakalrayan and Kumarapalayam Agraharam) were covered by stay orders of the Courts and hence they were not settled. The history of the two excepted estates is given briefly below:—

73. (xi) *Periya Kalrayan Jagir*.—The tenure and history of Periyakalrayan Jagir in Athur Taluk is similar to that of the 3 hill jagirs in South Arcot district. It is confirmed in a T.D. and listed in the schedule to the Impartible Estates Act 1904 (Act II of 1904). Originally the Miscellaneous Settlement Officer, Tiruchirapalli decided under Section 9 of Act XXVI of 1948 that the Jagir was ‘not an estate’ within the meaning of Section 3 (2) (d) of the Estates Land Act in his SR. 10/50, dated 25th November 1950. Under Act XXX of 1956, the State filed applications in O.A. Nos. 2, 6 and 7 of 1959 before the Tribunal in respect of this Jagir along with similar other 3 jagirs in South

in the ryotwari tract, the last class specifically being provided for small sources with a capacity of supply for 3 months or less in a year, while in the northern taluks, three classes (III to V) were adopted as in the ryotwari tract, provision being made for levy of water cess on lands commanded by the Krishnagiri Reservoir Project. Double crop registry was confined to the ayacut under first class sources, option being given to the ryots to compound the second crop charge at concessional rates for ayacuts under other classes of sources. The voluntary irrigation cess levied for the maintenance of the Cauvery channels was continued. Grass rent lands were levied a concessional rate of 0.25 np. per acre, if they had not been under cultivation for three out of five faslis preceding Settlement.

85. Three Assistant Settlement Officers functioning at Salem, Krishnagiri and Namakkal attended to the settlement work under the supervision of the Settlement Officer, Salem. Priority was given to introduction of settlement in fasli 1366 in the Bellarapalli and some other mittahs affected by the Krishnagiri Reservoir Project so as to enable the impounding of water in the reservoir as soon as it was completed. The settlement of the remaining estates in the district was completed talukwise in the subsequent faslis.

86. (xvii) *Freehold Lands*.—Lands held on free hold tenure, which originated in pursuance of the orders of the Government in G.O. No. 1053, Revenue, dated 5th August 1859, that lie dispersed throughout the State are found to exist in Yercaud sub-taluk of Salem district also. All the lands have been surveyed and assessed, but the Land Revenue demand is being worked out and the assessment alone due thereon is remitted. Only cess and cess sur-charge are being collected. The lands are under the enjoyment of tenure holders. In the remarks column of the fair adangal it is noted as "Freehold".

87. The ancient document in possession of one of the owners of the freehold land, which is an indenture executed on 26th August 1873 between the Government and the owner, runs thus:

"Under the provisions contained in the rules for the redemption of L.R. passed by the Hon'ble The Governor of Fort St. George in Council under date 27th day of August, 1873 No. 1575, the lands were declared free from all demand on the part of Her Majesty for or on account of quit rent, assessments; land tax or other L.R. in lieu of the collection of lumpsum amount (i.e.) Rs. 292-8-0 in redemption of the annual assessment payable on the land".

88. Act 31/73 was enacted to abolish such freehold tenure in the State and to fully assess the lands but it is kept in abeyance to resort the provisions so as to provide for the grant of patta to occupants, if any, other than the tenure holders, since it was brought to light that there such interested persons on the land other than the tenure holders.

The following is the list of freeholders in the Shevaroy hills:—

Village.	Patta No.	S. No.	Extent.	Name of owner.
Yercaud	36	114-1	0-34	
		114-2A1A	0-68	Gopal Nandalal Sait
	40	114-2B	1-92	
		2A2	2-43	M. Deivanathan
	41	115a1	0-53	M. L. Ramakrishnan
Misc.	42	115-2A	0-36	D. Rozario
	43	114-2A1B	1-11	G.B.H. Gunther
	1	137-1	0-23	Assembly Room Library
Mangalam	2	136	0-91	Hon'ry Secretary English Church
	3	132-1A	1-35	Varudayammal W/o P.K. Swami
	160	132-1B	0-63	Rev. Mother-Charles Convent
	227	115-2B	1-93	A. J. K. Machado
	1	2-1	11-98	M. S. P. Nadar and Sons
Althur	11	65-2	2-96	Sivagami Soundarammal

NILGIRIS DISTRICT.

Devarayapura is the Devarayapatna from which the early European visitors to the hills named the path which led down to Sigur 'the Devarayapantham pass'. Round about both places are numerous ruined buildings and sculptured cromlechs, and both were clearly of far greater importance then than now. It is worthy of note, too, that they were considered at that time to be included in the Wynaad. One inscription seems indeed to suggest that the former was actually the capital of that tract.

15. In 1565 the Vijayanagar dynasty was overthrown by the United Musalman kings of the Deccan at the memorable battle of Talikota (one of the great landmarks in South Indian History) and its rulers, though they continued to maintain a semblance of power, became so feeble that their vassals in every direction rose against them and declared themselves independent. In 1610 one of these, king Raja Wodeyar (Udaiyar) of Mysore, drove out of Seringapatam the Vijayanagar general; and two years later he was granted that place and the Ummattur country near it by the then nominal king of Vijayanagar, who was living at Penukonda in the Anantapur district. Thenceforth the kings of Mysore became rulers of the Wynaad and titular possessors of the Nilgiri hills and the latter were apparently under the immediate rule of dependents of theirs called the Udaiyars or Rajas of Ummattur (a village in the present Chamarajnagar taluk) who constantly figure in local tradition.

16. Of the doings of the Mysore Kings in the Wynaad and on the plateau or of the internal history of the district down to the date of the English occupation in 1799, no record or definite tradition now survives. The account (referred to later) by the Jesuit priest Ferreira or Finicio of his visit to the plateau in 1602 shows that the Todas and Badagas were already settled there at that time and maintained much the same mutual relations as they do to-day. The only relics of possibly earlier occupation by others are, on the plateau, the old gold-workings, sundry derelict forts, and numerous cairns, barrows and cromlechs; and, in the Wynaad, some more ancient gold-workings and one or two old forts, such as the two near Nellakottai.

17. Regarding none of these three classes of relics is there any real history or even any definite tradition; and who their authors could have been is a matter about which it is possible only to conjecture.

18. The Mysore Wars so well known in history were waged by the East India Company against Haidar Ali and his son Tipu in its endeavour to cripple their power and the Third Mysore War ended at length in victory, Seringapatnam being captured in 1777 and Tipu killed during the final assault. In the treaty which followed (settling the division, between the Company and its allies, of Tipu's territories) the Nilgiri plateau, which was included in the 'Danaigincotah' district (revenue 35,000 Kantiraya pagodas) mentioned in the schedule thereto, was ceded under one name to the Company and under another to the young king of Mysore whom the British had resolved to re-establish on the throne which had been seized from his family by Haider Ali. The error was rectified by a supplementary treaty, dated 29th December 1803 in which the country (the revenue of which was put at 10,000 Kantiraya pagodas) was formally handed over to the Company, who had in the interim been exercising all rights of sovereignty within it.

19. Stormy years followed in the Wynaad. One of the most important families in Malabar, of which the Wynaad then formed part, were the Kottayam or Kottiote Rajas, whose territory included the whole of the Wynaad and much of the Kottayam taluk. This territory had long been governed jointly by different members of the family each of them ruling over a particular division. The head of the family was Vira Varma, commonly known as the Kurumbranad Raja, but its most celebrated member was Kerala Varma Raja, who belonged to its Padinyara Kovilagam or 'western branch' located in the Palassi or 'Pychy' amsam of the Kottayam taluk, and who soon became notorious under the name of 'the Pychy rebel'. He challenged Tipu's territorial ambition successfully and joined hands against him with the British. He fell out with the British also on the question of revenue settlement of his country. Negotiations were then opened with him and eventually in 1797 he was pardoned and granted a pension of Rs. 8000 per annum. In 1799 it was ceded by the treaty of Seringapatam, and from the 1st June 1800 it was placed under the Government of Madras.

20. But Kerala Varma declared that the Wynaad had always belonged to his family and that its cession in 1799 was ultra vires; and resisted the authority of the British. The Government of India ordered that his presumptuous conduct should be severely punished and placed the military control of the district, with Canara and Mysore, under Colonel Arthur Wellesley, afterwards Duke of Wellington. By May 1801 every post both above and below the ghats was held by British troops and Kerala Varma was a wanderer in the jungles.

21. He gathered insurgents from Malabar and threatened the Todanad and the country round Masinigudi, then called 'the Devarayapatnam Hobli'. In June 1805 Colonel Macleod, the officer commanding a portion of the Madras force recently brought into Malabar, offered rewards for the seizure of Kerala Varma and eleven of his followers and declared all their property confiscated. This proclamation was the origin of the 'Pychy escheats' in the Wynaad.

IV. Land Revenue Administration.

22. The history of the administration of the land revenue is unique in the district. It differs vastly from the established practice of crop sharing which ultimately evolved from that in the Wynaad and the Ouchterlony Vallyny and on the plateau itself, the revenue settlement with the hill castes being in themselves of two classes; namely, those with the (Toda) graziers and those with the (Badaga) cultivators.

23. (i) *Settlement with other cultivators (Badagas).*—When the plateau was first ceded to the British in 1799 by the treaty of Seringapatnam it formed part of the Danuayakankottai taluk of the Coimbatore district. Haidar Ali and his son Tipu Sultan had collected revenue in it. Their officers had acted most mercilessly to the hill people, sometimes despoiling them of the whole of their harvest and forcing them to carry their own plundered property down to Dannayakankottai. They seem to have charged fixed money rates on all land held by a ryot whether cultivated or not, in all seasons with the result that when the district came into British hands, the hill people had become impoverished and were heavily in arrear with their payments.

24. The first settlement after the transfer of the country was begun in December 1799 by Major Macleod, Collector of Coimbatore, and was based upon the Karnams' accounts. He took up the survey of the hills, in 1800-01. But the extreme inclemency of the climate frightened the surveyors and prevented them from doing more than making an estimate of the quantity and quality of the land and fixing the old rates of *teerwa* upon it. The average revenue up to 1813 was Rs. 14,762, but during the next fourteen years it fell to Rs. 6,499. At one time the right of collection was leased to a renter.

25. The rates of assessment were undoubtedly low (they appear to have ranged from 14 annas 9 pies per acre to 3 annas 8 pies and to have varied with the appearance of the crop at harvest time, when an estimate of the probable outturn was made by the taluk gumastahs and karnams) and the ryots benefited much by certain curious concessions which of old formed part of the revenue system of Coimbatore; namely, the 'bhurty', or shifting system, the 'ayan' grass allowance and the 'grazing pattas'.

26. Under the *bhurty* system, a ryot was allowed to hold tracts as much as five (or even ten) times greater than the extent shown in his patta and for which he paid assessment; to pay only for that portion of them which he actually cultivated each year; and to retain without payment a preferential lien on plots formerly tilled by him which he could return to and cultivate in rotation. These plots might be miles apart and even in different nads; but if 20 acres only were entered in the patta the ryot only paid for 20 and yet claimed rights of occupation, to the exclusion of all other applicants, in perhaps 200 acres made up of scattered fields in which he selected each year the 20 acres, in one or many pieces, which he meant to cultivate and pay for, leaving the rest fallow.

27. The system would not have been quite so pernicious had the extents in which these occupancy rights were claimed been properly limited; but in the absence of any demarcation or proper survey they were neither defined nor even identified; and

proper and the deep and malarious valley of the Bhavani, part of which is in Malabar and part in Coimbatore; and its eastern frontier formed by the latter district, the two being separated at the north-eastern corner by the Gajalhatti (Elephant village) pass which, being a short cut from Mysore to the Carnatic plains, was of importance in the wars between Mysore and the East India Company at the end of the eighteenth century.

5. The plateau is traditionally divided by its inhabitants into four tracts called Peranganad ('the country of great Ranga', the deity to whom Rangaswami Peak is dedicated) on the extreme east; Merkunad ('the western country' west of this; Todanad ('the country of the Toda tribe') on the north and Kundahnad or the higher south-western corner of the plateau formed of the Kundah range, the best centre for big game on the Nilgiris now housing the Mudumalai Sanctuary. But for administrative purposes it is arranged into the taluks of Coonoor, which embraces the first two of the above four divisions, and Ootacamund, which includes the other two and the strip of jungle at the northern foot of the plateau which has been already referred to. The South-east Wynaad and the Ouchterlony Valley together form a third taluk known from its headquarters, as the Gudalur taluk.

6. The district abounds in plantation estates, besides thick forests. The only habitate of any size in the whole district are the two municipalities of Ootacamund (the headquarters) and Coonoor; the latter's near neighbour the cantonment of Wellington; the far smaller hill-station called Kotagiri; and the Gudalur already mentioned. The chief routes up to the plateau are the Sigur ghat on the north from Mysore; the Gudalur ghat on the west from the Wynaad; the Kotagiri ghat on the south-east from Mettupalayam; and, most used of all, the Coonoor ghat on the south also from Mettupalayam, where a road and a rack railway climb a deep ravine side by side.

7. The Nilgiris Plateau is drained by hundreds of beautiful streams, most of which are perennial and eventually fall into either the Moyar on the north or the Bhavani on the south and, ultimately into the Cauvery. Their steep falls have helped the location of a number of hydro electric projects in this district.

8. The Mudumalai forest (46,600 acres) is the jenmam property of Nilambur Thirumalpad and is under 99 years lease to the Government. This area has vested in the State under the Gudalur Jenmam (Abolition and Conversion into Ryotwari) Act 1969.

III. Political History:

9. The Nilgiris district may almost be said to be one of those happy countries which have no history, its inhospitable climate, the difficulties of the passes up to it and the feverish jungle which hedged it round having deterred all onslaughts. But it never contained any towns worth sacking or forts worth capture; and the only inhabitants were poor graziers and cultivators. Consequently the rapacious rulers round about almost disregarded it; and the only parts of it which figure prominently in their chronicles are the passes (like Gajalhatti on the north-east) which enabled them to circumvent it and get at their foes on the other side without actually crossing it. Ancient temples or other historic monuments are conspicuous by their absence and it is not surprising that there is no one ancient inscription of any historical value in the whole of the district. The neighbouring Mysore territory is, however, less destitute of records; and the contents of these have been set out in Mr. Lewis Rice's EPIGRAPHIA CARNATICA and throw a dim reflected light on the state of affairs in the Nilgiris in early days.

10. Round about 930 A.D., the Wynaad was part of the territories of the well-known Ganga dynasty of Mysore, when on the death of Ereyappa the then king of the Gangas, his sons Rachamalla and Butuga both claimed to succeed to the throne. Rachamalla was in 'Bayalnad' ('the land of swamps' the old name for the Wynaad) at the time, and Butuga sent to him and proposed that they should settle their differences by dividing the country between them. But Rachamalla's envoys curfly

This village has been submerged in the waterspread of Bhavanisagar; the idols salvaged from the Vishnu temple being preserved in another temple in Bhavanisagar township.

repued that they 'did not wish any other than Rachamalla to rule over the kingdom of Bayalnad'. Hostilities between the brothers naturally followed; Rachamalla was killed; and Butuga became undisputed ruler of the Wynaad.

11. Between the close of the tenth century A.D. and the beginning of the twelfth century, these Gangas were ousted from the Wynaad by a branch of the Madambas, the dynasty which at one time had its capital at Banavasi in North Canara. The Wynaad was at that time divided into two portions, the Bira Bayalnad and the Chagi Bayalnad (the limits and meaning of which are not clear). One of the Mysore inscriptions (alluding perhaps to the treacherous beauty of the country, which attracted the stranger and then laid him low with malaria) says 'an adulteress with full-moon face, an adulteress with endless side-glances, an adulteress with adorned slim figure was this storeyed mansion, the double Bayalnad'. Cattle-lifting seems to have been very prevalent, and some times the fights which it occasioned almost rose to the dignity of wars.

12. Meanwhile the Hoysalas, whose capital was at Dvarasamudra, the modern Halebid in Mysore State, were rising into power; and their king Vishnuvardhana, who ruled from 1104 to 1141, is related to have captured the Wynaad 'with a frown'. He also seized the Nilgiri plateau; for his general Punisa is said in a record of 1117 A.D. to have 'frightened the Toda, driven the Kongas under-ground, slaughtered the Poluvas, put to death the Maleyalas, terrified king Kala, and entering into Nila mountain offered up its peak to the Lakshmi of Victory'. This is the first mention hitherto discovered of the names Toda and Nilagiri. The Sanskrit forms of the latter, Niladri and Nilachala, also occur in other inscriptions of about the same date. A grant of 1120 A.D. says that Vishnuvardhana 'turned the Nila mountain into a city' and another of 1141 A.D. states that 'the ruler of Nirugundand, by order of Edenad and Hiriyanad, laid siege to Kukulla fort, above the peak of Nilgiri fort, burnt the fort, slew the son of Koteya Nayaka (or perhaps, 'of the chief of the fort'), and joining fight with the enemy's force who opposed him, routed them and, by his bravery in war becoming a hero, went to Heaven'. The title 'Subduer of the Nilagiri' (Nilagiri-Sadaran) seems indeed to have been borne hereditarily for long afterwards by the Hoysalas and their successors. Perhaps one reason why they gloried in it was that the Nilagiris were holy hills. The Abbe Dubois says that even a sight of their summits was held to be sufficient to remove sin.

13. In 1310 this Hoysala line was overthrown by the Musalmans of Delhi; and their king fled. Authority over the Nilgiris seems then to have descended to Madhava Dannayaka, the son of the Hoysala minister Perumala Deva Dannayaka, who took the title of 'Subduer of the Nilgiris' and ruled from Terakanambi in the present Gundlupet taluk, just north of the plateau, until 1318. He was followed by his son, and an inscription of the latter's time in the Vishnu temple at Dannayakankottai, the deserted village near the junction of the Moyar and Bhavani, calls that place Nilagiri-Sadaran-kottai, or 'the fort of the Subduer of the Nilgiris'. Its present name of Dannayakan-kottai was doubtless given it in honour of this family of Dannayakas. Perhaps this village was the 'city' above referred to as having been built by Vishnuvardhana; tradition among the hill-tribes, as well as history, points to it as one of the places from which even up to the end of the 18th century, the hills were ruled; and even after the British occupied the country it was at one time the headquarters of a Tahsildar. This village has been submerged by the waterspread of Bhavanisagar and the idols salvaged from the Vishnu temple are kept in another temple at Bhavanisagar.

Both the Wynaad and the plateau fell, in the early part of the sixteenth century, under the rule of the famous Hindu Kings of Vijayanagar, who had repulsed the Delhi Musalmans and established their capital at Hampe in the present Bellary district. An inscription of 1527 records that Krishna Raya Nayaka, 'the right hand of Krishna Deva Musalmans and established their capital at Hampe in the present Bellary district. As of Masanahalli in Bayanad stala, together with its hamlet of Devarayapura, free of all imposts, with the eight rights of full possession, to be enjoyed by himself, his sons, grandsons and descendants, as long as sun and moon endure'. This Masanahalli is the village at the foot of the Sigur ghat which is now called Masinigudi; and its hamlet

claims to them usually depended merely upon the assertions of the nad headmen and the connivance of the subordinate revenue officials. If these people did not wish an applicant for land to be successful, they could easily set up some one to declare that the area selected was his bhurty land and there was no one to gainsay them.

28. The ayan's grass allowance was a concession whereby a ryot obtained possession under this name, of a certain portion, not exceeding one-fifth of his holding as fallow at one-fourth of the proper assessment. This enabled him to defeat any applicant for a portion of his nominal holding by declaring that that portion was his ayan grass land. 'Grazing pattas' were granted at one-fourth the usual assessment for interior land and they permitted a ryot to hold the land covered by them until it was required for cultivation by himself or another. But the ryot had a preferential right to such land; and this again enabled him to defeat any one who wished to obtain possession of it.

29. These three concessions rendered it most difficult for Europeans wishing to start coffee or other estates to obtain any land. Indeed it might safely be said that, with the exception of the home-farm lands of each hamlet, the rest of the area, cultivable or uncultivable, forest or swamp, included within the bounds of the several nads or rural divisions was practically at the disposal of the village elders and subordinate revenue officials. In 1819, Mr. Sullivan attempted to conduct a fresh Survey but did not succeed in it.

30. In 1862 the impact of these economically unsound systems on the development of the district was brought prominently to notice; and after much correspondence between the Collector, the Board, the Government and the Secretary of State it was decided in 1863 that the bhurty system should be abolished; that, as in other districts, a ryot should have no claim to land not mentioned in his patta and for which he paid no assessment; and that as compensation for the withdrawal of a longstanding concession the rates of assessment should be reduced. Assessments above As. 13 per acre were lowered to As. 10; those between As. 13 and As. 9 to As. 8; between As. 9 and As. 6 to As. 6, between As. 6 and As. 4 to As. 4, and those below As. 4 to As. 2. These reductions amounted on the average to about 25 per cent. The Collector (Mr. Grant), carried out these orders into effect, and claimed "the bhurty system had ceased, and the people regarded it as a by-gone system and never alluded to it". As there was, however, no proper survey to check the Badagas' holdings, they doubtless avoided all allusion to the bhurty system though they practised it as freely as ever. In the result they were in the comfortable position of having lost none of their former privileges while they had at the same time gained a large reduction in their assessments.

31. In the Kundahs, which in 1860 had been transferred from the Malabar district, the revenue system in force there had consisted in levying a tax of Re. 1 to Rs. 1.8 per plough (or) and of 4 annas to 8 annas per hoe (kottu), and was consequently called ERKADU KOTTUKADU. Under this, the so called patta issued to the ryot was really no more than a licence to use one or more ploughs or hoes as the case might be; it specified the amount to be paid, but in no case defined the extent or position of the land which might be cultivated; and the ryot used his implements when and where he pleased. No restrictions, even on the felling of forests, were imposed; and hillsides and valleys were cleared promiscuously. Mr. Grant's Settlement covered the Kundah also.

32. (ii) *Settlement with the Thodas.*—The earliest English Settlers on the plateau, and notably Mr. Sullivan, strongly advocated the absolute proprietary right of these people to the whole of the plateau, urging that they were the earliest arrivals there; had pastured their buffaloes on its grass for years without let or question; and had only permitted the Badagas to cultivate land on the hills on condition that they paid the Thodas the rent in grain called GUDU which they still annually handed over. A rival school, led at first by the Governor, Mr. S. R. Lushington, argued that throughout India the proprietary right in the soil belonged to the State that the Thodas had from time immemorial paid to the ruling power a tax on all their female buffaloes as well as an assessment on the grazing land in the immediate neighbourhood of their mands; and

that the GUDU, which literally means 'basket of grain', was paid by the Badagas to other tribes as well as to the Thodas, was paid to the latter only by some of the Badagas and was apparently less a rent for land occupied than a free-will offering to avert the displeasure of the Thodas, who were supposed to possess malignant powers of sorcery by which they could compass the ruin of those who did not sufficiently propitiate them.

33. Private individuals at first bought land at Ootacamund from the Thodas as though the latter were the possessors of the freehold thereof (Mr. Sullivan purchased the site of Stonehouse in this way) and Government at first tacitly recognised the title so obtained. They first dealt formally with the question in 1828, ordering that European settlers should pay the Thodas, for all areas occupied, 'compensation for the usufruct of the land which they have hitherto enjoyed' at the rate of sixteen times the annual assessment paid by the Thodas for pasture; but by 1831 (When Mr. Sullivan had ceased to be Collector) the claims of the tribe were forgotten again and Eurasian settlers were granted waste without payment of any such compensation. In 1835 Mr. Sullivan, who held his seat in the Council, revived the question. His views bordered on the romantic, for he urged that Thodas had possessed a janmam right to the plateau land from a remote antiquity; but he carried the Government of the day and the Court of Directors with him. Fresh instructions were issued regarding the manner in which the Thodas' supposed rights should be respected, and after much wrangling with these people (who were by no means slow to appreciate the position to which they had been elevated) an annual sum of Rs. 150 (apparently interest at 5 per cent, on the total amount) was ordered to be paid to them as compensation, at the rate prescribed in 1828, for land which had been taken up in the cantonment of Ootacamund. This sum is still annually disbursed to the Thodas of Ootacamund and Nanjanad, being treated as a set-off against the amount due under certain pattas of theirs; and Rs. 165 is also annually paid to the Todas (and Badagas) of Jakkatalla for land taken up subsequently for the Wellington cantonment.

34. This dispute to their title went on till June 1843 when the Court of Directors of the East India Company finally held that the Thodas possessed nothing more than a prescriptive right to pasture their herds on Government land on payment of a small tax.

Thoda patta lands—

35. The Court of Directors, however, desired that the Thodas should be secured from interference by settlers in the enjoyment of their munds and other spots appropriated to religious rites. Each mund was accordingly allotted 3 ballas of land (about 11.46 acres) and pattas were issued in the year 1843 for this land. An additional allotment of 9 ballas (34.38 acres) was made to each mund in the year 1863 on the express condition that it should be used only for pasturage and that neither it nor the forest on it should ever be alienated. The reservations thus made are regarded as the inalienable common property of the Toda community, but in many cases the extent actually enjoyed far exceeds the twelve ballas granted. They also resorted to the practice of leasing the land to the Badagas and others for cultivation which was sought to be checked in the year 1882 by the imposition of penal assessment. The survey of the Nilgiris District undertaken in the year 1870, and completed in the year 1880, covered these Toda patta lands also and it was followed up by a settlement which was completed in the year 1884. The settlement work consisted chiefly in the revision of revenue accounts, making proper entry of all occupied land and the assessment due thereon. Grass lands were continued to be charged at 2 annas per acre (13 n.p. after introduction of decimal coinage) as long as the land was used for grazing, while cultivated portions were charged Rs. 2 per acre. Even this assessment used to be remitted in the case of bonafide Thodas who were too poor to pay it.

Government Management.

36. These Toda patta lands comprise Ac. 2,782.40 in all, located in 121 munds, 101 in Ootacamund Taluk and 20 munds in Coonoor Taluk, but among them only 61 munds are inhabited, with concentration around the Wenlock downs. Among these lands A.C. 1,348.09 acres are comprised in Wenlock down and the remaining Ac. 1,434.31 are

located outside the Wenlock downs. To prevent indiscriminate exploitation of the Toda patta lands by outsiders, the management of the Toda patta lands was taken over by Government under a notification No. 170, dated 11th April 1893 issued in pursuance of the decision taken in G.O. No. 240, dated 21st March 1893. Ever since, the occupation and use of these lands are regulated under Sections 26 and 33 of the Madras Forest Act (by rules contained at page 173 of the Madras Forest Manual).

37. *The chief features of the rules are—*

(1) The aboriginal Todas (including Toda converts) can graze their cattle on these lands free of charge.

(2) They can get free permits for collecting timber, bamboos etc., for fuel, building or repairing their mounds or temples, or construction of houses.

(3) They can take free permits from the Collector from time to time for personal cultivation of these lands.

38. But the Todas have not been rigidly conforming to the condition regarding taking out permits from the Collector for personal cultivation. The cultivation is mostly by Badagas to whom the Todas lease the lands and take the lease money in advance at Rs. 200 to Rs. 500 per acre.

Hill area development programme.

39. Under his programme, implemented under the Indo German Nilgiris Project with the assistance of the Central Government, a five year scheme for providing assistance to the Todas, i.e., to help them to cultivate the land personally and raise 2 crops annually, has been sanctioned in G.O. Ms. No. 2185, Revenue, dated 26th October 1975 at an estimated outlay of Rs. 20 lakhs for the five year period. In 1975-76, the first year of the scheme, 88 Thodas families were given assistance by subsidy of Rs. 1.52 lakhs (in kind) and a loan of Rs. 1.12 lakhs.

40. This Scheme has been continued for the second year (1976-77) in G.O. Ms. No. 1275, Agriculture, dated 28th June 1976 at a total cost of Rs. 5.44 lakhs.

Proposal for assignment.

41. To help the Todas to shake off their age long apathy to better their lot and to give them taste of property, the Board recommended in B.P. Ms. 659, dated 1st June 1955 that the lands may be assigned to Todas. This proposal was accepted in G.O. Ms. No. 2700, Revenue, dated 33rd August 1955 and it was ordered that the assignment may be confined to the lands outside the Wenlock down, that any Thodas living in the Wenlock down, who was prepared to take assignment, may be given land similarly outside the Wenlock down on condition that he relinquishes his right to the lands in the downs. The same Government Order also authorised the grant of Takkavi loans to help the Todas to cultivate their land. The Todas rejected this offer suspecting that it was a move to evict them from the Wenlock down. The lease system was, therefore, permitted to be continued in G.O. Ms. No. 3106, Revenue, dated 10th August 1956. In the meanwhile a delegation of the Todas waited on the late Prime Minister Mr. Nehru in August 1955 and sought his indulgence for bettering their economic condition. This was taken due note of by the State Government and ameliorative measures were taken up on a large scale. Special agricultural staff under the leadership of a D.A.O. were deployed to educate the Todas in taking up personal cultivation on their lease lands and other incentives were also provided. But the Thodas lost interest soon.

42. The proposal for assignment was again revived in G.O. Ms. No. 1739, Food and Agriculture, dated 2nd June 1964 when the Collector was permitted to assign up to 5 acres each. Soil conservation measures were ordered to be taken up in G.O. Ms. No. 187, Food and Agriculture, dated 14th May 1965 (as modified in Government Memo. No. 90059/IV-B/67-69, dated 31st December 1970) outside the Wenlock down on an extent of 240.53 acres and it was proposed to restrict the extent to be assigned in those areas to 2 acres each. Consistent with the revised general policy of ceiling for assignment of

Government land fixed in G.O. No. 1562, Revenue, dated 24th May 1971, modified orders were issued in G.O. Ms. No. 3405, Revenue, dated 5th November 1971 restricting the extent to be assigned to Todas to 3 acres of dry or 1½ acres of wet land outside the Wenlock down and not covered by soil conservation measures. But any proposal for outright assignment of a restricted extent was not attractive to the Todas who were benefiting under the lease system of 5 acres per family under which they enjoyed even more.

43. As part of the soil conservation measures, the Forest Department had planted Blue gum trees on all extent of 66 acres out of 130 acres in S. No. 357/3 of Ithalar village of Ootacamund taluk in the year 1963 and they became ripe for exploitation in the year 1973. When steps were taken to sell the trees in auction, the Todas protested and filed W.P. No. 2194/73, in the High Court. In disposing it off on 4th November 1975, the High Court has held that the Todas are entitled to the value of the timber raised on their land and that the Government, who are in management of the land, can sell the trees by auction, reimburse to themselves the cost of raising the plantation and pay the balance to the Toda pattadars. In abiding by the High Court's order, the Board felt that the right of the Todas over the lands should be clearly defined and that if the Forest Department which is managing the lands has no objection, the lands can be assigned; else the present pattern will have to continue.

44. A note on the Todas will be of interest—The Todas are described in the Nilgiris District Gazetteer of the year 1908 by Mr. W. Francis, I.C.S. as follows :

“The Todas are purely a pastoral people who live on the produce of their herds of huge buffaloes and gifts of grains from the other tribes called ‘Gudu’. They claim to be the original inhabitants of the hills and lords of the soil and dwell in lazy, Arcadian fashion in little scattered groups in ‘Mands’ of quaint waggon roofed huts. They are much taller and fairer than the general run of the inhabitants of South India and differ widely from their neighbours in dress, appearance and language. They practise unusual customs such as polyandry, infanticide and buffalo sacrifices at their funeral. Their Roman noses and flourishing robes were treated by some as sure indications that they were the survivors of a Roman colony while others adduced their Jewish cast of countenance as proof that they were the remnants of the lost tribes of the Hebrews”.

“Each mand is a cluster of four or five dwelling huts, a larger one forming the dairy and a buffalo pen, usually situated near a Shola and a stream. They never cultivate, nor do any work except tending their buffaloes (the only animals they rear) and making butter and ghee from the milk those animals provide. The operations in the dairy are unique in this part of India, in the manner in which they form the basis of the greater part of the religious rituals of the Todas, and gradually came to be regarded with a solicitude approaching to reverence. Certain of the buffaloes are sacred animals and are attended by priests and the dairies in which the holy milk is churned are in effect the temples of the tribe. Elaborate rituals are associated with the maintenance of these dairies. Women are strictly forbidden to approach even the ordinary dairies. Periodical migration of sacred herds from one part of the hills to another is necessary in the dry season, especially to the Khundas, when the grass dries up. They believe that their first herds of buffaloes emerged from the earth in two lots, the first lot being the progenitors of the sacred herds, and the first Toda emerged from the earth holding on to the tail of the last buffalo of the first lot. Some families of the Todas are dreaded for their sorcery and it is ascribed to be one of the reasons why the Badagas pay the Gudumani to the Todas. But the Todas, pronically on their part, are excessively afraid of the necromancy of the Kurumbas. Buffalo sacrifice is invariably associated with their rituals whether annual or at periodical intervals, and every funeral is invariably accompanied by buffalo slaughter. They believe that the souls of the dead Todas and of the buffaloes thus slain at their funerals, reach the nether world through the precipitous Mukurti peak and it has not been possible to put a stop to the buffalo slaughter. These buffaloes are semi-wild and strongly built and graze freely in the forests, but give very little milk and of course at little expense. Efforts to upgrade the stock have not borne fruit so far. They hold the Pycars river sacred. They are vegetarians by habit.”

45. The Toda tribes is a small one, with preponderance of males which is partly attributed to the practice of female infanticide that was prevalent years ago and also the permissive nature of their society. They mostly inhabit the northern part of the district going by the name Todanad, spreading into Ootacamund and Coonoor Taluks. There are no Todas in Gudalur taluk on the West.

46. Literacy among the Todas is increasing due to the efforts of the Government as well as the Missionaries. Some graduates and post graduates have turned out from the tribe. Christians among them have marched forward and have turned keen agriculturists.

47. (iii) *Settlement with the European settlers.*—The first European settlers on the hills, as has been seen, often bought land from the Todas. For some years no assessment was levied from them, but in 1828 they were required to take out leases from Government and pay the usual quit-rent charged on such grants, namely $1\frac{1}{2}$ pagodas (Rs. 5—4—0) on each cawnie (1.32 acres) of land, or Rs. 3—15—0 per acre. Many properties in Ootacamund are still held under the old grants then made. Rules which were never enforced, were drawn up at the same time restricting the space to be allotted to each dwelling house to two cawnies, or about $2\frac{2}{3}$ acres. The above high rate of assessment was at first held to apply to all land, even that held for agricultural purposes, in the uplands of Todanad; but in 1836, at Mr. Sullivan's suggestion, the rates on cultivated land at a distance from Ootacamund were reduced to those paid by the Badaga, while those on land cultivated by immigrants within a certain definite area round the town, known as "the settlement of Ootacamund" were charged special double rates in view of the fertility of the soil and the proximity of the market for produce.

48. In January 1837, it having been brought to notice that the rates of quit-rent pressed heavily upon house-owners in Ootacamund, Government decided to charge Rs. 5—4—0 only for the first cawnie of any building grant and Re. 1—2—4 per cawnie for the rest of the land in it. In 1842 an elaborate manual of rules for the disposal of land was drawn up, but it did not come into force until the completion of Major Ouchterlony's survey in 1847. It provided for the grant of thirty years' leases of land for agricultural purposes and ninety-nine years' leases, renewable every thirty-three years, for building sites. Many conditions now rarely observed were inserted in these leases; one in particular provided that on their expiration the land, with the buildings on it, should revert absolutely to Government. Some modifications were introduced in 1858 and in the following year the redemption of the quit-rent, was allowed to be made at twenty (subsequently raised to twenty-five) years' purchase. This privilege was withdrawn, however in 1899.

49. (iv) *The waste land rules.*—The Government had for some time been desirous of introducing some method of auctioning land, but the abolition of the bhurty system already referred to was a necessary preliminary to any such plan. So long as large and indefinite areas could be claimed to be some one's bhurty and there was no evidence on the point one way or the other except the testimony of the claimant's relations and friends, the bhurty system was at length done away with, the waste Land Rules of 1863, which had long been under discussion, were introduced (waste land being defined as that in which no rights of private proprietorship or exclusive occupancy existed) and an Act was passed to facilitate the disposal of claims to areas put up for sale under them. They provided that land applied for was to be demarcated and surveyed and then sold to the highest bidder subject to an upset price to cover the cost of survey and to an annual assessment of Rs. 2 per acre for forest land and Re. 1 for grass.

50. The Waste Land Rules 1863 once introduced, it was laid down that no one, European or native, could thenceforth obtain a grant of any land by any other means.

51. In 1871 the rate of Re. 1 per acre for grass land was reduced to 8 annas and the assessment on forest land was remitted for the first five years from the date of purchase on the Nilgiris and for the first three years in the Wynaad (where coffee came to maturity more quickly) so that buyers should have to pay nothing for their land until it was bearing a crop. In 1874 grass land taken up for tea or firewood plantations was similarly exempted; in 1883 this concession was extended to land acquired for coffee or cinchona also; and

in 1904 to any special products of economic importance which might be specified by Government. In 1899 the rules were partly revised, and special conditions now govern the acquisition of land within the limits of Ootacamund and Coonoor.

52. (v) *Survey and Settlement.*—In 1881 the survey was followed by a settlement. This was conducted by Mr. (later Sir Ralph) Benson, I.C.S.

53. The settlement had to deal with condition of things differing widely from the normal and consequently its methods were quite unlike those of the ordinary settlements on the plains. Soils were not classified, nor were the existing rates of assessment altered. The work consisted chiefly in the revision of the revenue accounts and the proper entry in them of all land in occupation and the assessment chargeable thereon. A set of rules governing the procedure to be followed was drawn up by the Settlement Commissioner and the MODUS OPERANDI was briefly as follows :—

- (1) Each nad or division was sub-divided into villages of convenient size for administrative purposes, natural or well known boundaries being adopted as far as possible, and due regard being paid to area population, revenue and such like matters. The four nads were thus split up into thirty-six villages,
- (2) A map of the village was then obtained from the Survey Department and the fields were numbered consecutively.
- (3) With this map and the survey registers relating to the lands in the village and with the assistance of the revenue officials, a preliminary inquiry was made into all matters in dispute connected with the survey or settlement, and with the registration of transfers of pattas, applications for land, improper inclusion of forests, in private holdings, statistics of cultivation, etc.
- (4) Grants of land applied for under the Settlement Rules were disposed of, or if necessary reported to the Collector or Government. Village grazing lands were selected and set apart; reserves for roads, streams, swamps and forests, not previously made were selected and recorded. Lands available for sale were also selected and recorded.
- (5) Government lands claimed without title were inspected and the necessity (or otherwise) of re-settling the claim was considered. Where valuable forests were included in private holdings the rights of Government were asserted, and where large excess areas were included and there appeared no objection to the occupation of lands, a patta was issued on such terms as to future assessment and payment of arrears or penalty as was considered reasonable, the Collector being consulted in all important cases. Inam lands were dealt with in accordance with G.O. No. 212, dated 11th February 1884.
- (6) The distinction between lands registered in the Collector's office and in the karnam's was abolished, and all the lands (including many which had previously escaped registration altogether) were entered in the one village register.
- (7) Brief descriptive memoirs of each important estate were then prepared in communication with the proprietors.
- (8) A complete scheme for the revision of village establishment which was senty till then was prepared by the Settlement Officer and sanctioned by Government; and the Village Cess Act of 1864 was specially extended to the district by Act I of 1883. Certain modifications of the scheme were made in 1895.

54. The revenue settlement of the escheated property² was carried out in about 1806, shortly after the death of the rebel, by Mr. Warden, the Principal Collector of Malabar, within which district the Nilgiris-Wynaad then lay. His method consisted in ascertaining by experiment the produce of seed sown in each amsam (in the Nilgiris-Wynaad this was fixed at nine-fold); finding out the number of potis of seed per acre which was sown by the ryot (a poti equals 30 seers); multiplying this by the figure nine (the multiple outturn) to get the gross produce; deducting therefrom three potis per acre for cultivation expenses; dividing the remainder equally between the ryot, the janmi and Government; and commuting the Government's, one-third at rates varying with local circumstances. The obvious disadvantages of this method were that it was impossible to find out how much seed really was sown, that the figure of multiple outturn was the same for all soils—good, bad or indifferent—in each amsam; and that the commutation rates varied at the will of subordinates. Partly to meet these drawbacks, the amount of seed sown was allowed to be arbitrarily assumed and lowered or raised according to local circumstances, such as the poverty of the land or its liability to damage by elephants; and the commutation rates were fixed for each amsam. But clearly these steps did not remove the objections to the system, for the amsam officials who were left to fix the amount of seeds sown were often themselves large proprietors who were interested in putting it as low as possible, and it was not fair to have the same commutation rate for remote villages as for those near large centres. Eventually the assumed amount of seed sown was gradually

1) Chapter VI P-67 Manual of Revenue Settlement Department, 1952.

2) G.O. 1029, R, dated 17-9-1886.

tax on occupation, as in other settled districts, was substituted for one on cultivation, or rather on the extent of cultivation returned by an inadequate and badly paid subordinate revenue staff.

63. The net results of the settlement, which was concluded early in 1887, were as under: On wet land, the extent assessed, the assessment, and the janmabhogam were raised by 68,327 and 284 per cent, respectively, on estates by 784, 61 and 9,385 per cent respectively, on dry holdings other than estates by 22,187 and 2 per cent, respectively and on all descriptions of land taken together by 403, 139 and 225 per cent, respectively. The settlement was to remain in force for the usual period of thirty years.

64. One important feature of the above settlement was pattas were granted to actual occupiers and an attention was paid to the janmis who had absolute proprietary right in the soil. This was the cause for the failure of the scheme, even before it had been given effect to.

(viii) *Court decision on Janmam right.*—

65. *In Secretary of State vs. Ashtamurthi* (1) (reported in *I.L.R.* 13 *Mad.* 89). which was decided on September 19, 1889, by Parker and Shephard, JJ ruled

- (1) that where land was private property as in Malabar, the right of the Government was limited to that of charging the proprietor with revenue,
- (2) that the Malabar Pattadar, unless a janmi, was not a landholder within the meaning of the "Revenue Recovery Act"
- (3) that the practice of granting cowles to cultivators without the janmi's permission was illegal; and
- (4) that the Government had no right to effect a settlement with the Janmi's tenant, as if he was the proprietor.

66. These results of the decision have been acknowledged in G.O. No. 1902, Revenue, dated 1st November 1926, which introduced resettlement in Wynaad. In that case, the plaintiff as uralen of a certain devaswam, was a janmi. The Collector of Malabar, granted a patta to the 2nd defendant, who held under a cowle from him. Patta was granted without the knowledge of the janmi, The pattadar having defaulted, the land was brought to sale under the provisions of the Revenue Recovery Act, 1864, and the land was purchased by the 3rd defendant at the revenue sale. The suit was to set aside the sale. The court held that the interest of the janmi did not pass by the sale. It appears that the patta itself had been granted subject to the right of the janmi. A mass of evidence was examined in this case which covered the period between 1792 to 1859. The Government which was the 1st defendant, alone resisted the suit, but unsuccessfully. It was admitted that the land in Malabar was private property, but the Government contended that co-existent with the proprietorship of the janmi was its right to allot to any person, not the proprietor of the soil, the right to cultivate any waste land in the janmi's estate which was capable of cultivation, but which the janmi had not cultivated. The right was sought to be founded upon the right of the State to derive a revenue from all land cultivated or capable of cultivation. The contention was rejected except that the Government had the right to charge revenue but to do no more in respect of the private property of the janmi in the soil. It is well worth extracting some of the important observations from the decision. Parker J., one of the learned Judges says:

"The evidence shows that the Janmis or the proprietors of the soil in Malabar have long been in the habit of leasing out the greater portion of their estates to kanomdars who are thus in the immediate occupancy of the greater part of the soil. This was the state of things at the time of Hyder's conquest (Exhibit XIV) and the British Government is stated to have continued the practices of the Mysore Government in settling the assessment with these kanomdars. At the annexation of Malabar in 1799 the Government disclaimed any desire to act as the proprietor of the soil and directed that rent should be collected from the immediate cultivators as decided in *Triambak Ranu vs. Nana Bhavani* (1) and *Secretary of State vs. Vira Rayan* (2), thus limiting its claim to revenue. Further, in their despatch of 17th December 1813 the land to confer, with the exception of some forfeited estates. This may be regarded as an absolute disclaimer by the Government of the day of any proprietary right in the janmis' estates and is hardly consistent with the right of letting in a tenant which is certainly an exercise of proprietary right."

67. It seems the first trace of the assertion of the right of the Government to allot to any person the right to cultivate any waste land in the janmi's estate was made in 1827. But

12. From H.C.R. 144. 2. I L R 9 *Mad.* 175.

with reference to the specimen cowle submitted in September 1827 by one Mr. Sheffield, the Revenue Board said:

"The Board conclude that the form of cowle which the principal Collector has forwarded is intended for unclaimed lands considered as belonging to the Circar; and that the expression 'you will be held accountable for the Janmakars' or proprietors' share of the produce is only meant to intimate to the occupant that when his assessment comes to be fixed, he will be regarded as a mere tenant, not as proprietor, and will have to pay the whole of his landlord's rent to the Circar."

68. The Board of Revenue did not consider that the Government had power to grant cowles for other than unclaimed lands which were at the disposal of the Government. It was pointed out by the learned Judge that this was consistent with the despatch of the Marquis of Wellesley and that of the Court of Directors of December, 1813, as would be seen from *Triambak Ranu v. Nana Bhavani*. So it was clear to the learned Judge that till 1829 the Government had not asserted the right which it claimed before the Court. In November 1841, one Mr. Conolly referred to the impropriety of the Government issuing cowles for the cultivation of lands which were not their property, but he justified the issue of cowles on the ground of convenience, but not of legal right. In 1846 the same officer is said to have written thus:

"The Government have no where so thoroughly relinquished their claim as sovereign as to leave it in the power of any proprietor to leave his ground waste to the detriment of the public interest. . . . If a landholder will not cultivate his waste the Government consider themselves at liberty to get some one who will, reserving always to the said landlord the share of the produce which his right as proprietor entitles him to according to the usage of the country."

69. Parker, J., commented that here was the first trace of the claim of the Government together with the underlying fallacy that the janmi's rights were to a share in the produce only and ignoring his right as proprietor to the soil itself. Mr. Conolly went further in 1850 and instructed his Tahsildars that Government gained nothing in recording the name of the Janmi in the Cowle. Parker, J., observed with reference to that that nowhere Mr. Conolly gave reasons for the opinion advanced by him that it was not within the power of a private proprietor to leave his land waste to the detriment of the public revenue. The learned Judge reviewed the specimen document and then said:

"I have now reviewed all the documentary evidence on the record as to the origin and existence of the alleged custom, and I find nothing, whatever to show that the right now contended for has ever been formerly claimed in any general notice or proclamation and the whole evidence tends strongly to show that the claim in its present form was first advanced by Mr. Conolly in 1846 and apparently originated in his zeal for the public revenue and for the reformation of the Maplahs of Malabar. . . ."

"It appears to me that Mr. Winterbotham's evidence proves not that the right claimed by the Government has been acquiesced in, but that janmis have, as a rule, taken steps to assert and preserve their right of property when brought into peril by the action of the Collectors."

The Government bases its claim neither upon legislation nor upon judicial decision, but upon customary law. . . . It is admitted that the janmi is really proprietor and that he can oust any person holding a patta from Government and retain the land himself subject only to his liability to pay the revenue. He, therefore, is and has a legal right to be the landholder within the meaning of Section 1 of the Revenue Recovery Act. It, therefore, appears to me that where land is private property, as in Malabar, the right of Government is limited to that of charging the proprietor with revenue. If the proprietor does not pay the revenue assessed on his land, his proprietary rights can be determined under the provisions of Act II of 1864, but the Government is bound to proceed to determine his interest in a manner which the law recognises."

The other learned Judge while agreeing with Parker, J., stated:—

"By the mere fact of a cowle being given and taken, no benefit accrues to the grantee in his relations to the janmi, and conversely the janmi is in no way prejudiced. . . . The rights of the janmi are certainly not less extensive than those of the mirasidar. . . . It is quite true, as was insisted in the argument, that the land is security for the revenue but a security pre-supposes an obligation, and unless, therefore, an obligation has been imposed on the landholder, it is difficult to see how his interest in the land can be affected. The right of the Government is only a right to a charge on the land and a right to forfeit by due course of law the title of the person holding the land who does not pay the charge."

This decision clearly established that where the land was private property as in Malabar, the right of the Government, was limited to that of charging the proprietor with revenue. This and the other propositions established by this decision, which we have already noticed, as reported in G.O. No. 1902, Revenue, dated 1st November 1926, have firmly been kept in view in the subsequent revenue proceedings. Immediately

so reduced by the amsam officials that it came to only one-half (or even one-fourth) of the actuals, and the Government share of the crop was diminished in proportion. Subsequently janmabhogam was separately assessed on land which was Government Jenmam and in 1860 the rate of this was fixed at 8 annas per acre on all occupied land, whether it was cultivated or not. Juggling with the figure by the amsam officials however, resulted in even this fixed payment being much reduced in practice.

55. Dry land was not assessed until 1863, when it was charged Rs. 1-4-0 per acre when spasmodically cultivated or 10 annas per acre if held permanently. The Government Janmabhogam on this was again fixed at 8 annas per acre. In 1860 land cultivated with coffee was assessed at Rs. 2 per acre from the third year after planting, plus the usual Janmabhogam. The South-west Wynaad was transferred to the Nilgiris District in 1877 and these systems continued until the present settlement was begun in 1886.

56. The first survey of the Wynaad was begun in 1859 and carried on in a fitful and desultory manner under the supervision alternately of the Settlement Department and the Collector of Malabar until 1870, when it was made over to the Survey Department. It was completed in 1879 and was brought up to date in 1886.

57. (vi) *Jenmam right*.—Hill forests and unoccupied tracts which in Wynaad constituted the greater part of escheated property, remained undefined, but as time went on, and some lands were developed, there were encroachments by private persons as setting up vague claims to jenmam right. In the year 1883 Mr. A. E. C. Sturat, I.C.S. was deputed to Wynaad with a definite mandate to restrict his operations to the enquiry into titles.

58. The results of the enquiries then made all go to show that there is reason for supposing that janmam right above the ghats was a creation of British Administration and due to insufficient knowledge among the earlier officers of the true position of affairs. However this may be, the net up-shot of the enquiries was that, of the three amsams comprised in the Nilgiris Wynaad, Nambalakod was declared to be the janmam property of the Nilambur Thirumalpad and 27 per cent of Munanad and 1 per cent of Cherankod to be similarly the janmam land of the Wandur Nambudripad, the Nellialam Arasu and two other smaller proprietors. The Ouchterlony Valley is also the janmam property of the Nilambur-Thirumalpad.

59. (vii) *Resettlement of Wynaad*.—The necessity of permanently securing the results of the escheat enquiry by the preparation of regular and complete land registers of the usual kind led to the resettlement of the Wynaad. On a scheme submitted by Mr. Stuart in 1885 the principles of the settlement were resolved upon, according to which taxation on the basis of cultivation was abandoned in favour of an assessment, on occupation. But it was decided that the settlement, like that of the Nilgiris Hills, should be an entirely special one, the soil being roughly arranged in classes or tarams and a scale of rates applied thereto separately for wet and dry lands. The patta was to be a mere note of the revenue and was to be issued in the name of the person, whether janmi or not, who in virtue of occupation, paid the tax. The scheme included the ordinary system of darkhast and relinquishment. It seems even prior to 1885 a rate of 0-8-0 as Janmabhogam was charged which is referable to the property right of a janmi, which stood transferred to the Government either by escheat or by other process. This charge was continued. Unlike in the usual ryotwari scheme of determining assessment, in fixing the rates, no attempt was made to estimate yield or cultivation expenses or to base the assessment upon any definite proportion of the net produce. Generally speaking wet lands (i.e.) paddy fields or swamps (viz., Nilam, Kandam, Vayal, Kolli) were charged on a scale of 9 rates rising from annas eight to Rs. 2-8-0 (though no land qualified to be placed under the two highest rates) and the soils would appear to have been classified in classes, sorts or taram to correspond with the money rates. There was no classification of the irrigation sources as none was maintained by the Government. Dry lands were not classified on the basis of soil and placed in tarams but were arranged in four classes assessed at four different rates ranging from annas eight per acre to Rs. 2 per acre. The highest class included forest lands and coffee and cinchona cultivation. The other 3 classes of dry lands were (i) superior scrub (ii) inferior scrub and best grass and (iii) inferior grass. Special rates were fixed for estates held under private janmis or acquired in good faith from private janmis, who

had been ousted by Government *at the* escheat settlement. Land under actual cultivation was charged Rs. 2 per acre and what is called a pepper corn charge of six pies per acre was charged on the unplanted portion. Estates held on Government patta were also charged the proper rate per acre on the whole area occupied, whether cultivated or otherwise, in addition to the usual Janmabhogam. The assessment was fixed not on the basis of the net produce on a field-war taram classification, but the lands were broken into fields and a low rate of assessment fixed according to the whole area of the block. There were three classes of lands: (1) cases where the holders declared that they had no Janmam right and admitted that of the Government in virtue of escheat, (2) cases where persons claimed to exercise in escheat lands Janmam right as trustees or on behalf of temples and similar institutions and (3) cases of estates and grants of mining rights acquired from reputed janmis in lands which were, or could be, proved to be escheat lands. In the first case, the parties in occupation were to be confirmed on a charge of Janmabhogam. As to the second, it was found that it was a more difficult case, as the claims of alleged janmis were ill defined as to the extent of the land and very slight and uncertain evidence was available as to the status of the parties. The Government approved the scheme of Settlement and directed that the Settlement Officer should endeavour to effect an arrangement under which the indefinite claims to Janmam right in large tracts of land should be abandoned, the temples receiving in lieu a specified grant of land or of land revenue as service inam of the ordinary kind. Where, however, Janmam rights of temple or temple trustees were approved, they would be registered like private Janmam rights. In the last case, the observation was that in many cases the original title of the reputed or pretended janmis was baseless, and in some cases even fraudulently asserted. In view of this, the Government stated:

"To enforce upon the present proprietors the Government claim to full Janmabhogam on the whole extent of these properties would possibly be inexpedient, and would convert the settlement, intended for the quieting of titles, into a general disturbance of them. The amount of Janmabhogam at stake is too small to make it worth while to do this."

60. And so the Government's direction was that where the land could be shown to be escheat, the person next in title to the original false Janmi should be required to attorn to Government and to pay to it as Janmabhogam whatever sum, if any, was payable under the existing covenants to the Janmi against whom the claim of Government by virtue of the escheat could be asserted. We find from the first of the said Government orders that the question of Janmabhogam was independent of revenue (Assessment). It was also pointed out that Janmabhogam was independent of revenue (Assessment). It was also pointed out that Janmabhogam, wherever imposed and in whatever manner assessed, would be redeemable by a lump payment as under the then existing orders. Reference was also made to the existence of private property in Janmam lands and or subordinate tenures. In view of this and other special features, the Government concluded that the proper course was to make the settlement of Wynaad an entirely special one, as was done in the case of the Nilgiris Hills, the soils being roughly arranged in classes or tarams and a scale of rates applied thereto.

61. The Government did not, however, accept the Revenue Board's proposal that all cultivable waste lands belonging to Janmis should be assessed to land revenue. This was because, according to the Government Order, the land revenue was the Government's share of the profits of cultivation and could not fairly be assessed on land which was unoccupied and which nobody wanted for that purpose. Further, the Malabar custom, which the Board had referred to, went against than in favour of their argument. The Government added:—²

"The patta under the new settlement of the Wynaad will be merely a note of the revenue payable to Government and should be made in the name of the person who in virtue of occupation pays that revenue. Such person will not necessarily be the Janmi nor the actual cultivator. The occupant will be the person who has the control over and possession of the land, and the buildings and crops upon it which are the security for the public revenues."

62. The systems of darkhast (application) and razinama (relinquishment) were introduced at this settlement. Government Janmam lands, whichever wet or dry, were charged Janmabhogam at the rate of eight annas per acre in addition to assessment. Land held under the waste Land Rules was not affected and estates held on Government patta were treated like ordinary land. The fundamental alteration in the existing system was that a

1. Page 8 G.O. No. 1049 Revenue, dated 19th September 1884.
2. Para 4. G.O. No. 611, Revenue, dated 22nd July 1886.

after the decision, the Government by G.O. No. 1152, Revenue, dated 3rd November 1891, ordered that Wynaad survey and settlement should be revised in such a manner as to conform with the law and laid down by the High Court, fresh pattas being issued to janmis. As a matter of fact, a proclamation to this effect was issued with G.O. No. 346, Revenue, dated 27th April 1893.

70. Investigation of Janmi's title was directed and the progress of the work was pushed through. The possibility of the janmi refusing registry and of a tenant being registered in his stead was effectively countered by the Janmam Registration Act, 1896. Pattas were later issued to Janmis, but it is significant to note this in G.O. No. 1902, Revenue, dated 1st November 1926:

"This brought up the question whether the janmi could relinquish cultivation whether by himself or his tenant and with it the liability to pay assessment, without surrendering his janmam right. The Board considered that in such a case, an out and out relinquishment of Janmam right should be made, but in G.O. No. 250, Revenue, dated 11th June 1896, the Government decided that relinquishment without surrender of janmam right might be accepted provided that the land was not taken up for cultivation in the year following relinquishment and that notice of relinquishment was given before a prescribed date."

71. The settlement with the modifications made necessary by Secretary of State v. Ashtamurthi (1) which took effect some time in 1897 left undisturbed the janman tenure of the lands and the janmis as absolute proprietors of the soil. This is evident from the following observations at page 70 in the Manual of the Revenue Settlement Department, Madras, published by the Government in 1952:

"The registration of the janmi as the 'landholder' being compulsory at law, settlement with him was the only legal course. At the same time, Government desired it to be widely made known that the principle of settlement which was finally adopted did not in any way affect the land tenures obtaining in the district; that it would not in any way disturb the prevailing relations between landlords and tenants nor prejudice the proprietary rights of land owners. On the one hand, the clear and unequivocal registration of all janmam titles will facilitate the realisation, in a manner recognised by law, of the revenue to which Government is entitled. On the other, the adjustment of terms between landlords and tenants and the modifications thereof inevitable on the introduction of settlement will as heretofore, remain matters of contract; but uncertainty of proprietary right and consequent grounds for litigation will be minimised, the security of landlords and tenants alike being thereby promoted."

72. (ix) *Introduction of Re-settlement in the Wynaad.*—The resettlement was introduced in 1826-27 limiting the enhancement of the rates to 18½ per cent as decided on policy in G.O. Ms. No. 924 (Revenue), dated 18th June 1924. The special features of the re-settlement are that lands 'known' as 'Government Janmam' and 'private janmam' at the original settlement were classified as 'new holdings' and 'old holdings'. On all lands on which janmabhogam was collected and on all Government assessed waste lands, the taram assessment and janmabhogam were amalgamated and a consolidated assessment was fixed. All future assignments of Government waste lands were to bear these rates. Private Janmam wet lands and Government janmam wet lands were registered as 'permanent wet' and failure to cultivate such lands could not create any right to remission of assessment on them unless their registered holders had relinquished before the prescribed date all their rights in them. Power was reserved to the Collector to transfer to Permanent wet during the currency of the re-settlement, if any land qualified for such registry. With reference to dry lands private janmam lands under regular occupation from year to year and Government janmam lands were classed as 'developed' and all other lands as 'undeveloped' for the purpose of assessment and a consolidated rate of assessment took the place of the charges separately made under the heads 'taram assessment' and janmabhogam paid in respect of Government lands. A Pepper corn rate of 6 pies per acre was continued to be levied "on private janman undeveloped lands not comprised in estates".

(x) *Implementation of the Tamil Nadu Janmam Estates (Abolition and Conversion into Ryotwari) Act, 1969 (Act 24/1969).*

73. In pursuance of the policy to abolish all intermediaries between the Government and the actual cultivators, like the Zamindari, legislative measures have been under taken and all such lands have been converted into ryotwari by the grant of patta to the

(1) I L R 13 Madras 89.

(2) Statements of Objects and Reasons L.A. Bill. 4/69 Part IV section —3. Fort St George Gazette Extraordinary, dated 28th January 1969.

persons in actual occupation. But the janmi system has remained unaffected by this legislation. This is the only tenure prevalent in this district. According to the definition of "estates" in Article 31 A (a) (a) of the Constitution, the janmam right prevalent in the States of Tamil Nadu and Kerala also constitute an estate. The question of abolishing this special tenure in Gudalur taluk and introducing ryotwari settlement had been engaging the attention of the Government for some time. The Revenue Divisional Officer, Gudalur, was directed to make an enquiry in the matter and to submit a report. After considering the report in consultation with the Board of Revenue, the Government decided to abolish the system of janmam tenures in the Gudalur taluk on payment of compensation to the janmis at the rate of twenty times the average net annual income derived by them from the janmam estate. The janmi and the verumpattamdar will be entitled to ryotwari patta for any land on proof of personal cultivation for three agricultural years. If no janmi or verumpattadar is entitled to patta any other person who has cultivated the land for three agricultural years will be entitled to ryotwari patta. Any person, other than the janmi, getting patta will be liable to pay to the Government contribution at the rate of twenty times the difference between the fair rent and the land revenue. The provisions of the Act are almost based on the earlier Abolition Acts implemented for abolition of Zamin, Inams, Under Tenures, Leaseholds and minor inams. Even before the Act came into force, some of the Janmis and lessees of plantations filed W.P. 64/70, etc., in the High Court of Madras. By a common judgment, dated 26th October 1970, a Division Bench of the High Court upheld the Constitutional Validity of the Act. The High Court refused the main contention of the petitioners that by effecting settlements and re-settlements, the janmam tenure was put an end to and that, therefore, there was nothing to be abolished under the Act. This decision was taken on appeal to the Supreme Court of India in C.A. Nos. 2211/70, 2212/70, 85-91 of 1971 and W.P. 373/70. The constitutional Bench of the Supreme Court delivered a common judgment on 19th April 1972. The Supreme Court upheld the Constitutional Validity of the Act except the vesting of forests under Section 3 of the Act. In coming to this conclusion the Supreme Court held that though forests would vest with the Government under Section 3 (b), the further purpose after such vesting and its utility had not been indicated to term such a vesting as for purposes of agrarian reforms.

74. Since a major portion of the area constitutes forests, the State Government recommended to the Central Government that to save the Act from the judicial impact it should be included in the Ninth Schedule to the Constitution. Accordingly the Act was given constitutional protection from judicial scrutiny and the date of coming into force of the Act was also notified as 27th November 1974. Again some of the lessees of plantations in this area have filed a batch of writ petitions and have secured stay of the operation of the Act. These writ petitions having been dismissed by the High Court survey and settlement operations have been taken up.

75. (xi) *Freehold and Leasehold Lands.*—The freehold tenure which emanated from the orders issued by the Government in G.O. No. 1053, Revenue, dated 5th August 1859 exists in Nilgiris district also. The lands are held in absolute freehold, though ryotwari in character, but with no liability to pay any assessment on the lands. There are other lands granted in title deeds under the Waste Land Rules of 1863, payment of the annual assessment on which had been redeemed on payment of a lumpsum equal to 25 times the said annual assessment, and held for ever free from all demand on account L.R. on the part of the State. The extents of such freehold lands are given below:—

Name of the area.	Extent.
(1)	(2)
	H.C.
Ottacamund town	322-24
Nanjanad	15-79
Thuneri	3.00
Mullyur	2.40

1. (1971) I. M. L. J. 255

2. A I R 1972. S. C. 2240

Coonoor Taluk—

Bujar	..	..	..	..	..	..	0.03
Yedapatti	..	..	..	..	..	..	1.01
Kodanad	..	..	..	..	..	..	15.14
Kotagiri]	..	..	..	..	..	..	41.79
Ketty	..	..	..	..	..	..	244.34
Coonor Town	..	..	..	..	..	..	41.15
Coonoor village	..	..	..	..	..	..	12.62
Hulical	..	..	..	..	..	..	17.12
Total	..	..	..	..	..	..	<u>716.63</u>

All these lands find place in the Chitta and R.S.R. with the description as "absolute freehold".

76. In Coonoor taluk, there are lands held on long-term leases. These land will, at the expiry of the lease period, be resumed and reassigned on appropriate ground rent following the procedure prescribed by the Government in G.O. No. 4615, Revenue, dated 20th December 1956.

COIMBATORE DISTRICT.

COIMBATORE.**I (a) Physical Description:**

1. Coimbatore is an inland district in the southern part of the peninsula. It is bounded on the north by the Karnataka State and Salem district, on the east by Salem-Tiruchirappalli districts, on the south by Madurai district and Kerala State, and on the west by Kerala State, Nilgiris district and Karnataka State. The Nilgiris which at first formed part of this district was constituted into a separate district in the year 1868. Karur taluk was later transferred to Tiruchirappalli district in the year 1910. Thereafter the district consisted of ten taluks till the reorganisation of the State in November 1956, when Kollegal taluk was transferred to Mysore (now Karnataka) State. It consists of nine taluks now.¹ On the north the district is bounded by the hill ranges of Gobichettipalayam and Bhavani, on the north-west, west and south it is shut in by the Western Ghats, comprising of The Nilgiris in the north and the Anamalais in the south. In Between those ranges there is a pass to the west coast known as the "Palghat Gap". The other hill ranges are Vellingiris, Sholakarai, Bolampatty, the Lambton peak and the Hassanur, Bargur and Palamalai hills. The chief rivers of the district are the Cauvery and its tributaries (viz.) the Bhavani, Noyyal and the Amaravathi. The district is exceptionally dry with scanty rainfall, uncertain and ill distributed. The ground water table is very low, the subsoil being impermeable rock with consequent scanty recharge. This subsoil water tapped through wells affords an insurance to the crops in this otherwise drought prone area. The climate of the district is affable, situated as it is in a plateau at an elevation of 1,000 to 1,200 feet above M.S.L., except the eastern taluks which do not have the benefit of the westerlies through the Palghat gap.

1(b) Economic Conditions:

2. The area of the district is 6,024 square miles, of which the cultivated area in 63.50 per cent.

The population as per the 1971 census is—

Urban	...	...	...	...	...	...	...	...	1,556,242
Rural	...	...	...	...	...	...	...	...	2,816,936

The strength of cattle wealth is as follows:—

White cattle	...	...	...	...	...	...	...	11,06,639
Black cattle	...	...	...	...	...	...	...	3,64,629
Sheep	...	...	...	...	...	...	...	8,17,807
Goat	...	...	...	...	...	...	...	3,35,316
Pigs	...	...	...	...	...	...	...	42,144
Poultry	...	...	...	...	...	...	...	8,58,731

6,965 villages and towns have been electrified besides 2,779 harijan colonies.

I (c) Irrigation:

3. The following irrigation sources serve this district:—

- (1) The Cauvery
- (2) Bhavani
- (3) Amaravathi
- (4) Aliyar
- (5) Noyyal (Jungle stream)

¹ Manual of Coimbatore District by F.A. Nichols on 1887.

the fourteenth Century, the Kongu Country was ruled in parts by the Pandyas, Hoysalas and the Cheras (from A.D. 1276 to 1342). The extension of the empire by the Delhi Sultanate enveloped this Kongunadu also and later it passed on into the hands of Vijayanagar empire which also met with its eclipse in due course. Subsequently the district with other territories was subjected to the rule of Nayaks from Madurai who in turn were expelled by the Wodaiyars of Mysore. In the meanwhile, Mohamadan rulers assumed power in various parts and this area was also subjected to their depredations. The three Mysore wars have had their own impact on the fate of this district and the native rule thereon due to intrigues made by the Britishers. Finally when the British entered into a treaty with their allies the country came to be divided. The British share comprised the whole of Kanara, Wynaad, Coimbatore, Dharapuram and the greater part of Salem. It was by this division, Coimbatore passed on to the possession of the Britishers which ushered in an era of peace.

III. Early Land Revenue Administration.

18. Under the native rule, land was the main source of King's revenue, though they collected a number of other taxes and duties such as customs, octroi, profession tax, fines, dues from mines, forests and salt pans. Collection was made by the King's officers direct, while land revenue alone was realised through 'Sabhas' or village communities. During extraordinary occasions such as war, war levy was also collected. The State seems to have realised something well over 40 per cent of the gross produce as land revenue, while on temple lands, the tax was restricted to a third of the gross product. The peasant proprietors held their lands on ryotwari tenure, while other tenure holders held their lands either as tax free inams or as quit rent inams or under feudal tenures, as the case may be. The system of tenancy was well known and the tenants paid the landlord the fixed melwaram determined in advance and retained the balance as their share after payment of cultivation expenses and any other minor dues assessed on the land. Internal commerce was partly monopolised by the King. During the reign of Hyder Ali, he abolished the ancient system of division of produce and the payment of revenue in kind and introduced the system of survey of land and money assessment, which may be said to be, in a way, a precursor to our ryotwari system. He kept the village system in tact making use of the existing establishment of patels, karnams and talayaris. Tippu also continued the land revenue system of Hyder, but improved the system by fixing standard rent rolls for each village and made the ryots pay for all arable lands whether cultivated or not.

19. The administration by the British began in 1799 with the acquisition of this district from Tippu. Mr. Macleod and Mr. Hurdis were the first Collectors in charge of the northern and the southern groups of taluks, respectively. The Britishers were disposed to adopt, at the commencement, the ryotwari system already introduced by Hyder and Tippu. Surveys were conducted and lands in each village were divided into a limited number of classes based on their productive powers. The grain value of each field was determined with reference to the opinions of the Karnams and ryots and the Government's share representing half the net produce was commuted into money at the average price that obtained in the previous favourable seasons. The net result was, however, an increase in revenue over what lately obtained under Tippu's administration. Mr. Garrow who succeeded them in the year 1805 purported to rationalise the tax structure in both the divisions, gave some relief to highly assessed dry lands, but compensated it by levy of full assessment on grass rent lands which resulted in a net increase of nine per cent of the revenues. On this basis, village leases were concluded which was termed as the village settlement under which the ryots were jointly and severally held responsible for the revenue.

20. In 1808 a triennial lease system, consistent with the changed policy of the then Government, was introduced by which the assessment on each village as a whole was fixed for a period of three years based on cultivation and assessment figures of the

(1) Manual of Coimbatore District by F.A. Nicholson 1887.
(2) H.F. Clogstons proposals for a new settlement of land Revenue 1875
(3) Board's consultation vol 9-10, dated 7th May 1909.

previous years. But this proved a complete failure as it perpetuated a system of rack rent which led the district into utter exhaustion. When the most of the leases were to expire in 1811, the Britishers introduced a decennial lease system in this district which was also an extension of the policy then in vogue. While it was being introduced in 2/3 of the district, the Directors of the East India Company condemned the village system as unproductive and ordered to revert to the ryotwari system. Accordingly from 1815, the ryotwari system was introduced. It was given to Mr. Sullivan a dynamic Collector to introduce the ryotwari system in Coimbatore district. From 1815 to 1878, the year in which the modern ryotwari system was introduced, the old system gradually underwent changes in several aspects with such innovations as the Pattukat system which refused the ryot freedom of relinquishment, the adhoc reduction of assessments, remissions and cowles, grass rents and payments for wastes, the garden assessments, second crop assessment, takkavi and the dittam, the jamabandi and the patta.

21. The Patkat system introduced by Mr. Thackeray in 1818 is a departure from the field system of assessment to which the ryots were well accustomed. This system reckoned with the holding as the unit and not the field, each holding being reckoned as an "Estate". He felt that the ryotwari system had a variety of inequalities and errors which led to many fields being assessed either too high or too low. He also assumed that during the 15 years since the introduction of the first settlement, these errors were rectified by the ryots and officials chiefly in regard to the matter of grass and garden rents, so that the possession of lands favourably assessed was balanced by that of heavily assessed lands and vice versa. Believing that the existing demand of about 21 lakhs of rupees was as much as the district could pay, he proposed to limit it at that. He also thought that the existing inequalities could be set right by denial of freedom in relinquishment. This system with modifications was approved by the Board and Government. In 1832, Mr. Dorury, the Collector described that "a ryot whose means were known to be affluent could not throw up any part of his farm unless another ryot engaged to take it or he himself agreed to occupy other land paying equal rent; while a poor ryot was allowed to throw up the land, provided he gave up good and bad together, remissions being granted for waste land and under distressed circumstances". On a similar report sent by him in 1835, the Board ordered to put up all ryots, rich and poor alike, under the same rule which became extinct gradually by 1853. Reductions in assessment were periodically effected in Nanja, Punja and garden lands. Remissions covered many difficulties. There were the remissions on grass lands, second crop cultivation and other remissions necessitated by the Patkat and compulsory holding system for want of freedom in land relinquishment. There were also the remissions caused by the dittam system under which the ryot agreed to take more land than either the season subsequently permitted or he himself had stock and capital to cultivate. Under Mr. Sullivan remissions became the rule especially under the Patkat system then in vogue. He granted cowles of remission, temporary and permanent, due to the alleged pitiable condition of the ryots. In 1852, the Collector Mr. Thomas recommended remission akin to ryotwari system. However, the Board and Government preferred to adhere to the restriction of the Patkat system. They also laid down that except on particular occasions, the only cowles should be for the reclamation of waste and conversion of dry into garden lands, but even temporary remission became virtually extinct, though seasonal remissions continued.

22. The Collector Mr. Thomas reported in 1855-56 "the Coimbatore Settlement is now to all intents and purposes a permanent settlement under real ryotwari and I cannot honestly see what more could be desired for the ryot. He is certainly content..... his assessment is light, fixed, unvarying, on the soil not on the crop, he grows what he pleases without enquiry. His lease is permanent, it runs for as many years as he chooses unchanged, but he can reduce or enlarge his farm 'ad libitum' by simply making known his wish: any labour and capital he sinks in improvement is entirely untaxed, he reaps the whole benefit".

23. Grass rents are of two kinds (viz), (i) ayan pilluvari or panchama Hissa and (ii) pilluvari. The former was not an assessment, but a remission of three-fourth of the regular survey assessment of 1801 on 1/5th of the patta holding, while the latter was

There are a number of anaicuts constructed across these rivers to conserve water and serve the needs of irrigation. During the period of the first five-year plan the Lower Bhavani Project, the Amaravathi Reservoir scheme and the Mettur Canals were completed.

4. (1) *The Cauvery*.—There was hardly any direct irrigation under the Cauvery in this district, the reason being that it flows in rocky bed with a rapid fall until it passes Erode, till the river was tapped at Mettur Dam and a canal taken to serve a few villages in Bhavani taluk, which was taken up as a development scheme under the first five-year plan at a cost of Rs. 2.67 crores. The Mettur canal irrigates lands in Jambai, Kilbavi, Poonadhi, Ammapettai, Nerinjipettai and Chinnapallam villages. The entire length was opened for irrigation of its ayacut of 18,000 acres in 1955.

5. (2) *Bhavani*.—The Kalingrayan channel in Erode taluk taking off the Bhavani irrigates about 12,800 acres.

The Bhavani is a perennial stream which affords irrigation in this district from the Bhavanisagar Dam serving the Lower Bhavani Project area though the irrigation in its upper reaches is very meagre.

The following are the anaicuts on this river in its upper reaches:—

Kanniyampalayam Anaicut in Avanashi taluk.

Kodiveri Anaicut in Gobichettipalayam taluk.

6. The construction of the Lower Bhavani Project which was under contemplation for a very long time was sanctioned in 1947. This was intended mainly to irrigate Cotton in dry lands in Gobichettipalayam, Bhavani, Erode and Dharapuram taluks by a system of rotation. Continuous irrigation over a long period, spurred by the concessions extended under the Grow More Food Campaign has, however, converted the tract into wet. Seepage from the channels is mainly responsible for the change in the mode of cultivation. The total cost of the project is Rs. 9.5 crores. Supply was let out for irrigating an extent of 1,67,400 acres during 1955-56 and the entire ayacut was thrown open for irrigation during 1956-57. Some more schemes to utilise the waters of this river like the Nellithurai scheme are under investigation.

7. (3) *Noyyal*.—Then comes the Noyyal scheme. A dam put up on this tributary of Bhavani, provides irrigation for about 3,000 acres in Palladam taluk. The water from Noyyal is also utilised for irrigation in Coimbatore and Palladam taluks in its upper reaches (where 13,213 acres are irrigated from its seven anaicuts in Coimbatore taluk and 3,062 acres from its 17 anaicuts in Palladam taluk), mostly through storage tanks.

8. (4) *Amaravathi*.—Amaravathi is the next source of irrigation. It irrigates 7,317 acres through channels from eight anaicuts in Udumalpet taluk and 9,156 acres under six anaicuts in Dharapuram taluk. There is a proposal to tap it further down before its confluence with the Cauvery. The Amaravathi Reservoir Project has helped to stabilise this ayacut and to secure an additional 16,000 acres in Udumalpet taluk.

9. (5) Next is Aliyar river rising in the Anaimalais. It passes through Pollachi. Receiving supply from Uppar and Pallar, it enters Kerala State. It has five anaicuts in Pollachi taluk.

10. The Parambikulam Reservoir Scheme is one of the important national projects commenced in the Second Five-Year Plan for diversion of waters of the rivers flowing westward wastefully into the Arabian Sea. The waters of several rivers and hill streams are collected and diverted through contour canals to provide irrigation in this district. The waters of Aliyar are also harnessed to this scheme. The cost of the scheme is estimated to be Rs. 82 crores. This would irrigate 3,20,000 acres on a rotational basis and afford facilities for raising a second crop in 27,000 acres, besides producing electric power at a number of places.

11. There is also a proposal to divert the waters of Pandiyar and Ponnambuzha to serve Avanashi taluk so as to stabilise the ayacut under irrigation tanks.

12. Siruvani is another west flowing river whose waters are tapped for providing drinking water to Coimbatore Town.

13. Notwithstanding these massive projects, the district is prone to droughts and depends to a substantial extent on supplemental irrigation through private wells. Minor irrigation sources receive great attention. A special scheme called the "Kuttais Scheme" is carried out in this district. Water flowing in jungle streams is impounded under this scheme so as to charge the springs in the wells in the surrounding area and thus improve the water table.

I (d) Agriculture:

14. The following are the chief food and non-food crops cultivated:—

Paddy, Cholan, Cumbu, Ragi, Korra or Tenai, Varagu, Samai, Horsegram, Sugarcane, Cotton, Groundnut, Gingelly, Castor and Tobacco.

15. The ryots are very enterprising. The Agricultural University located at Coimbatore has done yeoman service to the cause of agriculture, particularly cotton and sugarcane in this district.

I (e) Industries:

16. Cotton is the major crop grown supported by substantial private wells and it contributes to the bulk of the prosperity of the textile industry. This district is considered as one of the most important textile production centres next only to Bombay and Ahmedabad, and is reputed as the "Lancashire" of South India. There are about 46 cotton spinning and weaving mills in the district, of which 36 are situated within a radius of seven miles in and around Coimbatore town, the salubrious climate being responsible for attracting the location of these mills, though hand spinning, the antiquated college industry, still flourishes. Handloom weaving is an important occupation in Coimbatore, Ondipudur, Sennimalai, Sivagiri, Satyamangalam, Dharapuram, Pulianpatti, Jalathur and Kundadam. Tirupur is famous for printing on clothes, besides production of hosiery goods like banians, etc., by knitting process. Bhavani is famous for the manufacture of all varieties of carpets. Metal industry, manufacturing electric motors, pumpsets and textile machinery spare parts, also occupies an important place. Basket making, mat weaving, production of palmyrah jaggery and coir yarn, sheep and cattle rearing are the various directions which provide occupation to the people in this district. The whole district is well served by roads and electricity. There are extensive Tea and Coffee estates on the Anaimalais. The Sakthi Pipes Factory near Pollachi, the A.C.C. Cement Factory at Madukkarai, the Viscose Factory at Sirumughai and the Synthetic Gem Factory at Mettupalayam are land marks in the industrial map of this district.

II. Political History:

17. Coimbatore (known as Kongu Nadu) like any other territory in South India, shared its fortunes in the early times with the rulers of Kongu Cheras, Rattas, Gangas and Cholas. The Kongu Cheras ruled till about 250 A.D. The Rattas ruled the district from 250 A.D. to 405 A.D. and the Gangas from 405 to 870 A.D. The Cholas came to occupy this Kongu Country and ruled it from 871 A.D. to 1275. It was under Chola administration that the district had its unique fortune. The Cholas ruled this part by entrusting all matters of their administration, including the administration of justice and police to local assemblies. These assemblies enjoyed complete political autonomy in local affairs. These assemblies were of four types (viz.), the 'Ur', the Sabha, the Nagaram and the Nadu. Under the Sabha system, the functions were carried through 'Variyams' consisting of the chosen few. The outlying parts of the extended empire in the Kongu country were ruled through Viceroys, who in course of time asserted their independence and came to be known as a distinct branch as Kongu Cholas. History reveals that from the last quarter of the thirteenth to the first half of

1) The Kongu Country by M. Arokiaswamy 1956.

the rental of the unoccupied waste lands not held by any ryot but let out for grazing purposes. In actual practice it was however found that one or two rich ryots took up all fallow lands at grass rent rates and kept them to the exclusion of poorer ryots. Regarding payments for waste, the rule under the former Government varied and Tippu appears to have ordered that all occupied land should pay full rate, the grass rent for unoccupied land being retained. This was changed by Britishers by allowing grass remission on occupied waste upto 1/5th of the holding, the remaining fallow being, after 1845, fully changed. However the grass remission on occupied land gradually decreased and was abolished at the settlement in the year 1878.

24. Next to this, the garden assessment based upon a share of the crop became an undue burden on the ryot, as he was forced to share with the Government the profit on his own capital despite the extra labour involved in well irrigation. This assessment averaged four times the assessment of dry lands. In 1833 the Collector Mr. Drury, proposed to settle the demand at the highest dry rate of the village upon gardens no longer cultivable as such and to treat only the area within the range of the well as garden land and to charge it garden rates, the rest being charged to dry assessment. This was approved with the slight alteration that the appropriate dry rate of the land should be charged at the discretion of the authorities but nothing tangible resulted. When Mr. Thomas became the Collector he took earnest steps over this by which a rule was passed in 1852, but given effect to in 1854, according to which all lands watered from new wells and all extra assessment on garden lands with ruined wells was struck off and even if the well was repaired no further charge was made. At the same time 13 per cent in the northern taluks and 15 per cent in the southern taluks were remitted on garden lands. Though the matter was again raked up for concession of 25 per cent on all old garden lands, the Government being not convinced directed that assessments should only be reduced in all cases to the highest dry rate of the village.

25. Next came the question of second crop cultivation. The principal sources of irrigation, there were the Bhavani, Noyyal and Amaravathi besides rainfed tanks. At settlement in 1801 a consolidated assessment was imposed on the greater part of the irrigated area under the rivers. But by 1832 the levy of a second crop assessment in cases where no second crop was raised was discontinued, save under the Kalingarayan channel. Two-third of the consolidated assessment was taken as representing the assessment on first crop and with the exception of lands fed by the Kalingarayan channel, the additional assessment was only levied in the event of a second crop being grown. The concession was even greater in some cases (viz.), for lands under the Noyyal the charge for the second crop was only imposed when the second crop was a duffasal crop, viz., arecanut, coconut, betel vine, sugarcane, turmeric or plaintains, a second crop rice being allowed free of charge, while for lands irrigated by the Kodiveri anaicut no charge was made except for lands under coconut and arecanut and this obtained till the introduction of original settlement.

26. Takkavi system was never much in vogue in this district. Also dittam and jama-bandi, which were annual settlements, the former was abolished in 1858, while the latter was continued. This old ryotwari system prevailed till 1874-1881, till the new system based upon a detailed survey and classification of soils had been taken up.

IV. CLOGSTOUN'S SETTLEMENT.

27. The survey was begun in 1860 which continued till 1867. Mr. Clogstoun, Settlement Officer, in 1875 submitted the scheme report for five northern taluks as fair samples. This was modified by Mr. Puckle, the then Director of Settlements and the Board and finally approved by the Government in 1878. Mr. Clogstoun had suggested the classification of soil in each field on merits while Mr. Puckle, a veteran and authority on settlement, favoured the block classification ignoring individual nicities. The settlement operations were completed for the entire district by 1881.

28. The following are the five classes of soils predominant in this district (i.e.) Black Clay, Black loam, black sand, red loam and red sand. These were divided into five sorts of classification. There were two dry groups, but three wet groups were made

(1) Memorandum upon current Land Revenue Settlement by E. Packer 1880.

with reference to the nature and quality of source of irrigation. Based on the typical experiments made for the determination of grain values of different soils, vis-a-vis the outturn regarding cumbu, cholam, ragi and paddy, the outturn of the following tarams were estimated:—

Taram.		Dry.	
	Outturn in M. M.	Taram.	Outturn in M. M.
(1)	(2)	(3)	(4)
1	1,200	1	250
2	1,000	2	225
3	900	3	200
4	700	4	175
5	580	5	150
6	480	6	125
7	400	7	100
8	350	8	100
9	300	..	..

29. Cultivation expenses were calculated with care. The grain valuation, cultivation charges and commutation rates having been determined, rates of assessment for wet and dry lands were arrived at. Wet lands under the Kalingarayan channel were registered as double crop wet, while option was given to the ryots in other cases to compound second crop charge at favourable rates.

30. There were nine rates varying from Rs. 12 to 2-8-0 in wet lands and eight rates varying from Rs. 2 to annas four in dry lands. This settlement disclosed an increase in occupied area of 6-1/2 per cent and brought an 8 per cent increase in assessment, the total cost of survey and settlement being Rs. 19,65,870.

V. RESETTLEMENT.

31. On the expiry of 30 years period, a resettlement was made in 1909-1912 in two parts based on the proposals of Mr. Lankashire, Special Settlement Officer. This included the settlement of 93 villages in Bhavani, Sathyamangalam and Coimbatore taluks and 50 villages in the Kollegal taluk which were left out at the original settlement. For the resettlement effected during 1909-1912 the rates of assessment on wet lands, worked out on revised commutation rates, exceeded the previous rates by 8 to 36 per cent, while actually the rates were flatly increased only by 15 per cent as noted below:— No general reclassification of sources was, however, made.

Taram.	Rates.
	RS.
1	13-12-00
2	11- 8- 0
3	9- 4- 0
4	6-14- 0
5	5-12- 0
6	4-10- 0
7	4- 0- 0
8	3- 8- 0
9	2-14- 0

32. For dry lands, the re-settlement commutation rates justified an increase by 17 to 54 per cent while the Government increased it by only 12 per cent or two annas in the rupee. A third dry group was inducted for villages located in Reserve Forests which came to

be settled for the first time. The special concession granted to certain jungle tribes to hold land at one-fourth the taram assessment was also continued in Coimbatore taluk where as a special case, the last two dry tarams, viz., 0-8-0 and 0-6-0 were kept unchanged.

Taram.	Rate.
	RS.
1	2- 4- 0
2	1-11- 0
3	1- 6- 0
4	1- 2- 0
5	0-13- 0
6	0- 9- 0
7	0- 7- 0
8	✓ 5- 0
9	0- 4- 0

33. The resettlement done at a cost of Rs. 9,50,106 resulted in 12 per cent increase of the total assessment (i.e.) Rs. 3.50 lakhs. (1)

VI. INAMS.

34. The settlement and re-settlement applied only to Government lands. They were not applicable to the inam, or palayam lands, Zamindaries being conspicuous by their absence in this district. They were settled at different times on different principles. The inams in this district were surveyed in 1801-1802 and enquiry into their titles was made between 1801 and 1805 and during this enquiry 1,16,000 out of 2,96,000 cawnies of inam lands were resumed treating the balance as having been held under valid titles and they were confirmed subject to a Jodi varying from 1/16th to 6/16th of their value. Thereafter the Inam Commission enquiry took place in 1858 when the remaining inams were all settled. There were only 13 palayams which were permanently settled in the years 1865-1871.

VII. HILL AREAS.

35. The present Anamalai hill Revenue village-No. 87-A covers an area of 152 square miles and abounds in tea and coffee plantations, besides chinohna, cocoa, orange, cardamom, pepper and rubber. It came into existence in 1931 by the bifurcation of No. 87. Kottur village and it is comprised in Valparai township. The assessment has been fixed at the rate of Rs. 3 per acre on developed lands and at the rate of 63 paise per acre on undeveloped lands assigned in this village under the plantation and waste land rules.

VIII. FREEHOLDS.

36. By virtue of the general orders of the Government issued in G.O. No. 1053, Revenue, dated 5th August 1859 remitting the grant of freehold or the commutation of the existing land tax on occupied lands on payment of 20 times the annual quit rent or tax, freehold tenure came to exist in this district also.

37. In Anamalai hills village, there are four freehold estates comprising dry lands of an area of 1945, 40 acres with the soil classified as 7-3-4 and assessed at Rs. 1-12-0 per acre. These lands figure in the chittah under the respective holdings, but no assessment is collected: only cesses are collected after remitting the assessment due.

(1) G. O. No. 1334, Revenue, dated 9th May 1914.

38. There are no intermediaries in these freeholds and the estate holders are enjoying the lands, Act 27 of 1973 brought out to abolish this tenure prevailing in the State is withheld from implementation for redrafting certain provisions so as to enable the grant of patta to the actual occupants.

IX. LAND TENURE.

39. As to land tenures, both fixed rent and waram rent were prevalent in this district. There is also the "Kootu" system prevalent in this district under which the landlord also works with the tenant and takes 1/4th more from the yield in addition to the usual half waram. There is also the system called "Kattuveli Bogyam" under which the land is mortgaged to a creditor for a stipulated number of years, the creditor cultivating the land, taking all the yield, having complete possession and paying all the taxes over the land. When the loan is supposed to be discharged by the yield of the land during the mortgage period, the land is returned to the landlord charging no interest on the loan. There is yet another system known as "usufructory mortgage" under which the mortgagor advances the loan over the land but allows the owner to cultivate the land on the execution of a lease deed for a rental equal to the interest on the loan. The leases for fixed and waram rents run for periods from 1 to 10 years or more. After the attainment of Independence several tenancy regulations were brought out to better the status of the actual tiller as dealt with earlier in Part IV and they equally apply to the tiller in Coimbatore district also.

Implementation of the provisions of the Tamil Nadu Estate (Abolition and Conversion into Ryotwari) Inam Abolition and Minor Inam Abolition Acts. (Acts XXVI of 1948, 26-63 and 30/63.)

40. The estate area in Coimbatore district can be said to be conspicuous by its absence in any noticeable size. Just the few estates and Inams that were taken over and settled did not invite any special attention. The Assistant Settlement Officer, Salem did settlement work in this district in the initial stages with a sub-branch settlement office at Pollachi. The remnants of work were taken over by the Assistant Settlement Officers at Erode and Coimbatore who were specially engaged to do revenue follow up in Erode, Bhavani and Gopichettipalayam taluks where resurvey of the ryotwari tract was done under the Metric system as also Avanasi taluk where intensive sub-division of fields was undertaken to eliminate joint holdings, both operations being entirely unconnected with estate settlement work.

41. Under the Tamil Nadu Estate (Abolition and Conversion into Ryotwari) Act, 1948 (Act XXVI of 1948) 12 Zamin Estates and 9 inam estates respectively were taken over and settled. These estates are confined to the Pollachi, Udumalpet and Coimbatore taluks. The two Inam Estates in Kollegal taluk were settled before the taluk was transferred to Karnataka State.

42. Under the Tamil Nadu Inam Estate (Abolition and Conversion into Ryotwari) Act, 1963 (Act 26/63) three whole Inam villages covering an area of 19.09 square miles were notified and taken over on 15th April 1965. Ryotwari Settlement has been introduced already in these estates.

43. Under the Tamil Nadu Minor Inam (Abolition and Conversion into Ryotwari) Act, 1963, Act 30/63, 987 minor inams spread throughout the district have vested on and from the appointed day (viz.) 15th February 1865. Ryotwari Settlement has been introduced in faslis 1379 and 1380 in these minor inams.

44. In the earlier paragraphs, the system of land revenue assessment was discussed in detail, during the native rule as well as during the period of Britishers. It was noticed that there was a re-settlement in 1910 in the taluks of Bhavani, Palladam, Coimbatore, Avanashi, Satyamangalam, Dharapuram and Karur taluks (of the present Thiruchirappalli district) for which the re-settlement notification was approved in G.O. Ms. No. 909, Revenue, dated 23rd March 1910. The remaining three taluks were covered by another re-settlement notification approved in G.O. Ms. No. 2990, Revenue, dated No. 329, Revenue, dated 8th February 1955. For estates settled under Act XXVI of 1948, Act 26/63 and 30/63, the rates contained in both the resettlement notifications were

adopted for the respective taluks. The settlement notification was approved in G.O. Ms. No. 329, Revenue, dated 8th February 1955 for estates settled under Act XXVI of 1948, in G.O. Ms. No. 1664, Revenue, dated 21st September 1967 for estates settled under Act 26/63 and in G.O. Ms. No. 1665, Revenue, dated 21st September 1967 for minor inams settled under Act 30/63.

45. All dry lands in the Ex-estate area were placed in dry group I and a special rate was levied on lands in the foreshore of irrigation tanks and on ayacuts of tanks handed over for private maintenance.

46. A comparison of the old resettlement rates with this would show that the last tarams 8 and 9 have been omitted under dry rates and special rates as no estate village deserved to be placed in dry groups II and III.

47. Irrigation sources were classified into three classes adopting the same classification as was made at the original settlement, with the same provision for composition of second crop charge.

- Class I—Rivers such as Amaravathy and channels and tanks fed therefrom which afford a steady supply of water in all normal years for two crops of paddy.
- Class II—Rivers such as Paiair and channels and Tanks fed therefrom, as well as less well-supplied channels under rivers in class I and tanks fed therefrom which afford supply for one crop of paddy (i.e.) not less than 4 months.
- Class III—Rainfed tanks, natural river streams and springs. Other sources *viz* springs in patta lands used for irrigation of wet crops will be recognised as irrigation source as in ryotwari tracts.

48. No deviations worth referring to were made in the settlement notifications in introducing ryotwari settlement under the Acts. No special difficulty was experienced in implementing the provisions of the Acts and introduction of ryotwari settlement in this district. No peculiar tenure prevailed in this district. Consequent on the introduction of ryotwari settlement, all the enactments as applicable to ryotwari areas and all tenancy legislations are being enforced.

TIRUCHIRAPPALLI DISTRICT

TIRUCHIRAPPALLI DISTRICT.

I (a) (i) *Introduction* :

1. Tiruchirappalli is the most central district in Tamil Nadu. The headquarters, Tiruchirappalli town, is located on the southern bank of the Cauvery. In the Hindu Mythology, this town is associated with the Demon Thrisira, who is believed to have been vanquished by Lord Shiva. The suffix "Palli" denotes that this flourishing town was the seat of learning of Jain saints when they had their sway. The antiquated Srirangam temple symbolising the South Indian culture is located on the island formed by the Cauvery and its estuary, the Coleroon. The Rock Fort temple is another edifice of exquisite beauty. The Vayalur temple is also an ancient temple and is considered as one of the six "Padai Veedus" of Lord Muruga, according to legend. Tiruchirappalli is also an important educational centre in the State. The economy of the district is essentially agrarian in character, though it has also a few household industries. Agricultural development has no doubt been good, but economic prosperity varies from tract to tract. Only limited deposits of minerals are found. Of late, intensive efforts are being made to develop the district industrially.

2. (ii) *Territorial Division*.—Soon after the area was ceded by the Nawab of Carnatic to the East India Company in 1801, Tiruchirappalli was placed under the charge of Mr. Wallace, the first Collector of the district. It then comprised a little over 3,000 square miles and included Kattu Mannargudi region till 1805, when Kattu Mannargudi was transferred to South Arcot (and named Chidambaram taluk) and the remaining portion of the district was reduced to the status of a sub-division attached to Thanjavur and placed under the charge of Mr. Young, the Sub-Collector. However within 3 years i.e., in 1808, Tiruchirappalli was separated from Thanjavur and was once again made a district under Mr. G. Garrow. Old Manapparai taluk was detached from Madurai and added to Tiruchirappalli in the year 1856. Until the Puckle scheme for revision of taluk and village establishments was introduced, it consisted of 9 taluks including Manapparai which, under the new scheme, were regrouped into five. Namakkal of Salem district was made part of it at this regrouping, and it was retransferred to Salem during the second decade of the 19th Century; but 28 villages comprising the Thathayyan-garpet firka were retained in Tiruchirappalli district and attached to Musiri taluk. Karur taluk originally in Coimbatore district was transferred to Tiruchirappalli during 1910, thus raising the number of taluks to six. Another change made later was the formation of Lalgudi taluk from parts of Musiri and Tiruchirappalli taluks. The merger of Pudukottai State (1,168 square miles) with Tiruchirappalli district in 1948 brought a further addition of 3 more taluks and the district as at that time was the largest in the State. As per G.O. Ms. No. 4660, dated 5th October 1951, 14 villages constituting the Ilupur firka of Tiruchirappalli taluk were transferred and added to Kulathur taluk of Pudukottai Division. Subsequently in 1974 Pudukottai was constituted into a separate district including Arantangi taluk and portions of Peravoorani and Orathanad taluks of Thanjavur district. The district as now constituted covers 4339 square miles, including 4 villages transferred from Kulathur taluk to Kulithalai taluk in G.O. No. 967, Revenue, dated 23rd June 1955.

3. (iii) *Population*—

Rural—2,991,808
Urban— 857,008
Total—3,848,816

(iv) *Projects completed, etc., under plan periods.*

4. (a) *First Five-Year Plan*—Amaravathi Project—To serve Coimbatore and Tiruchirappalli districts.

(b) *Second Five-Year Plan*.—New Kattalai High Level Channel—To Serve Tiruchirappalli and Thanjavur districts.

Pullambadi canal scheme in Tiruchirappalli district.

(c) *Medium Scheme*.—Ponnanian covered by Annual Plan 1967–68.

(d) Towns, villages etc., electrified—7,073.

Harijans Colonies electrified—2,258.

Pumpsets—5,210.

5. (e) Cattle—

White Cattle—11,45,219.

Black Cattle—3,08,606.

Sheep—9,66,265.

Goat—6,25,861.

Livestock—31,14,184.

Poultry—15,01,684.

The district is well served by a net work of roadways and railways.

I (b) (i) Physical features :

6. Tiruchirappalli district is located between 10°—16' and 11°—30' of the northern latitude and 77°—45' and 79°—30' of the eastern longitude. Bounded by Salem and South Arcot districts on the north, Thanjavur and Pudukottai on the east, Ramanathapuram and Madurai on the south and Coimbatore on the west, it is an inland district located centrally in the State without any coast line. The district has no well-marked natural divisions either. The Pachamalai hill situated partly in Perambalur and Musiri taluks is the most important hill. Of the total area of 177 square miles of the Pachamalai hills, 105 square miles are in Tiruchirappalli district and the rest in Salem district. The Kollimalais in Namakkal taluk are but a continuation of these Pachamalais. But for this hill, Musiri and Perambalur taluks would form a gentle undulating upland area. The Karur taluk is an undulating plain with the Rangamalai rocks in its extreme south. The Kulithalai taluk is broken by isolated hillocks, the chief of which are the Toppo-samimalai and Vellimalai in the south. Udayarpalayam and Lalgudi taluks are fairly flat. Red ferruginous soil predominates and is found in about 2/3 of the tract. Regar soil is found in patches in the northern portion of the taluks of Perambalur and Udayarpalayam. The land on either side of the Cauvery in Musiri, Lalgudi, Tiruchirappalli and Kulithalai taluks contains alluvial deposits. The quality of all soils, except the alluvial, is generally poor, exceptions being those in Perambalur and Udayarpalayam taluks. The district has a high mean temperature and a low degree of humidity. It is not subject to extremes of climates. The average annual rainfall in the district is 32 inches or 835.5 mm. The average rainfall in Udayarpalayam Taluk is around 50 inches and it generally exceeds that in all the other places of the district. Karur taluk forming the western-most extremity is comparatively a drier area, the average rainfall being 24.76 inches, where the soils are also generally poor. A major portion of the rainfall occurs in the north-east monsoon.

7. (ii) Rivers.—The Cauvery and its branch, the Coleroon or Kollidam, are the most important rivers. The Cauvery which enters the district at its western extremity cuts the district into two halves. After flowing along the northern boundary of Karur taluk for about 20 miles, the river forms the boundary between Kulithalai and Musiri taluks and then again between Tiruchirappalli and Lalgudi taluks. Eleven miles west of Tiruchirappalli town it splits into two branches, the northern branch taking the name Coleroon, and these two branches form a loop almost meeting at a point ten miles to the east of Tiruchirappalli near the village Koviladi, where they are separated by an artificial bund, which is most vulnerable to breaches. Flow in the Cauvery is controlled at the dam at Mettur, from where water is let into the river for irrigation by the middle of June with the commencement of the South West Monsoon. Before the construction of the dam at Mettur, floods had been the scourge of the Cauvery delta. It was sought to be controlled with some success by the Grand Anaicut, credited to the initiative of the Great Karikal Chola, which at the same time prevented a high draw off into the Coleroon through the Ullar channel. This dam has been improved from time to time after the advent of the British. To offset the disadvantage caused by this anaicut which tended to heavily silt up the Cauvery, the upper anaicut was constructed at the head of the Coleroon to ensure adequate water level to keep full flow in the Cauvery, and to drain off the flood water into Coleroon when the delta faced the danger of inundation. Thereafter, the Coleroon flows in a north-eastern direction for many miles, skirting the eastern border of the district, collecting flood waters enroute.

8. The other important rivers of the district are the Amaravathi, and its tributaries, the Iyar, Mamundiyar, Nandiyar, Vellar and Noyyil. Amaravathi has its origin at the confluence of jungle streams rising at the Anamalai and the High Ranges of Kerala State. After benefiting Coimbatore district, this river enters this district forming the

boundary between Dharapuram and Karur Taluks. Nanganji and Kodavanar are its tributaries. The former rises in Palni hills and joins Amaravathi near the southern border of Karur Taluk, while the latter comes from Dindigul taluk of Madurai District.

9. The Iyar rises in the gorge that separates the Kollimalais from Pachamalais and falls into the Cauvery not far from the head of Srirangam after a course of about 30 miles through Musiri Taluk. The Karuvettar rising in Kollimalais joins the Cauvery after a short course through Musiri Taluk. Mamundiar rises in the scatted hills of Kulithalai taluk and it runs in a north-eastern direction and empties into Uyyakondan channel which takes off from Cauvery. The Nandiyar which rises near Perambalur flows in a south-eastern direction through Tiruchirappalli taluk and joins the river Coleroon.

10. There are two rivers going by the same name viz., Vellar, the northern one rises in Salem and forms the boundary between South Arcot and this district for many miles, while the southern one rising from the hills in Kulithalai taluk runs through Pudukottai region into Ramanathapuram district. Noyyil which is a tributary of Cauvery flows along the north-western boundary of Karur Taluk. The other small rivers are the Rudraksha and the Kambayar in Musiri Taluk, the Chinnar and Kallar in Perambalur taluk and Killar and Marudaiyar in Udayarpalayam taluk. It may be seen that except the small run off carried by the two Vellars in the northern and southern extremities of the district, the entire district drains off into the Cauvery and the Coleroon.

11. The whole district divides itself into two distinct tracts (viz.), the Niraramban and the Kadarambam, the former comprising the riverfed villages under the Cauvery, the Coleroon, the Amaravathi and the Nandiyar, and the other villages falling into the latter category. There are some border villages which spread over both the tracts. The Ayyan channel, the Peruvalai, the Punganur channel, and the Vuyyakondan are a few of the important channels taking off the Cauvery. The Grand Anaicut Canal, conceived as part of the Cauvery Mettur Project, which takes off the Grand Anaicut and traverses the district has little use in Tiruchirappalli district as such. The Pullambadi Canal Scheme, the Kattalai Scheme comprising of North Bank and South Bank Canals, the Kattalai High Level Canal and the Kattalai Higher Level Canal are, however, schemes intended to extend and stabilise the irrigated area in this district.

12. (iii) Tanks.—There are numerous tanks in this district, either connected with river systems or dependent on rains. The Kandirathittam Periya Eri in Udayarpalayam taluk which receives supplies from Nandiar commands an extensive ayacut of 5,400 acres.

13. I (c) Agriculture.—The district gets the benefits of both the monsoons. The south-west monsoon is of asharter duration and it sets in at the beginning of June and continues till the end of August. But it helps to charge the Cauvery and its tributaries and thus to usher in the agricultural season. The north-east monsoon sets in, in the months of October (Aipasi) and continues up to January. North-east wind also called "Sanimoolaikathu", is accompanied by heavy showers of rain. Paddy is the staple food crop intensively cultivated, not only in the deltaic region but also under tanks and wells. It is also cultivated as a manavari crop extensively in Perambalur and Udayarpalayam taluks, where the north-east monsoon is heavy. Double crop paddy is usually raised in the Cauvery Delta, while in Kulithalai and Musiri taluks, a third paddy crop is successfully grown in the summer months. Betal, turmeric, plaintains and sugarcane are also grown in rotation with paddy in wet lands in Karur, Musiri and Tiruchirappalli taluks. Millets like Chola, Ragi, Cumbu, Varagu, Samai are also raised. Pulses like red and black gram, green gram and horse gram are cultivated as a mixed crop and also as the main crop in some areas. Non-food crops such as Groundnut, Gingelly, cashewnut, castor, sugar-cane, cotton, chillies, coconut are also raised. Banana, Citrus, Mangoes and betal are extensively grown as garden crops and of late grape cultivation is also getting popular in this district.

14. I (d) Industries.—The district has immense potentialities for the growth of industries. The Cauvery and other smaller rivers ensure copious supply of water. This district has valuable deposits of gypsum and ceramic clay. The establishment of the High Pressure Boiler Plant, the Tiruchirappalli Distilleries, the Small Arms Factory at Tiruverambur, the Railway Workshop at Golden Rock, the Dalmia Cements Limited

different manner. The Kadarambam consisted of the then taluks of Thuraiyur, Valikandapuram, Ariyalur and Udayarpalayam or a tract comprising the greater part of the present Udayarpalayam, Perambalur and Musiri taluks. It was for the most part made up of an undulating plain of not infertile black cotton-soil, intersected with numberless small streams and water-courses, and broken at intervals by masses of rock and low barren hills. Of a very different character was the nirarambam or watered tract, which comprised the whole of the rest of the district as it then existed. This contained a combination of very fertile wet land and of most unfruitful dry land.

23. (d) *Rates in the Nirarambam.*—In the nirarambam tract a different treatment was accorded to (1) the wet land (2) the dry land in dry villages (i.e. those which contained no wet land) and (3) dry land in "wet" villages.

24. Is the case of the wet lands the actual crop was harvested under the superintendence of the Government officials; and, after 5 per cent had been deducted to allow for the cost of reaping, the rest was divided between the renter and ryot. In theory it was ordinarily divided equally between them, but in the case of land irrigated from tanks and of fields liable to inundation the ryots were allowed from 55 to 58 per cent as their share, and in newly developed wet land and fields irrigated by lift they were allowed as much as 60, and 65 to 68½ per cent, respectively. From the ryots' share were next deducted the fees payable to village officers and menials and to the praedial serfs. These are said to have amounted to as much as from 23 to 28 per cent of the gross produce. Thus the ryot was supposed to receive from about 20 to 40 per cent. of the gross produce, the higher percentages being allowed in the case of the less valuable land.

25. The dry land in "dry" villages of the nirarambam tract was classed and assessed according to the kind of crop grown each year, whether pulses, grain or cotton. The cotton class only occurred in the Vettukatti taluk. It would seem that ordinarily land was not assessed if it was left uncultivated during any year. But in parts of some taluks a light grazing tax (pilluvari) was collected even when a field was left fallow. This class of land was surveyed (though very imperfectly) and the areas in it recorded.

26. Finally, an entirely different system obtained in the dry land of the "wet" villages of the nirarambam tract. There a fixed money assessment, Kattukuthagai, which never varied, was charged. It is not clear whether this was imposed on the field or on the whole village. There does not seem to have been any survey or record of areas. This land was very rich and a source of great profit to the ryots.

27. (e) *Rates in the Kadarambam.*—In the Kadarambam tract the greatest differences of tenure obtained, not only in adjoining taluks but even in adjoining villages. It may be generally asserted however that the land was surveyed and classified, and was assessed at money rates. It was first of all classed according to its general character; for example into dry, wet, garden and special garden. But these classes varied in different taluks. Next, the land sometimes only the dry, sometimes both wet and dry, was classified according to its fertility into soil classes of various kinds. These classes again differed in the various taluks and in various parts of the same taluk. Finally rates were imposed upon the fields with reference to their general character and soil value. But the assessment also varied from year to year according to the crop grown—different rates being imposed on "pulses" and "grains"—and it also varied with the position of the cultivator. Thus in most taluks favourable rates were allowed to Brahmans; in some a distinction was drawn between "native" ryots (ulkudis) and "immigrant" ryots (purakudis) a further class being sometimes recognised in "cowl purakudis". In the Valikandapuram taluk, considerable lenience was shown to the nattuvans, or leading ryots, who were supposed to encourage cultivation and by their precept and example to maintain good relationship between the Government and the villagers. But even these concessions were not constant and the system was consequently bewilderingly complex. "It was", said the Settlement Officer in 1860, "one of the most complicated systems that it is possible to conceive".

28. Finally it may be added that the rates were imposed in lump on the whole village, every individual ryot being held liable for the whole tax and the villagers being left to settle between themselves the amounts of their individual payments.

29. (f) *Unauthorised Exactions.*—However complicated they may have been, these assessments do not appear to have been particularly burdensome in themselves. They were continued by the British when they assumed the administration and they appeared moderate enough when compared with those in force in other parts of the Presidency at that time. Had they been adhered to, indeed, the ryots would perhaps have had little to complain of. But, as a matter of fact, so great and so constant were the unauthorised exactions of the renters, that the Collector Mr. Wallace said in effect that the so called fixed assessments seemed to have been imposed merely to lure the ryots on to extend their cultivation, and that if in any one year the rents were actually collected according to the fixed rates, this was merely designed to give an opportunity of doubling the exaction in the next.

30. In the tale of oppression revealed by the Collector it is not always easy to see whether the exactions were in form mere enhancements of the supposed land tax, or whether they were imposed without pretence of justice merely at the will of the authorities. Of the former type were the enhancements of the rates for dry grain land, which appear to have been raised in the most arbitrary and variable manner, especially when the crops seemed to be more than commonly promising. Of the latter type were the nazzars, or presents to managers and renters, or such items as the collections to defray the expenses of the ceremony of the circumcision of Hussain-ul-mulk's grandson. The amount collected from the district on the last named interesting occasion in the year just preceding the introduction of British rule, added to the sums exacted in lieu of the nazzars which "were to have been paid if the circuit of the district had been made by Hussain-ul-mulk" in person, amounted to no less than 104,300 star pagodas or Rs. 3,65,050. Another common way of raising the revenue was to impose additional payments at varying percentages upon the wet land under pretence in some cases of paying off a perfectly imaginary arrear, and in others under the guise of a loan to the Government which there was no intention of repaying. In the last year of the Nawab's management the exactions under this head amounted to nearly 30,000 "chucks" (Rs. 63,000) and nearly 9,000 "chucks" (Rs. 18,900) were extorted beyond the just revenue from the occupiers of the dry land. Indeed, of the total land revenue of that year, over 16 per cent consisted of "extra revenue" of this character.

31. "It will naturally be asked", wrote the Collector, "how the inhabitants could be induced to submit to such accumulated extortion". It would seem that the leading ryots were conciliated by rather lighter terms in order to induce them to second the plans of the managers while refusal or inability to pay the impositions were visited with extreme cruelty and even torture. He adds:—

"To dwell on the effects of the extortions enumerated in this black list of the oppression of the late management, or to recite the cruelties with which they were enforced, could be useless; as they cannot now be remedied; and, as detail of them would only tend to excite sentiments of horror and disgust, such sentiment would be ineffectual. The amount of the extortion will of itself give full idea of their impropriety. But when in addition to this, it is known that barbarity, the most unrefined, was let on the country loose torture the most cruel to the body and the most degrading to the mind, was inflicted on those who were the victims of the managers' rapacity, it will surely not be regarded as the least of the advantages to be derived from the late transfer of the Government of the Carnatic that a whole people have been rescued from the cruelty, rapine and tyranny of Muhammadan despotism....."

It would appear that the district comprising this division had been entirely abandoned by the Nawab to the plunder and rapacity of his relations and of renters, and by them to the cruelty and extortions of managers and amils.

32. (g) *The Grain Monopoly.*—Matters were made much worse by the fact that the sale of grain was strict State monopoly. The produce was bought from the cultivators at seven or eight fanams a kalam and sold back to them at nine or ten fanams per kalam from the State granaries. All importation of grain was forbidden and it was an offence punishable with exorbitant fines even to lend a neighbour such small quantities of grain as he might require for his immediate support. Moreover a flagrant injustice was added to the intrinsic cruelty of a system, inasmuch as the grain was retailed to the people in measures of a less capacity than those in which it was estimated when it was bought in the first instance by the Government. It was one of the first acts of the British administration to abolish this monopoly, but its effects in raising prices and disorganising the ordinary machinery of exchange were not immediately removed.

at Kallakkudi and the sugar mills at Pugalur and Pettavoithalai have all added to the growth of industry. Besides this, there are three important textile mills (viz.), Karur Mills at Karur, Thiyagesar Alai at Manapparai and Tiruchirappalli Mills at Ramaj nag r. Rice milling is another major industry. There are big rice mills concentrated at Manachanallur besides a number of smaller mills at other places. The Seshasayee group controlling Messrs South Madras Electric supply Corporation, the pioneers in the field of rural electric supply, have diversified their ventures with a steel rolling mill at Aryamangalam and the Simco Meters at Tiruchirappalli. Polishing of synthetic stones is a flourishing industry in this district. Besides this, handloom and mat weaving, leather industry and other cottage and household industries like beedi manufacture provide other avocations to the people. The location of the Regional Engineering College and a University extension centre, proposed to be upgraded into a University, are all steps taken towards the expansion of higher education in this tract.

II (f) Earlier Political History.

15. This district has played an important role in the political history of South India. It was, even from the beginning of Sangam age, under the Cholas who are believed to have wrested the region occupied by the Naga tribe, said to be the ancestors of Kallars and Maravars. Woriyur was their Capital, alternatively with Gangaikonda Cholapuram. Karikala Chola (50-95 A.D.) defeated the Cheras and Pandyas, enlarged his dominion and shifted his capital from Woriyur to Kaveripatnam. He laid flood banks to the river Cauvery to save the lands from devastation by floods. Sometime after Karikala, the Cheras established a hegemony which did not, however, last long. Then followed the rise of Pandyas under Nedunchezian. This also did not last long, as the Pallavas gained ascendancy and held sway when the Cholas were overthrown by the Pallava King Simhavishnu. The Pallava rule however, lasted for a short period when they were overpowered by the rising power of Pandyas. Vijayalaya revived the Chola line and took Thanjavur, which marked the beginning of the great Chola empire with Thanjavur, as its capital, and spreading overseas. After Rajendra Chola, signs of decay of the Chola dynasty became clear, for the empire had become too unwieldy to be administered from Thanjavur. During the reign of Adhi Rajendra, an open rebellion arose ending the life of the king and after that event Tiruchirappalli passed into the hands of Eastern Chalukyas. Cholas again regained their lost position and, with the help of Hoysalas, the Cholas kept their ruling power. But with the rise of Jaya Sundara Pandya in 1251, Chola Supremacy over Tiruchirappalli came to a close and it went again to the Pandyas, whose supremacy, lasted for a little over half a century till the muslim invasion. Though the Pandyas defended their kingdom from the invasions of Malik Kafur, they could not keep in check the Cheras. Meanwhile Muslims under Md. Tuqlak took the districts of Madurai, Thanjavur and Tiruchirappalli and Muslim domination of Tiruchirappalli lasted till 1334-35. In the middle of the fourteenth century, the Vijayanagar ruler defeated the muslims and brought Tiruchirappalli under his rule. The Nayak dynasty established by their Governors ruled from Tiruchirappalli for sometime. That dynasty lasted till the death of the queen regent Meenakshi in or about 1734. Chanda Saheb, who seized the whole Nayak kingdom was taken captive by Marathas. But, however, in 1748 he succeeded in securing freedom and marched along with Muzafarjung, defeated the Nawab of Arcot, Anwaruddin, and declared himself the Nawab of Arcot. Md. Ali, son of Anwaruddin fled to Tiruchirappalli and declared himself the Nawab there. This fired the shots from which the whole of South India got involved in the struggle for supremacy between Md. Ali and Chanda Sahib, and involving foreign powers. Duplex, the French Governor supported Chanda Sahib, while the English staked their support to Md. Ali, thus making them pawns in the struggle between the European powers for colonial expansion in South India, with Tiruchirappalli as the pivot. Ultimately the triumph was for the English. After a series of battles, the French were defeated finally at Golden Rock near Tiruchirappalli in September 1753. A truce followed, but hostilities were resumed in 1757 on the outbreak of the seven years war in Europe. On the conclusion of the treaty of Paris, the French recognised Md. Ali as the Nawab of Carnatic. Karur remained with the English while Mysore got Namakkal.

16. Hyder Ali had meanwhile assumed threatening postures as the Ruler of Mysore. In the First Mysore War the English took Namakkal and a number of other fortresses in Salem and Coimbatore. When the war ended with the treaty of 1769, Karur and Namakkal were returned to Hyder Ali. During the second Mysore War (1780-84),

Tiruchirappalli was invaded and was on the verge of surrender, when Hyder Ali was compelled to withdraw his forces to face Eyre Coote who defeated him at Porto-Novo. Karur was taken in 1783, only to be again restored to Mysore on declaration of peace. The interregnum after Hyder's death marked by Tippu's pre-occupation on the west coast encouraged the English to proceed with annexations in the Carnatic. During the third Mysore War, the English started hostilities by occupying Karur. Tippu Sultan in turn attacked Tiruchirappalli itself but was forced to withdraw at the success of Cornwallis in Mysore. The peace of 1792 restored Karur to Tippu Sultan, but Namakkal and other regions were ceded to the British; Karur was annexed and added to the ceded region in 1799 on the death of Tippu and the fall of Srirangapatnam. In 1781, the Nawab Md. Ali had in the meanwhile assigned 75 per cent of the revenues of his territories to the British towards the war expenses; but the payments were not forthcoming as promised. During 1792, the relation between the Nawab and the English changed. The British undertook to maintain troops in the region to ensure peace for which the Nawab had to pay. The English were allowed to collect revenues directly from the Zamindars on behalf of the Nawab. It was also agreed that in case of failure by the Nawab to make payments of his share, the English had the right to take over the administration of the region. The payments were made regularly, but the Nawab had to borrow large sums of money from the Company itself to meet his liabilities. In order to make good these debts, the Nawab entrusted the task of collecting revenues from certain regions to the Company. But in 1799, at the time of the capture of Srirangapatnam, it was revealed that a secret correspondence had existed between Tippu, Md. Ali and his son. The English took offence at this conspiracy, cancelled the treaty of 1792 and took over the administration of the Carnatic. They concluded an agreement with Azim-Ud-Daula, the nephew of Md. Ali in 1801, by which the latter renounced the Civil and Military Government of the Carnatic in favour of the Company and agreed to receive a pension in return. Tiruchirappalli thus came into the hands of the English at the commencement of the 19th Century.

III. LAND REVENUE ADMINISTRATION.

17. (a) *Early Revenue System—Native Rulers.*—The Cholas imposed assessments in lump on the whole village, and the various farmer's individual rights and obligations were safeguarded by the village elders. Weights and measures differed widely in different villages, and the system of assessment was most complicated. Very minute areas were measured and separately assessed to revenue.

18. Under the kings of Vijayanagar, half the gross produce of the land was supposed to be the share of the Government.

19. Under the Nayaks the same proportion was held, at least in theory, to be the revenue due to the State. It was collected through the agency of the poligars among whom the country was apportioned; and the letters of the Jesuit priests of the Madurai Mission show how merciless in their treatment of the ryots these chieftains were. No information survives of the actual details of land revenue administration in those days.

20. (b) *Under Mohamadan Rulers.*—A full account of the condition of the country and its management by the Musalmans in the years immediately preceding the British assumption of the administration is given in the jamabandi report for 1801-1802 of Mr. Wallace, the first Collector of the District. According to that report, the whole district was leased out in three large farms, the greater part of it to the Nawab Muhammed Ali's own brother, Hussain-ul-mulk. In theory, the farmers of the revenue were supposed to collect only certain fixed sums of payments in grain which were calculated on the extent of land cultivated and varied with the kind of crop grown. They paid a fixed sum annually to the Nawab. Hussain-ul-mulk himself paid 164,000 star pagodas (Rs. 5,74,000) every year; and the renters kept for themselves any surplus remaining out of the collections after making this payment.

21. The rates of assessment at which they were (in theory) empowered to collect the land revenue from the ryots were of an exceedingly complicated kind; and, as they were the general basis of all land revenue settlements for the next sixty years, some description of them is necessary.

22. (c) *Kadarambam and Nirarambam Tracts.*—A distinction was drawn between what was called the Kadarambam, or dry tract, and the Nirarambam or irrigated tract. The district was sharply divided into these two areas; and each was treated in an entirely

IV. UNDER BRITISH RULE.

33. (a) *State of accounts before the First Settlement.*—The confusion of the accounts and the difficulties in ascertaining the “probable value” of the village and in distinguishing the “just revenue” of the former years from the improper extortions of the managers, rendered the attempts of the first British administration to form a fair settlement a far from easy task.

34. (b) *Mr. Wallace's statement of 1801-02.*—The first British settlement of the district was made by Mr. Wallace for the year 1801-02. It was briefly as follows: the amount payable by each village was fixed in money. There was no difficulty in doing this as far as the dry lands in the Nirarambam and the whole of the Kadarambam were concerned, since money rates, apparently not immoderate, were already in vogue. All that was done in these cases was to continue the existing rates in their theoretical form and without extra exactions. It has already been stated that in these rates the wildest variety prevailed; and neither Mr. Wallace nor his successors attempted to introduce any uniformity. The nirarambam wet land, however, had usually paid the revenue in grain; and for this a new system had to be devised. First of all a standard of gross produce in terms of grain was settled for each village. Ordinarily this was done by taking the average of the gross produce recorded for each of the last five years. In some cases, where this seemed too low a standard, the Collector took also the recorded produce of some other particularly favourable season and included this in his calculations of the average. In other cases, where the extent of cultivation had increased during the years under consideration, he took the average of those years for a definite quantity of land in each village, and from this worked out a standard for the whole village. The old theoretical rates of division were retained, but strictly interpreted. Finally the Government share was converted into money at a commutation price reduced from the prices ruling in the neighbouring districts. The local prices were no guide in the last most important operation, since they had been unnaturally inflated by the monopoly of grain trade which had just been abolished. As a matter of fact, though no difficulty was experienced in the first year or two of British rule, the fixing of the commutation price was for some time a matter of great difficulty to later Collectors and of hardship to the ryots.

35. The settlement was made with each village as a whole, but the amounts payable by each individual ryot were apparently considered, and the Collector, who was alive to the danger of the head inhabitants oppressing inferior landholders by settling more on them than they ought to pay, took positive steps to prevent this injustice.

36. The financial effect of the settlement was to reduce the revenue demand considerably. Indeed it fell over 15 per cent below the demand, and nearly 10 per cent below the actual receipts of the previous year. It must be remembered, however, that the demand and the receipts of the previous year included over 16 per cent of improper exactions.

37. It would be tedious to follow out in detail the various experiments which were subsequently made from time to time by English Collectors in settling the revenue of the district. These systems have long been dead and gone, and only a brief survey of their character will be given. It will be convenient for clearness's sake to retain the distinction between the Nirarambam and the Kadarambam tracts and to describe the treatment of each class of land continuously.

38. (c) *Nirarambam.*—Difficulty was experienced in dealing with the wet land in the Nirarambam tract, which resulted in much alteration of the system introduced from time to time.

39. Till the end of 1804-05, Mr. Wallace's settlement was continued with the difference that both in 1802-03 and in 1803-04 the commutation price had to be slightly altered. In 1802-03 moreover, the wet land was surveyed very imperfectly, by the karnams. It was not, however, classified or reassessed.

40. *Survey Classification and Assessment of 1805-06.*—The first considerable change of system took place in 1805-06, when land was again surveyed by the karnams and this time also, it was classified into black, red, sandy and salty land. These classes were

each divided into two sorts according to their productiveness; grain values were assigned to each; and the Government share of the grain values was converted into money at the existing commutation price. In working out this system, it should be observed, the karnams did not attempt to apply the principles pure and simple to the facts. They kept in view the average gross produce of the whole village and so adjusted their classification and their assessment as to reach the same total result, while distributing that total over the various fields in the village. The difference was that the assessment was fixed upon particular fields and not upon the village as a whole. It varied moreover with the nature of the crop grown from year to year, even the charges for the four chief kinds of paddy being different. It seems also that a charge for second crop cultivation was now introduced, apparently for the first time.

41. For the next four years this system was continued without any change except modifications in the commutation price and corrections of mistakes discovered from time to time in the classification of the fields. But in 1810 a system of periodical village leases was introduced by which all the wet land in each village was let out for a lump sum for a term of years to the leading ryots. There was some difficulty in inducing the ryots to accept these leases, and it was necessary to put pressure on them by threatening to bring outsiders into the village and rent the land to them. The first lease was triennial from 1810-11 to 1812-13. The next was intended to last for ten years from 1813-14; but it pressed so hardly upon the ryots that it had to be given up in 1821. It does not appear that the terms were in themselves particularly burdensome, but three years out of the four from 1816 to 1820 were rendered disastrous by drought or floods; and it seems that in such circumstances no hard and fast system could have failed to be oppressive.

42. *Return to Annual Settlements 1821-22.*—A return was now made to a system of annual settlements. The settlement of 1809-10, the last year before the leases, was made the basis of the new arrangements. Several changes were, however, introduced. Firstly there was a general percentage reduction of the village rates, varying from 12 per cent to (in a few villages) as much as 40 per cent; secondly the commutation price was again altered; and thirdly the assessment was no longer made to vary with the crop grown (as in the system introduced in 1805-06) but depended entirely upon the nature of the land.

43. This system was continued “with some deviations” till 1824-25, in which year the classification was altered and the nature of the crop was again made the basis of the assessment. The latter arrangement went on till the introduction of the new settlement in 1864. Indeed the only alteration in the general system of assessment in the wet land of the nirarambam tract which took place from this point till the introduction of the new settlement was a general reduction of the rates in 1856-57.

44. The foregoing were the systems theoretically in force, but if in any village the ryots were not willing to accept a settlement on these terms, they were apparently always permitted to resort to what was called the amani system. The actual crop was in that case divided in the recognised proportions between Government and the ryot. This was very harassing to both parties; it also left a great opening to fraud, and was often adopted by the ryots for that cause alone, as it enabled them to cheat the Government.

45. (d) *Kadarambam.*—In the case of the wet land in the kadarambam tract and the dry land generally, the policy of Government prior to the settlement of 1864 appears to have been comparatively simple. Briefly, it consisted (with a few general changes) in continuing the rates of assessment, in all their complexity, which existed before the British occupation of the district. The rates in the kadarambam land whether wet or dry, were reduced allround by varying percentages in 1818-20, and similar general reductions were made in 1855, 1856 and 1857. The only special alterations of any importance in the details of the kadarambam rates which appear to have taken place were the abolition in 1802 of the differential rates to the nattuvans and their re-establishment in 1808-1809. It was found that these people did not really facilitate, as expected, the work of Government, and only used their power to oppress the poorer

ryots. An order abolishing exceptional rights of this class throughout the Presidency was issued in 1854; but this was not immediately given effect to in this district, and these rights do not seem to have been abolished till they were extinguished by the Inam Commissioner in 1861-62. It does not appear that any alterations whatever were made in the dry rates of the nirarabam tract till 1856-57, when they shared in the general reduction already mentioned.

46. The wet land of the nirarabam, as already noted, was surveyed in 1802-03 and again surveyed and classified in 1805-06. The dry villages of the nirarabam and the whole of the kadarabam land had been surveyed and classified before the British occupation. They were again surveyed and classified in 1806-07. The dry land in the wet villages of the nirarabam seem never to have been surveyed till the time of the new settlement. All these ancient surveys were made by the karnams.

47. (e) *Individual Rights*.—Till 1826-27 the old native system was continued by which the annual settlements of villages were made with the headman of each village or the leading inhabitants, and the subordinate revenue officials and the village officers were left to decide what portion of this amount should be borne by each particular cultivator. Each cultivator, moreover was held responsible for the arrears of the whole village, the villagers being in theory invested with a kind of corporate unity. In 1826-27 the system of giving the ryots individual pattas was started. Till 1844, these were given only at the end of the fasli, when they were comparatively useless, but subsequently they were distributed when the settlement was actually made. The lands of defaulters were not sold for arrears of revenue till 1833-34. The theory of joint responsibility seems to have been abandoned in 1821-22.

48. (f) *Relinquishments*.—For many years after the British occupation of the country it was impossible in large parts of the district for a ryot to relinquish his holding. Land once brought under the plough became thereby part and parcel of ryots "Pattukattu" or holding, and he had always to pay for it. This was called the "pattukattu system," and prevailed throughout the nirarabam and in the dry land of the kadarabam. It was not relaxed till 1830-31, and does not appear to have been entirely abolished till the settlement of 1864. At that time it only applied to dry land in wet villages of the nirarabam.

49. It is not to be denied that the rates in force prior to the settlement of 1864 were generally excessive. The desertions of the cultivators were continually complained of by Collectors; and in 1831-32 the inhabitants of nearly every village in Ariyalur and Udaiyarpalayam requested permission to relinquish their lands entirely; and they were only prevented from deserting in a body "by the vigilance of the kavalgars and peons". A few years later no less than 2,200 ryots are reported to have left their homes and emigrated to Salem and South Arcot.

V. SURVEY AND SETTLEMENT.

50. (a) *Puckle's Settlement 1864*.—All this was changed by the regular survey undertaken in 1854-55; and the settlement based thereon commenced by Mr. Puckle, then Deputy Director of Revenue Settlement, in 1858-59, and finished in 1864.

51. Trichinopoly was one of the first districts into which the settlement on the new principles, which took place about this time in many parts of the Presidency, was introduced. It was preceded in this respect only by the western delta of the Godavari and some two taluks in South Arcot. Partly for this reason, and partly because the different officers, to whose province it fell to criticise Mr. Puckle's scheme, took widely differing views to the way in which the district should be treated and the rates of assessment which should be introduced, this settlement gave rise to a quite unusual amount of discussion and correspondence. The old district manual contains an elaborate analysis of this correspondence as well as a lengthy account of the introduction of the settlement.

52. In Puckle's settlement of this district the classification of the wet land into groups was not effected, as in more recent settlements, solely with reference to the capacity of individual sources of irrigation. The situation of villages with reference to markets

and roads was also taken into account and so also was the rather vague factor of "the productive power of the land"; and the grouping was rather by villages and tracts than by irrigation sources.

53. Five wet groups were adopted. Roughly speaking, the first two included the Cauvery irrigation, and the other three chiefly the tank irrigation. The third group included some irrigation from the Coleroon and the Vellar, as well as some inferior irrigation from the Cauvery, where the land was on a high level or was supplied with drainage water. Only 27 villages were placed in the first group, and 231 in the second.

54. The dry land was grouped by villages on a consideration of proximity to markets, and the productive power of the land. Three groups were adopted. At that time, there was only one mud road in the dry taluks; and, though in the irrigated tract on either side of the Cauvery there were good roads, the state of communications was generally very defective. The only railway in the district was the section of the South Indian Railway connecting Tiruchinopoly with Tanjore and Negapatam, which was opened in 1862.

55. All villages conveniently situated with reference to the markets of South Arcot and Tanjore, or to the town of Tiruchinopoly, were placed in the first group; the more remote villages lying along the northern border of the district were classed in the second; and the poor dry villages lying south of the Cauvery, as well as a few district villages in the north-west corner of the district, were placed in the third group. The rates of assessment applicable to each class and sort of soil in the highest group were reduced by one or more steps in the lower groups, thus resulting in the same kind of soil in different groups being assessed at different rates.

56. (b) *Classification of Soils*.—The next process was to classify the soils of individual fields. Seven classes, numbered from two to eight, were adopted, and for each of these except two (classes Nos. 2 and 6 in which there were only two sorts) the lands were ultimately further sub-divided into three sorts. These sorts were merged into eight 'primary tarams' for wet, and nine 'primary tarams' for dry land representing soils of equal productive value. Since the primary tarams were not based entirely on the grain value of the land, they were influenced by the varying estimates for each sort of soil in the matter of cost of cultivation. In Mr. Puckle's settlement, though soils of different productive values were merged together, their net value to the cultivator was ultimately the same or nearly so, since it was corrected by different estimates of cultivation expenses.

57. Each sort of soil was thus provided with a grain standard of its productive value. The commutation rates were next applied to the grain values of the various tarams of soil, and each was thereby provided with a money valuation of its productive value. In estimating cultivation expenses, Mr. Puckle did not pretend to "any great degree of accuracy" but allowed from Rs. 7-8-0 to Rs. 3 per acre for wet land and from Re. 4-2-8 to Rs. 3 per acre for dry. From these data the money rates were deduced, but the settling of the precise rates of assessment gave rise to most of the controversy concerning this settlement. The rates originally proposed by Mr. Puckle represented either the half of the net, or one-third of the gross produce, and as a matter of fact these rates were ultimately accepted with very little modification. In the interim, however Mr. Puckle had proposed, and the Board had with some modifications accepted, a lower scheme of rates derived from an all-round deduction of 12 per cent, on wet and 11 per cent on unirrigated land on a general feeling that Trichinopoly had been rather over-assessed in the past, and that it should be treated leniently now. The members of the Government disagreed as to the several particulars of Mr. Puckle's calculations, and the whole matter was referred to the Secretary of State. Orders were received from him directing that the assessment should be calculated with reference to the net, and not the gross produce, and that the share of the Government should be taken as roughly one half of the former. When revised rates were worked out in accordance with these directions, those ultimately adopted were found to differ very little from those originally proposed by Mr. Puckle. They ranged from Rs. 9-4-0 to Re. 1 for wet, and from Rs. 3-8-0 to annas 4 for dry land.

58. The new rates were first applied in the year 1864-65. As compared with the land revenues derived under the old settlement in the previous year (Rs. 15,82,074) the demand under the new settlement (Rs. 11,94,018) showed a decrease (in round figures) of Rs. 3,88,000. The difference was no doubt large; but, as above noted, there was a general feeling that the district had been over-assessed in the past, and there was also a general expectation that under the new rates cultivation would quickly spread and the deficiency be thus made up. Mr. Puckle ventured to prophecy that this would be effected within the next five years and both the Board of Revenue and the Government regarded this forecast as being far from extravagant.

59. (c) *Second Crop on Wet Land.*—There was also a good deal of discussion as to the charge for second crop on wet land. Mr. Puckle at first proposed to levy no charge at all; and the Board, though disapproving of the proposal as a general rule, were in favour of foregoing the charge on occasional wet second crops, in cases where the possibility of rising one was so uncertain that a composition could not be effected. Government disapproved of any such concession, however, and a temporary fasal-jasti was prescribed for all such cases as elsewhere. There was also a good deal of discussion as to the rates of composition to be allowed, and it was ultimately decided that they should be one-third, one-fourth and one-fifth of the first crop charge, but never less than one rupee. One half of the first crop charge was nowhere imposed. The rates generally adopted seem to have been one-third and one-fourth; one-fifth was allowed only in the Musiri taluk.

60. (d) *Olaperi Land.*—A peculiar feature of the settlement of the dry land was the special treatment of the fields which were capable of being irrigated from Government sources but were classified as dry. These, it seems, were differentiated from the wet land by being only inadequately irrigated or unirrigable by direct flow, and from the ordinary dry land by being capable of irrigation at all. These were classed as "permanently-improved punjah" and were assessed at rather high rates, but were given the right to take Government water for one crop free of charge. Land of this kind occurred both in the Nirambam and Kadarambam tracts. In the former it consisted of fields, the supply of water to which was not sufficient to produce a wet crop; and in the latter it corresponded to the old "garden land". It is often spoken of as "garden or olaperi" land.

61. Special rates were allowed on the wet land under a few tanks, in consideration of the fact that ryots had spent money in improving or constructing these sources of irrigation. In these cases, Mr. Puckle settled the ayacut lands at dry rates subject to the payment of similar rates on the extent of the waterspread.

62. This scientific settlement was not extended to the three hill villages of Kombai, Tembaranadu and Vennadu in the Pachamalai hills. These were roughly settled on a scale of 12 annas an acre on the slopes and 8 annas an acre on the higher plateaus for ploughed land, and at 4 annas an acre for the cultivation.

63. (e) *Road Cess.*—In one other respect the whole settlement was peculiar. The road cess was calculated at 2 per cent on the land revenue; but, unlike the practice now-a-days, this was not made a separate charge on the ryots but was held to be included in the land revenue paid by them and was annually transferred from that head to the credit of roads.

64. It has already been noted that hopes were generally entertained that, under the new and lighter rates of Mr. Puckle's settlement, cultivation would very quickly extend and would soon make up for the decrease in the revenue caused by the lightening of the assessment. As a matter of fact the land under occupation and the revenue did increase considerably and on the whole steadily, during the currency of that settlement, but at no time did the land revenue reach the figure of the presettlement year 1863-64. The Board of Revenue when commenting on the demand figures in 1895 at the time of taking up the re-settlement remarked that, though the assessment had not been the financial success which had been anticipated, it had yet wrought much benefit to the ryots of the district. Not only had holdings increased in area by nearly a half, but the weight of the assessment had been very largely reduced during the period of the settlement by the great rise in the prices of all agricultural produce. The time had now come when "the exigencies of Government and justice to the general tax payer alike require that the burden of taxation should be readjusted".

VI. RE-SETTLEMENT.

65. (a) *Reasons for Re-settlement.*—By the time the period of this settlement had run out, the price of paddy had risen to 85 per cent above Mr. Puckle's commutation rate and to 38 per cent above the average of the prices of the twenty years immediately preceding the settlement. In the case of dry grains, prices had risen by 52 per cent as compared with the commutation rate and by about 12 per cent as compared with the average of the twenty years preceding the settlement. One more circumstance necessitated a re-settlement. It had long been felt (indeed the belief is voiced in the old District Manual) that the rich land under the Cauvery was seriously under-assessed. It was ascertained in 1894 that the average tax paid on that land was then only Rs. 4-15-4 per acre, which was much lower than the assessment on similar lands in the adjoining district of Tanjore where (in the four taluks of Tanjore, Kumbakonam, Nannilam and Mayavaram) similar land in the first group of irrigation paid over Rs. 8 an acre, and in the second group nearly Rs. 7. The rates for dry land were fairly high when the exceptional OLAPERI lands were included, but these had to be excluded for the purpose of a just comparison and if that was done the dry rates were also very low. The grouping of the wet land in this tract was also exceedingly lenient, most of the villages being placed (as already remarked) in the second and third groups.

66. (b) *Scope of Re-settlement.*—In view of these facts it was decided that the whole of the land in the tract commanded by the Cauvery must be classified *denovo*. The land watered by the Coleroon, Amaravathi and Nandiyar rivers extending to about 8,000 acres was also ordered to be reclassified. It was moreover decided to classify all the cultivable land still remaining unsettled in the district which was not required for communal purposes or forest reservation. This, it was ultimately ascertained, amounted to 22,000 acres. With regard to the rest of the district, it was considered sufficient to change the assessment already in force. An exception was made in the case of the hill villages only roughly settled in 1864, in which the rates of land-tax were allowed to remain unaltered. The assessment on the land assessed at special rates was not at once subjected to the general enhancement. But these rates were enhanced by the Collector in 1900 in accordance with the orders of Government. In the OLAPERI land lying in the tract to be resettled, the old right of taking Government water for a single crop was allowed to continue. Another class of land which required rather special treatment was that in seven villages transferred in 1865-66 from South Arcot to this district. These had been originally settled on a scale of rates different from that adopted in the settlement of Tiruchirappally. In order to bring this into harmony with the rates in the villages in this district, the assessment now fixed by enhancement for similar land included in the old Trichinopoly settlement, was applied to the fields of the South Arcot villages. In only one other case was the relative incidence of the old rates altered, or those rates modified in any way but by enhancement. This was in the case of certain wet land under tanks irrigating 300 acres or more, which in the opinion of Government had been placed in too low a group at the former settlement. This land was now raised into the group just above, besides being liable to the general enhancement of the rates. The general enhancement ordered was 12½ per cent in the case of wet, and 20 per cent in that of dry land.

67. Preparatory to the new settlement, the district was resurveyed which disclosed a considerable excess above the figures of the old Survey, amounting in all to no less than 18 per cent in the arable area, but it included the large areas under poramboke which formerly had been left unsurveyed but were not measured and mapped; but paradoxically it was found that the area of actual holdings far from increasing, had actually diminished.

68. The general enhancement of the old rates was not done with mathematical accuracy. The formidable problem in the carrying out of the enhancement as per the plan originally contemplated was in the application of the double enhancement to the ayacuts of tanks, the grouping of which was proposed to be raised. In the scale of wet rates in Mr. Puckle's settlement, the rates in the different groups of land rose at very varying intervals from one group to another whereas for instance the same tarams in the third and the fourth groups were assessed at rates of nearly the same value differing by only one money grade; there was a difference (in some cases) of as much as six money grades in the rates of the same tarams in the third and second groups. Thus to both raise the group and also to enhance the rates would have meant a very

large increase of assessment, which Government was unwilling to impose. It was ultimately decided that in raising from one group to another the change should be limited to one money grade.

69. (c) *Nirarambam*.—In regrouping the villages and irrigation sources for the dry and wet land, respectively, the following course was adopted. As far as dry land was concerned, all the villages were put in one group, since all alike enjoyed excellent communications and markets; and, on a comparison with the groups in Tanjore (the recent settlement in which was kept in view as a guide throughout this settlement) they were all placed in the first group. As regards the sources of irrigation, three classes (corresponding to the first three groups in the Tanjore settlement) were adopted. Of the 345 minor channels now grouped, 216 were placed in the first, 114 in the second and only 15 in the third group.

70. At the same time a revision of the wet ayacut was undertaken. This was especially necessary owing to the fact that most of the Olaperi lands in this tract were ordered to be transferred to wet, either as being now irrigable by direct flow, or at the request of the landholders. The latter were given the option, when the land was only irrigable by lift, having it classified either as "baling wet" or ordinary dry. A small extent classed as wet which was from its position actually unirrigable, was transferred to dry. The transfers from wet to dry amounted to some 300 acres, and from dry to wet to nearly 4,400.

71. The same scale of classes and sorts of soil as had been used in Tanjore were employed to differentiate the soils in this district. Actually two classes of alluvial soil, three of regar and two of red ferruginous were adopted. Each was divided into five sorts, but only three sorts were actually adopted in the case of the three lowest classes. A great deal of unnecessary trouble was also saved by the discovery that the money rates sanctioned for Tanjore could be applied with justice to Trichinopoly. The standard grains used for Tanjore were with one exception the same as those selected at the former settlement in this district, and the commutation prices deduced according to rule in both districts were pretty much the same. Thus it was not necessary to make any special crop experiments. The different sorts of soil were arranged in eleven tarams according to their productive capacity and a money rate deduced for each. Similar soils under the three different classes of irrigation were graded by a reduction of one taram for each class. The assessment, in the case of dry and wet land alike was supposed to represent a half of the net produce after deducting the cultivation expenses and a percentage of the gross produce (15 per cent in wet land and 20 per cent in dry) to allow for the unprofitable areas and vicissitudes of the season. The allowance for cultivation expenses varied from Rs. 5-8-0 to Rs. 2-10-0 for dry land, and from Rs. 14 to Rs. 6 for wet, decreasing with the value of the land and consequently with the assessment.

72. The financial result of the introduction of the new rates was thus an increase of nearly Rs. 4,14,000 or 31.1 per cent, for the whole of the old district. Both the Board and the Government remarked when commenting on those figures, that the high rate of increase was mainly due to the extreme lightness of the rates fixed at the former settlement on the fertile lands of the Cauvery Valley. That the assessments were not in themselves particularly heavy has been shown in a number of ways. From the very beginning very little coercion was needed to collect the greatly increased demand. Moreover a comparison of the Tiruchirappalli rates with those of the neighbouring tracts of Tanjore and South Arcot showed only a small excess in the former and this is explained by the fact that the tracts in Tanjore under the Cauvery contain a great deal of inferior land, while the reclassified area in Tiruchinopoly is nearly all of an excellent description.

73. Moreover, writing in 1902, after an experience of the new rates for several years, the Collector records the mature opinion that such adverse criticism as the new settlement had evoked was not really honest.

74. A few minor points connected with this settlement may here be noticed. It included the whole of the cultivable land of the old district except what was required for communal purposes. Some 22,000 acres of unoccupied land was settled, and was classified on the method followed at the original settlement of the surrounding lands. There remained 30,000 acres which were either unfit for cultivation or were required for communal purposes.

75. The new rates were introduced in the year 1894-95. The whole of the additional assessment was not imposed at once, but the usual increment remissions were allowed. The burden of the increased assessment was also alleviated by the abolition of the irrigation cess, which was a payment voluntarily made by the ryots for the conservancy of some of the river irrigation channels in the Cauvery and other Valleys. It represented the commuted money value of the labour which each landholder was bound by custom to contribute for the conservancy of the channels. It included the mammoth task of putting up Korumbus in the water courses or rivers to divert water into the channel heads which used to be washed away frequently by floods. As the ryots could not be made to work properly together for the preservation of the channels, the execution of the Korumbus and their supervision had been undertaken by Government in consideration of the payment of the cess. At the resettlement the Government consented, as an act of grace, to continue the supervision of the maintenance of Korumbus and channels while remitting the payments of the irrigation cess for the future.

76. The rules for second wet crop were rather different in the reclassified area in this settlement from those followed in the former one. Fields under irrigation sources of the first group which had an unfailing supply of water for two crops were registered as permanent double-crop land at $1\frac{1}{2}$ times the first crop assessment. In all other fields of this class the ryot was allowed to have his crop registered as double crop on these terms if he liked, but composition at lower rates was not allowed. Under irrigation sources of the second and third classes, composition for second crop was allowed at one-third and one-fourth of the first crop charge, respectively.

VII. THE SECOND RESETTLEMENT (1924-1925).

77. The term fixed for the settlement of the Tiruchirappalli district (excluding Karur taluk settled in 1910 and 26 villages of Musiri taluk which had originally formed part of Salem district and had been settled in 1903-1904) expired in 1923-1924. This heralded the second resettlement. This resettlement was introduced in the Kadarambam tract in 1924-1925 and in the Nirarambam tract and the 3 Pachamalai hill villages in 1925-26. The resettlement operations were carried out on the proposals made by C.W. Priestley, I.C.S., Special Settlement Officer, in his R. Dis. 14/1923, dated 8th September 1923. The Board's remarks thereon are found in Board's Resolution No. 86, Press dated 26th November 1923. Government orders were obtained in G.O. No. 177, Revenue, dated 29th January 1925. A separate resettlement notification was issued in G.O. Ms. No. 1599, Revenue, dated 14th October 1925 for the 3 hill villages of Pachamalai Kombai.

78. (a) *Features*.—Some of the most important features of the second resettlement are sketched below:—

The classification of the irrigation sources in the Kadarambam tract as done during the first settlement and left untouched by the first resettlement, was found to be defective. The then classification of sources did not depend on the capacity of individual sources but hinged on an average classification assigned tract-wise. The resultant rates of assessment on single-crop wet lands and the rates of composition for second-crop charge were hence inequitable. As a step towards rectification, the irrigation sources in the Kadarambam tract were now divided into 3 classes on modern lines. There was no general reclassification of irrigation sources in the Nirarambam tract, except in the case of 5 sources, the classification of which was reduced from the first to the second class in view of the damage caused by the floods of 1924.

There were transfers from dry to wet and vice versa on grounds adopted in modern settlement.

79. No general re-classification of soils was made. At the original settlement, the classification of soils in the Kadarambam tract had been made on a system of 2 or 3 sorts under each class of soils. These sorts were now re-numbered on a system of 5 sorts under each class together with an extra sort under red sand (VIII-IA), introduced to denote an exceptionally good sort of red sand which had wrongly been classified as best black sand at the time of the original settlement. Mr. Priestly justified the introduction of this special sort as follows.—"Among the defects of the soil classification is that a lot of very good red sand is classified as best black sand. This tends to show that a red soil area has been wrongly put as black soil area. This description may

cause a confusion in time of a possible famine and hence the change is proposed". He added as follows:—"One has to remember that the Udayarpalayam Taluk (or atleast the eastern portion of it) is naturally only a continuation of the red laterite plateau with its conditions favourable for a groundnut crop that extends so west from the Cuddalore taluk of South Arcot district. VIII-1. Dry is assessed Rs. 2-4-0 in the South Arcot District whereas it is only Re. 1-4-0 in Tiruchirappalli District". About 10 per cent of the soil under red sand was placed in this sort. This renumbering did not however, entail any change in the rate of assessment. The soil classification was revised only in cases of lands which had been considerably over assessed or under assessed at the previous settlement of lands in the Kadarambam tract forming the ayacut of irrigation sources which had been re-classified at the time of the re-settlement and of lands in the Kadarambam tract classified as permanently improved at the original settlement. Mr. Priestly also successfully resisted the temptation to classify dry land growing rainfed paddy as Manavari with one taram higher than the appropriate dry rates by stating that it would cause injustice to the landowners as compared with other lands equally or more valuable on which groundnut was grown and that manavari dry land suffered from the handicap of being able to grow one crop only in a year, whereas a similar dry land not only grew groundnut, a hot commercial crop, but also had the potential to grow another crop in a year or mixed crops. At the last Re-settlement, paddy had been adopted as a standard crop for wet lands and cumbu, ragi, cholam and varagu for dry lands. As the price of varagu had not been continuously recorded during the currency of the first re-settlement, varagu was deleted from the list of standard crops for dry lands.

80. All lands, which, prior to re-settlement had been registered as "double-crop" were allowed to continue as before and pay for the second crop the same proportion of the first crop charge as they had till then been paying. Lands registered as single crop or as compounded double crop prior to re-settlement were registered as double crop provided the holders thereof applied in writing to the Special Settlement Officer for such registration and provided also that the lands were not so situated as to render the supply of water for two wet crops uneconomical. The rates of composition for the second crop charge adopted at the previous settlement in the Kadarambam tract were in some cases arbitrary. At the re-settlement, these were streamlined and brought into line with those prescribed in the Board's Standing Orders.

81. A number of small rainfed tanks with ayacut of 20 acres and less were handed over to ayacutdars for private maintenance, the tankbed being continued as poramboke and the ayacut assessed at special rates; Government forewent the charge for second crop or any water rate on cultivation carried on with water from such tanks.

82. In the main, the second re-settlement was a scheme of percentage enhancement of rates. The rates of assessment on Kadarambam dry lands were enhanced by 12½ per cent, while those on the Nirarambam dry lands and on wet lands in both Kadarambam and Nirarambam tracts were raised by 18-3/4 per cent, the lowest Nirarambam dry rate of As. 8 being left unaltered. The rates on the lands in the plains portion of the Pachamalai villages were enhanced by 12½ per cent, while the rates on the lands on the hills were left unchanged. The irrigated lands in the Pachamalais were transferred to wet and assessed at Rs. 3-8-0 per acre, the rate appropriate for similar lands in the Kadarambam tract.

VIII. SETTLEMENT AND RE-SETTLEMENT IN KARUR TALUK.

83. Karur taluk was included for settlement and re-settlement purposes earlier along with Coimbatore district of which Karur was part till 1910.

84. (a) *The settlement of 1879-1880.*—Mr. Cloughston, the then Deputy Director of Revenue Settlement submitted in 1875 proposals for the Settlement of 5 out of 10 taluks of Coimbatore district, viz. Erode, Sathyamangalam, Palladam, Coimbatore and Bhavani. The report of Mr. Cloughston was sent to the Board of Revenue by Mr. Puckle, with some modifications. Though the report covered only 5 out of the 10 taluks, Government considered the selection of the taluks as representative of the district and ordered, in G.O. No. 1964, dated 6th December 1878, the application of the rates accepted for the 5 taluks throughout the district below the ghats excluding Kollegal taluk (which was later settled in accordance with Government orders in G.O. No. 649, dated 16th April 1881) as that taluk had little in common with the rest of the district.

85. The leading features of the settlement were:—

- The soils were classified into two main series (viz) red ferruginous and the 5 sorts system was adopted in each series. The classification of all lands was made on the block system.
- Paddy was taken as the standard grain for wet lands, while cumbu, cholam and ragi were adopted as the standard dry crops. The commutation rate for paddy was fixed at Rs. 126- per garce and for dry grains Rs. 119.
- Two dry groups were adopted for the entire district except Kollegal where there were to be three groups as recommended by Mr. Puckle though the third group ultimately did not find a place in the notification for Kollegal taluk as the settlement of the taluk had been completed by the time Government's orders were received. The only taluks where the second group was formed for dry land at the original settlement were Bhavani and Kollegal; the other taluks were placed in group I.
- Irrigation sources were divided into three classes taking into consideration the certainty of water supply or otherwise of the irrigation sources. The lands irrigated by the Bhavani river, except those under the Kaniempalayam anicut and Kodiveri anicut, were placed in Group I. Land under the Noyyal river as well as those under the Kodiveri Anicut, which had adequate supply only for a crop of kar paddy were placed in the second group. All lands irrigated by tanks not supplied by water of the above rivers (Rainfed), in effect those irrigated by jungle streams and the lands under the Kaniempalayam Anicut were placed in Group III. Cauvery fed lands were placed in the first group and those under Amaravathi in the second group.
- As for the second crop charge, Mr. Cloughston proposed a consolidated double-crop charge, calculated at single rates plus an addition of one-third or one-fourth thereof, according to the circumstances on the well-irrigated lands under the Kalingarayan channel. Where the supply for the second crop was less certain, a levy of one half of the first crop assessment was proposed whenever a second crop was grown. Where the supply was altogether precarious, Mr. Cloughston proposed no charge at all. Mr. Puckle advocated a consolidated charge for double-crop under the Kalingarayan channel at one half of the single crop assessment and an option to the ryots elsewhere to compound at one third or one fourth of the first crop charge, with no exception made in the case of rainfed tanks. Mr. Puckle's amendment was approved by government. No land was settled as permanent double-crop land. The double crop assessment on over 4000 acres under the Cauvery channels in Karur taluk was compounded at 1/3 of the first crop assessment, while compounding was done at 1/4 of the first crop assessment for over 9000 acres under the Amaravathi channels.
- The maximum and minimum rates for wet lands arrived at the original settlement were Rs. 12/- and 2-8-0 per acre respectively and for dry, Rs. 2/- and 4/-. As far as Karur taluk was concerned, eleven wet rates, were adopted ranging from Rs. 10/- to Rs. 2/- though the large majority of the wet fields were assessed at from Rs. 0-6-0 to Rs. 3-8-0 per acre. 6 rates were fixed for dry lands varying from Rs. 11-8-0 to 0-6 Annas though 1/3 of the dry lands of the taluk were assessed at either 12 or 8 annas and over 1/6 at Re. 1.

86. (b) *The re-settlement of 1910-1911.*—The term of 30 years fixed for the original settlement expired in 1909-1910 and Re-settlement was introduced in Karur taluk in accordance with Government Order No. 102, Revenue, dated 10th January 1910, on the proposals of Mr. J. K. Lanchashire, I.C.S., Special Settlement Officer. The Resettlement Notification itself was approved in G.O. No. 909, Revenue, dated 23rd March 1910. The transfer of Karur taluk to Tiruchirappalli district at this time did not affect the resettlement.

87. The main features of the Resettlement were as follows:—

- There was no regular resurvey or revision survey by the Survey Department. There was no general reclassification of soils nor any change in the classification of irrigation sources adopted in the original settlement. In view of these circumstances, it was but natural that re-settlement should take the shape only of a percentage enhancement of the old rates. (15% on wet lands and 12½% on dry).
- Lands registered as dry which had been regularly under wet cultivation for five years, as also lands from which water from a Government source of irrigation could not be excluded, were transferred to wet.
- important cart-tracks and channels which had formerly been included in patta land were subdivided and registered as poramboke.
- Though the rates adopted for the composition of the second crop charge differed from the standard rates prescribed by the Board, they were continued all the same.
- One important change which was proposed and accepted by Government in this connection was the principle of compounding the second crop charge for lands even under rainfed tanks and jungle streams. The tank irrigated lands deserved a liberal treatment in view of the fact that there had been no manipulation of the classification of soils in Coimbatore district taking into account differences between rainfed tanks (all placed in Class III) with reference to the duration of water supply for irrigation. In view of this circumstance, it was found that any change in wet agrouping would involve an increase in assessment at two ends—one by lowering the taram and the rate at which the second crop charge was compounded. Mr. Lanchashire proposed registering all the tankfed lands as single crop wet at the first instance with the option given to the ryots to compound the second crop charge at 1/3 of the first crop assessment. This proposal was approved by Government. The wet lands under the cauvery Korambu channels in Karur taluk were registered as permanent double-crop lands, liable to consolidation of the second crop charge at 1/3 of the first crop assessment instead of being allowed to compound at 1/4 of the first crop charge. In G.O. No. 1014, Revenue, dated 3rd April 1912, the following irrigation sources with registered ayacuts were classified as follows:—
- The Cauvery Amaravathi and Bhavani—I Class.
The Noyyal River—II Class.
All jungle streams and Kuttais—III Class.
- Government also approved the proposals of the Special Settlement Officer to adopt 3 dry groups at the Re-settlement, the third dry group intended to provide for the newly surveyed villages in the midst of Reserved Forest in Kollegal taluk and this had no concern to Karur taluk which had already been placed in dry group I.

IX. THE SETTLEMENT AND TWO RE-SETTLEMENTS OF THATHAYYAN-GARPET FIRKA OF MUSIRI TALUK.

88. (a) *Original Settlement 1874-1875.*—The first regular settlement of the Salem district was effected in the years 1871-1874 under the scheme drawn by Mr. Puckle. Mr. Puckle submitted his first report on 26th October 1965 dealing with Salem, Attur, Tiruchengode and Namakkal taluks, the prosperous taluks, more popularly known as "the southern taluks". It was, however, subsequently found that a single report for the entire Salem district would suffice as much of the ground pertaining to the northern and the southern taluks was common. This second report of Mr. Puckle was sent up on 13th April 1866. The remarks of the Board thereon are to be found in their proceedings No. 6334, dated 4th October 1867 and the orders of Government in G.O. No. 1427, dated 20th May 1868. The chief features of the settlement were:—

- (a) Six varieties of soils were recognised—soil classes III, IV, V, VII, VIII and II (permanently improved). The last class was introduced to keep the assessment comparatively higher on garden lands which would otherwise, have to be treated only as ordinary dry. Three sorts in each variety of soil except VIII (where there were 4 sorts including VIII-A) and II (where only two sorts were recognised) were adopted. VIII-A was introduced in addition to the 3 usual sorts as it was represented that the best red sand was equal to red loam owing to its peculiar nature. Only in Attur taluk was VIII-A not given effect to as settlement had progressed far in Attur taluk by the time Government orders were received.
- (b) Wet lands were placed in 5 groups, the grouping being conditioned by the nature and quality of the irrigation and consideration for the vicissitudes of season. The Cauvery was placed in Group I, the Velliyar and the Vashistanadhi were in Group II, the Thirumanimutha, Yedapadiyar and some other minor streams and some tanks in Group III, while the tanks dependent on local drainage were placed according to their capacity, in group IV or V.
- (c) The dry lands were formed into 4 dry groups, which had, for their basis, both facility of communication and fertility of soil.
- (d) The second group wet lands and the 1st Group dry lands were taken as the standards for fixing the assessment and the rates of assessment were proportionately raised or lowered to suit the higher and lower tarams.
- (e) Paddy was taken as the standard wet grain and cholam, cumbu and ragi were adopted as the standard dry grains.
- (f) The commutation rate finally fixed by Government was Rs. 100/- per garce for both wet and dry grains.
- (g) Following the practice in the district, the second crop charge was compulsorily consolidated, with the result that no wet land was ever classes single-crop. Only enough, the rates of composition were 113 for the first group, 114 for the second group and 115 for the third, fourth and fifth group villages except the fourth group village of the Namakkal taluk where the rate of composition was fixed at 114. These rates were however, departed from when they were given effect to the rates actually adopted being 11 1/4, 114 minus 8 annas, 115 and 115 minus 8 annas, though no authority for the deductions is forthcoming and the deviations are believed to have reference to the extremely precarious nature of the sources concerned as regards their capacity to support a second crop. A minimum of 1 rupee for the second crop charge was prescribed and in cases where the deduction of 8 annas was given, the minimum was fixed at 8 annas.
- (h) No baling remission was allowed but the additional cost of cultivation was given due allowance for by manipulation of the classification of the soil. Where this was not done, there was no allowance of any other kind made.
- (i) The settlement rates ranged from Rs. 10-8-0 to Rs. 1-4-0 for wet lands and Rs. 5 to 4 annas in respect of permanently improved and dry lands.

89. (b) *The First Resettlement of 1903-1904.*—The currency of the original settlement expired for Attur taluk in fasli 1309 and for Salem, Tiruchengode, Namakkal and Uthangarai taluks by fasli 1310, justifying a Re-settlement. A report on the Re-settlement of the four southern taluks and Uthangarai was submitted by Mr. J. G. Burn on 11th November 1902. The remarks of the Board of Revenue thereon are to be found in Resolution 205, dated 15th June 1903. The Re-settlement of 1903-1904 was carried out by Mr. J. G. Burn, Special Settlement Officer, in accordance with the orders issued in G.O. No. 1029, Revenue, dated 7th October 1903. The draft notification for the Re-settlement of these 5 taluks was submitted by the Board of Revenue in Resolution 29 dated 25th January 1904 and approved by Government, with modification, in G.O. No. 244, dated 4th March 1904. The amended notification was communicated by the Board in Resolution No. 90, dated 11th May 1904 and recorded by Government in G.O. 529, Revenue, dated 25th May 1904.

90. No drastic changes were made in the existing frame work of the original settlement. There was no general reclassification of soils or revision of grouping.

91. Government did not accept the Board's suggestion to substitute a voluntary consolidation for compulsory consolidation of the second crop charge in respect of wet lands other than in the first group nor did they consider it necessary to rectify the unauthorised procedure adopted at the settlement of allowing a deduction of 8 annas in the consolidated charge for the second crop.

92. The first Re-settlement took the shape of a 12½ per cent enhancement of rates in respect of all lands. The rate of composition under the Cauvery channels was fixed at ½ instead of 1/3 of the single crop assessment and the classification in respect of waste lands was lowered by one taram before the Re-settlement enhancement was given effect to, as an incentive to their occupation. Some anomalies found during the original settlement were rectified by

- (1) reclassifying lands under private wells as dry,
- (2) fixing the proper classification for baling wet lands and allowing the usual baling remission, and
- (3) revising the classification of permanently improved lands unless good reasons existed for retaining the special rates.

93. (c) *Second Re-settlement of 1935.*—On the expiry of the currency of the first Re-settlement of 1903-1904, the Second Re-settlement of the southern taluks of Salem district along with 26 villages of Namakkal taluk which had been transferred to Musiri taluk of Tiruchirappalli district since then, was taken up in 1935. Proposals regarding the same were submitted by Sri J. Balaji Rao, Special Assistant Settlement Officer in charge of Revenue Settlement Party No. II, Salem on 27th November 1933. The remarks of the Board thereon are found in B.P. No. 92, dated 11th July 1934 and orders of Government on the scheme report in G.O. No. 258, dated 1st February 1935. The Re-settlement Notification approved by Government in G.O. No. 258, dated 1st February 1935 was slightly amended by the Board in their resolution No. 475, dated 2nd February 1935. The salient features of the second re-settlement were the following:—

- (a) Dry grouping, classification of irrigation sources and soil classification had been closely linked during the original settlement and hence it was decided that none of the three processes could be dealt with without upsetting the other.
- (b) The charge for the second crop had also been used as an effective instrument in manipulating the assessment. This meant that the question of giving up the compulsory consolidation of the second crop charge would have meant a wholesale reclassification of sources and soils. Hence the practice of compulsory consolidation of the second crop charge was allowed to continue.
- (c) The principle of reducing the assessment by one taram in the case of unoccupied waste before applying the percentage enhancement was given up as unnecessary.
- (d) Concession by way of increment remission was allowed.
- (e) A detailed investigation of all private irrigation works was made and a Record of Rights prepared.
- (f) The following items of work were attended to in most of the proprietary villages of the southern taluks after the survey of Government interested lands therein, (i) The classification of unclassified Government irrigation sources, (ii) the dry grouping of villages where it had not been done already and (iii) the fixation of the appropriate soil classification for unclassified minor and resumed inam lands. Unfortunately the basis on which the above has been done, has not been explained in the introduction report D. Dis 2007136 dated 2-7-1937 for the southern taluks of Salem district and the 26 villages of Musiri Taluk.
- (g) The percentage enhancement given effect to during the 2nd Re-settlement took the following form:—
 - (1) The rates on dry lands were enhanced by 12½ percent except for the last 2 rates which were left unaltered
 - (2) The rates for wet lands under the Cauvery channels and the Mangalam tank were enhanced by 18½ percent and
 - (3) the rates for other wet lands under the II, III IV and V class sources were enhanced by 12½ per cent.

94. *X Re-settlement of Ex-Pudukkottai State Villages.*—The four villages of Kulithali taluk which were ordered to be transferred from Kulathur taluk in G.O. No. 967, Revenue, dated 23rd June 1955 have a separate history of settlement and re-settlement. They formed part of the Ex-Princely State of Pudukkottai, which was merged in the then Madras Presidency in the year 1948 on India attaining independence, and constituted a division of Tiruchirappalli district. A settlement on modern principles had been effected in the State in the year 1911 and its term had expired in the year 1941. By the time the proposals initiated in the year 1945 to re-settle the State could be put through, the State had merged in the Indian Union. The proposal to resettle the merged territory of Pudukkottai was approved by Government in the year 1952, but Government then thought that there was no urgency to take it up at once. Some changes in jurisdiction were effected in the meanwhile. Resettlement was actually taken up on the issue of a re-settlement notification in the year 1962, which broadly adopted the rates already in force in the merged territory, except for the wet lands benefited by the C.M.P. for which the Class I rates of the Cauvery delta were applied, and with some modification in principles like adopting 5 classes of irrigation sources instead of 4 previously in vogue, and the introduction of manavari classification for dry lands on which paddy is grown so as to conform to the practice in vogue in the rest of Tamilnadu. The history of Settlement and Re-settlement of this merged State is detailed under Pudukkottai district which was newly formed on 1st January 1974.

3 The sources in the Nirambam tract were classified as follows :

Class I: Major rivers such as the Cauvery and the Coleroon and sources directly or indirectly deriving supply from such rivers which afford supply through out the year. This definition meant a slight modification of the wording adopted in the re-settlement notification to clarify the actual position as adopted in practice

Class II: Channels and tanks deriving supply from rivers placed in Class I, but less well supplied and smaller rivers, river-fed channels and tanks affording supply for not less than eight months.

Class III: Channels and tanks affording supply for less than eight months and all other sources, not qualifying to be placed in Classes I and II.

In respect of sources commanding the ryotwari as well as estate areas, the classification already assigned to them in the ryotwari villages was taken into consideration in arriving at the classification suitable to the estate area.

4. In Kadambam tract however none of the sources were placed in I class, The other classes II to V were distinguished as follows:—

Second Class: Sources which ordinarily afford a supply for eight months or upwards.

Third Class: Sources which ordinarily afford a supply for less than eight but not less than five months.

Fourth class: Sources which ordinarily afford a supply for less than five but not less than three months.

Fifth class: Other minor sources which afford a supply for less than three months.

III DRY LANDS

It was found unnecessary to provide for manavari classification in the settlement notification, notwithstanding the fact that a substantial extent in Udayarpalayam and Perambalur taluks was covered by Manavar paddy, on the ground that the soils of the Manavari lands were comparatively poor compared to the adjoining dry lands and gave a poorer outturn of broadcast kar paddy, Except under Cauvery channels

dry lands cultivated with paddy crops were registered as wet under the respective sources, subject to the usual conditions. Dry lands raising wet crops under Cauvery channels were banned from wet registry as per G.O. Ms. No. 2366, Revenue, dated 22-11-1927. The ayacut fed by Artesian and tube wells in Udayarpalayam taluk was registered only as dry subject to payment of a special water rate agreed to between the ayacutdars and the Government. Ayacuts under other poramboke wells, if they were 3 acres or more, were registered as wet. Doruvu wells serving as supplemental sources of irrigation to registered ayacut lands were recognised, if their use was unobjectionable. Grass rent lands in Kadavur Zamin were levied the appropriate dry assessment suitable to their soil classification.

IV SECOND CROP CHARGE

The wet ayacut of I class sources in Karur taluk which actually received water for 2 crops was registered a double crop at one and half times the wet assessment with the usual provision for remission of II crop charge in case of deficiency in water supply. The II crop charge on wet lands under other two classes of sources was permitted to be compounded at 1/3 and 1/4th the I crop rate, respectively. The ayacut in the estate villages of Thathayyargarpet firka of Musiri taluk was, however, registered as single crop wet only, with the option to the ryots to compound the II crop charge at concessional rates under sources placed in Classes II to V. In the other tracts coming under either Kadambam or Nirambam, double crop registry was made only of land registered as such in authentic records prepared prior to the year 1927 and all other lands were registered as single crop only, with the option to the ryots under sources placed in Classes II to V to compound second crop charge at concessional rates applicable to the respective classes.

V DRY GROUPING

The dry lands in Karur taluk and in the Nirambam tract were placed in dry Group I, those in Thathayyargarpet firka in dry group II and in the Kadambam tract in Groups I to III on merit as applicable to specified villages with reference to facilities of communication and nearness to marketing centres.

There was also a residuary provision to reclassify irrigation sources or change the dry grouping, where any village in the Kadambam tract was converted into Nirambam by extension of irrigation facilities from the 4 specified rivers.

106. *Perambulation Report.*—The perambulation of this district was entrusted to Thiru R. Natarajan, I.A.S., Assistant Settlement Officer, Salem and he continued the work even after he became Settlement Officer, Sivaganga. He submitted his report in consultation with the Settlement Officer, Thanjavur, Thiru Ramachandar, I.A.S. The then Director of Settlements Thiru R. Thirumalai, I.A.S., and Thiru S. Venkateswaran, I.C.S., he then Settlement Commissioner made intensive inspections in this district and recorded their views. The perambulation report, as modified by the Board after these inspections, was sent to the Government and it was approved in G.O. Ms. No. 4147, Revenue, dated 17th October 1960. The settlement notification embodying the money rates in force and the principles approved by the Government was issued in G.O. Ms. No. 4147, Revenue, dated 17th October 1960. The same rates and principles were embodied in the Settlement Notification issued for Inam Estates under Act 26 of 1963 in G.O. Ms. 914, Revenue, dated 29th April 1968 and for the minor inams in G.O. Nos. 2676, Revenue, dated 25th August 1966 and 3306, Revenue, dated 25th November 1966. The Survey parties at Salem and Namakkal conducted survey work, while the Settlement work was carried out by the Assistant Settlement Officers at Ariyalur and Tiruchirappalli under the supervision of the Settlement Officer, Thanjavur.

THANJAVUR DISTRICT.

FREEHOLD TENURE.

USILAMPATTI OF TIRUMAYAM TALUK (SINCE TRANSFERRED TO MANAPPARAI SUB-TALUK).

95. This is one of the villages listed in Schedule I-A of Act 26 of 1963 which was taken over by the Government. An extent of 52-32 acres in this village is in possession of Thyagesar Alai, a branch of the Sri Meenakshi Mills, Madurai. The lands are held without payment of land revenue to Government as the ex-Pudukottai Durbar had treated these lands as "Meenakshi Mills Poramboke" in the Durbar records. Sums of Rs. 4,816-5-3 and 596-14-0 were realised by the ex-Durbar of Pudukottai from the mills towards land value and capitalised value of abatement of land revenue for 20 years, respectively. Presumably it was based on this, that the ex-Durbar had classified it as poramboke, though it is actually occupied, but held free of assessment. This freehold patta land is to be brought within the purview of the legislation for abolition of freehold tenures in the state which is pending consideration by the Government.

XI. Implementation of Act XXVI of 1948, 26 of 1963 and 30 of 1963.

96. The estate area and minor inams account for $\frac{1}{4}$ of the total area of this district, half of which is comprised in the major zamindari of Udayarpalayam, Marungapur and Kadavur, concentrated in Udayarpalayam and Kulithalai taluks, the rest of the area being strewn in the midst of ryotwari tracts over the entire district.

97. Ariyalur is also an ancient zamindari though reduced in size by frequent court sales and subdivisions. The Udayarpalayam house has, however, stood through the ages, unruffled by the vicissitudes of the rulers ever since its inception in the 18th Century by the Vijayanagar King on one Rangappa Udayar who distinguished himself in a war with the Sultan of Ahamednagar. It was one among the well administered estates in the State.

98. Under Act XXVI of 48, 41, zamin estates and 115 inam estates with an area of 788.87 square miles were notified in G.O. Ms. Nos. 3157, Revenue, dated 9th December 1950 and G.O. Ms. No. 2302, Revenue, dated 1st September 1951, respectively and they were taken over on the notified date (viz) 3rd January and 1st October 1951, except for a few interruptions caused by stay orders of Courts. The take over of the inam estates of Komagudi, Sumbakulam, and Chithanatham belonging to the Prince of Arcot endowments was the subject matter of challenge before the Supreme Court but they were ultimately taken over and settled after the landholder withdrew the court proceedings.

99. Under Act 26 of 1963, 46 iruwaram inams estates with an area of 82.63 square miles, notified in G.O. Press 781, Revenue, dated 15th March 1965, were taken over on 15th April 1965, and they were settled during fasli 1379 to 1381.

100. Under Act 30 of 1963, 880 minor inams convering an area of 245.52 square miles have vested with the State on and from the appointed date (viz) 15th February 1965. Of this 493 minor inams were settled during fasli 1379 and the balance during fasli 1380.

101. There are four resettlement notifications in force in this district, excluding that in force in the four villages of Ex-Pudukottai State transferred from Kulathur taluk to Kulithalai taluk as per G.O. No. 967, Revenue, dated 23rd June 1955. They are:—

1. The re-settlement notification applicable to Musiri, Lalgudi, Udayarpalayam Perambalur, Tiruchirappalli and Kulithalai taluks approved in G.O. No. 177, Revenue, dated 29th January 1925 containing different rates for the Kadarambam and Nirarambam tracts in these taluks.

2. The resettlement notification in force in Karur taluk which was resettled along with the then Bhavani, Dharapuram, Coimbatore, Sathyamangalam, Erode and Palladam taluks of Coimbatore district under G.O. Ms. No. 909, Revenue, dated 23rd March 1910, before its transfer to Tiruchirappalli district.

3. The resettlement notification in force in 17 ryotwari villages and three inam villages of Thathayyangarpettai firka and nine Kollimalai Kombai villages (transferred to Musiri Taluk of Tiruchirappalli district from Namakkal taluk, Salem district with effect from 1st April 1918) and applicable generally to the southern taluks of Salem district as approved in G.O. Ms. No. 258, Revenue, dated 1st February 1935.

4. Resettlement Notification in force in three Pachamalai Kombai villages approved in G.O. Ms. No. 1599, Revenue, dated 14th October 1925.

102. There were no estate villages or minor inams to be settled in the Pachamalai Kombai area and as such the resettlement notification referred in item 4 had no relevance in this context.

103. As the estate area coming for settlement was spread over the other three tracts it became essential to adopt the rates applicable to the respective tracts in setting the ex-estate areas therein.

104. Section 22 of the Abolition Act makes it obligatory to adopt the money rates contained in any one of the resettlement notifications in force in the district which is considered most appropriate, but in the conditions prevailing in Tiruchirappalli district, as narrated in the history above, due to the transfers in different times of different areas from Salem and Coimbatore districts, it was thought that it would be impossible to adopt this course as it would lead to anomalies both in the rates of the assessment as well as in the principles to be adopted as between villages in different tracts with dissimilar characteristics, but on the other hand, it would be essential to ensure uniformity in villages lying in the estates taken over and the surrounding ryotwari villages in the same tract. It was, therefore, decided that for every one of the these three distinct tracts described above, the money rates set out in the resettlement notification in force in that particular tract should be adopted and that the other general provisions applicable to ryotwari settlement can be adopted subject to modifications as found necessary. Three separate notifications under Section 22 of the Abolition Act were consequently issued in G.O. Ms. No. 4147, Revenue, dated 17th October 1960 (adopting the different money rates prevailing in each of the three tracts referred to above).

105. The salient features of the settlement effected are given below:—

I. CLASSIFICATION OF SOILS

- (i) In the estates settled in Karur taluk soils were divided into 2 series, viz., (i) the Regar being sub-divided into 3 classes (viz) clay, loam and sand, and (ii) the red ferruginous being sub-divided into 2 classes (viz) loam and sand. The soils were classified under the 5 sorts system.
- In Thathayyangarpettai firka of Musiri Taluk also, the same series and classes of soils were adopted at the resettlement but the soil classification was made more elastic under the 5 sort system adopting the money rates found in the re-settlement notification, and obviating the need to adopt sort VIII-A.
- In the rest of the area, consisting of the two tracts known as Nirarambam or the deltaic and the Kadarambam or the upland, soils were classified into 3 series (i.e.) Alluvial, Regar and Red ferruginous in the nirarambam tract, while in Kadarambam tract the soil was classified into 2 series (i.e.) Regar and Red ferruginous, the alluvial deposits of the Cauvery delta being absent there. The special sort VII-IIA introduced at the second re-settlement of the Kadarambam tract to denote an exceptionally good sort of red sand was adopted at this settlement also, as also the sorts I P and II P to denote superior Padugai lands having all deposits in the Nirarambam tract.

II. CLASSIFICATION OF IRRIGATION SOURCES:

- In the estates settled in Karur Taluk the sources were classified into 3 classes as below:—

Class I: Rivers such as the Cauvery and the Amaravathi and channels and tanks fed therefrom, which may fairly be expected to afford a steady supply of water in normal years, for two crops of Paddy.

Class II: Rivers such as the Palar and channels and tanks fed therefrom, as well as the less well supplied channels from the rivers placed in class I and tanks fed therefrom, which can be expected to afford sufficient supply in normal years for one crop of Kar Paddy, i.e. for not less than four months.

Class III: Rainfed tanks, natural rivers, streams and springs and other sources such as poramboke wells recognised as irrigation sources, but streams of the nature of jungle streams, as defined in Board's standing order No. 10, were not recognised as irrigation sources.

- In the estates settled in Musiri taluk the sources were classified into 5 classes:—

Class I: The Cauvery and channels fed therefrom which can be expected to afford a sufficient supply throughout the year in all normal years.

Class II: Rivers and channels and tanks fed therefrom which can be expected to afford a sufficient supply in all normal years for a period exceeding eight months.

Class III: Rivers and channels and tanks fed therefrom and rain fed tanks which afford a supply in all normal years for a period exceeding five months and not exceeding eight months.

Class IV: Rainfed tanks and other sources which afford a supply in all normal years for a period exceeding three months and not exceeding five months.

Class V: Rainfed tanks and other sources which afford a supply in all normal years for a period not exceeding three months.

THANJAVUR DISTRICT.

1. Introduction.

1. Thanjavur district carries with it the reputation of being the granary of Tamil Nadu. With a glorious history behind it, it was the seat of Chola power when ancient Tamil Nadu reached its zenith. It has developed a rich and varied cultural heritage. Its economy is essentially agrarian, sustained by a net-work of irrigation channels connected with the Cauvery and the adoption of improved methods of cultivation.

Geographical area 3122 sq. miles *—

(This excludes 620 sq. miles transferred to Pudukottai district on its formation in the year, 1974)

Population *—

(According to 1971 census) (This includes 2.2 lakhs relating to the area transferred to Pudukottai district)

Rural 30, 52, 694

Urban 7,58,038

Total 38,40,732

Town and Villages electrified—5,871

Harijan Colonies electrified—4,951

Pumpsets erected for irrigation—9,204

Cattle

White Cattle—12,37,724

Black Cattle—3,52,402

Sheep—2,18,141

Goat—4,35,055

Livestock—22,54,734

Poultry—10,53,550

2. The district is well served by roads and railways but the cost of road formation and maintenance is heaviest due to non-availability of road metal at hand and the immense damage done to roads during the monsoon. The requirements of bridges and culverts are also too many.

1 (a) Physical Features.—

3. Thanjavur district lies between $10^{\circ}8'$ and $11^{\circ}50'$ of the northern latitude and $78^{\circ}47'$ and $78^{\circ}52'$ eastern longitude. To the north of the district lie South Arcot and Tiruchirappalli districts, of which the latter extends to the north-western border also. The northern boundary is marked by the river Coleroon. The Park Strait forms the southern border and Bay of Bengal, the eastern. The newly formed district of Pudukkottai is on the west. Thanjavur is one of the coastal districts, having a long coastline extending over 122 miles, on its eastern and southern boundaries. The sea board can be divided into two sections, one extending straight south almost 72 miles from Kodyampalayam at the mouth of the river Coleroon to point Calimere abutting the Bay of Bengal, and the other bordering the Palk Strait for about 58 miles from Point Calimere to the mouth of the river Narasinga Cauvery, running down west upto Adirampatnam and thence forward in a south-westerly direction up to the end of the district limit. The erstwhile French Pocket, Karaikal forming part of the centrally administered State of Pondicherry lies in the middle of the first section. The coastline has a number of minor ports like Adirampatnam, Point Calimere, Nagapattinam, Nagore, Tranquebar and Tirumullaivoyal.

4. The district is a vast plain of fertile soil with a gentle but definite slope towards the sea. It can, however, be divided into three distinct divisions, (viz.) the deltaic region, the upland area and the salt swamp. Of these the deltaic region consists of the northern and the eastern parts of the district comprising the whole taluks of Sirkali, Mayuram, Kumbakonam, Papanasam, Nagapattinam and Nannilam and portions of

Thanjavur, Mannargudi and Tiruthuraiipoondi Taluks. This region is a wide expanse of alluvial and black cotton soil, with numerous rivers and arterial channels feeding rich paddy fields interspersed by green groves of mango, coconut and other trees. There is no hill to add to the scenic beauty. The western and southern parts of the district form the upland area to which irrigation is extended from various projects, taking water from the Grand Anicut Canal. It also slopes towards the sea and is devoid of hills. In the south and South-western parts of Thanjavur taluk, beyond the contour line of the G.A. canal, a small plateau called the Vallam Table land is located. The third region is Vedaranyam Salt Swamp which is the largest of its kind in the State. It runs along the coast from Point Calimere towards west covering a stretch of about 30 miles in length and four to five miles in breadth, part of which is the Thambik-kinallavankottai forest covered with marshy vegetation. The roads and river banks are flanked by rich avenues. At the last resettlement the district had eleven taluks including Papanasam and Arantangi formed on 15th November 1910. The twelfth taluk—Orathanad was formed in 1954 (vide G.O. Ms. No. 1306, of 25th May 1954) by transferring 156 villages from Pattukkottai and 22 villages from Thanjavur taluks. After transferring Arantangi taluk and portions of Pervurani sub-taluk and Orathanad taluk to the Pudukkottai district newly formed on 1st January 1974, Peravurani was constituted into a separate taluk and a new taluk was also created at Tiruvarur with effect from 1st April 1975. Thanjavur district as at present is comprised of 13 taluks grouped into 6 divisions.

1. (b) Agriculture—

5. With fertile soil in most parts and irrigated by numerous streams and channels taking off the Cauvery, Thanjavur is the leading agricultural region in the State. It is in a way an insurance to the State against famines. It is said that during the great red famine of the years 1876-78, this was the only district east of the western ghats and south of the river Krishna that escaped suffering. The less fertile soils in some parts of the district not commanded by the Cauvery have been improved by the yeomen service rendered by the Agricultural Department by introducing scientific and modern methods. The extension of irrigation facilities to the non-deltaic areas like Pattukkottai and Orathanad has given a stimulus to intensive agriculture. Nearly 88 per cent of the total cropped area is under food crops while over 77 per cent of the same is under paddy. A special feature in this district is the Oodu or Ottadam cultivation where an extra long term variety of local paddy is mixed with Kuruvai, Kar or Kadappu which are short duration crops and sown, and it admits of two cuttings of the same crop. Where this Oodu cultivation was raised on land customarily reserved for it, it alone was exempt from a second crop water charge for sometime. With the adoption of improved methods of cultivation, this practice has almost vanished. The package plan introduced in this district in 1960 under the Intensive Agriculture District Programme has given the impetus to intensive cultivation based on Farm Production Plans and the availability of necessary facilities like technical guidance, timely credit and supply of requisite inputs, etc. The Agricultural Research Stations at Aduthurai and Pattukkottai have proved a landmark in the field of agriculture in this district and they have helped to evolve improved strains of paddy suited to this district. Besides paddy, coconut is the next important produce in the district. Cholan, Varagu and Cumbu are raised in the unirrigated tracts. Plantain and Sugarcane are also grown to a large extent in wet and padugai lands having irrigation facilities. Pulses are grown as catch crops in wet lands, though cotton cultivation recently introduced is just picking up.

1 (c) Rivers and Irrigation.

6. The most important river of the district is the Cauvery. Rising in the Coorg mountains and gathering the flood waters of the Karnataka State, and Salem and Coimbatore districts in Tamil Nadu, it splits into two as the Cauvery and the Coleroon in the limits of Tiruchirappalli district at upper Anaicut. The Southern branch viz., the Cauvery enters Thanjavur where it divides into numerous small streams and then into irrigation channels, most of which get lost in the wide expanse of paddy fields. The Coleroon which forms the northern arm is essentially a drainage course below the Grand Anicut where the supply is regulated and its importance to the district as an

irrigation source is limited to the ayacut under the South Rajan Channel taking off the lower anicut. The Cauvery itself is depleted and reduced to the stature of an insignificant stream at its tail end where it joins the Bay of Bengal at Kaveripattinam about eight miles north of Tranquebar. The main branches of the Cauvery are Vennar, Vettar, Kudamuruttiyar and Arasalar. All these again branch off into smaller streams. The drainage of the ayacuts of these sources, in turn, gather into sizeable streams and go to augment supply to the ayacuts lower down, so that the whole delta can be described as a web of intricate irrigation-cum-drainage systems, posing a lot of problems and throwing a challenge to the officers of the Public Works Department who venture to effect improvements in the existing system which is considered to be archaic and outmoded. The G. A. Canal conceived as part of the Cauvery Mettur Project commands a vast area in the new delta, with its scientifically designed channels and vents, and functions at low duty as it serves the sandy and loamy upland tract where the seepage is heavy. The Vadavar extension channel and the Uyyakondan extension channel, which in turn are Projects resulting from the C.M.P., also command a sizeable ayacut. The exploitation of the Cauvery water has already been made to such an extent, that it brings near catastrophe to the district in case of partial failure of the monsoons. Paradoxically, supplemental sources of irrigation in the delta, to serve as an insurance against seasonal vagaries, are next to nil though efforts are taken in recent years to sink filterpoint tube wells in wet lands which help to raise paddy seedings in advance and thus change the schedule of cropping in the delta.

7. *Industries.*—Being predominantly an agricultural district this district cannot be said to have made any considerable stride in the field of large scale industries. Rice-milling is the sole industry conducted on a large scale; there are as many as 700 rice mills including cooly mills. Two spinning mills and a sugar mill are of recent origin. Handloom weaving in cotton, silk and art silk is practised widely in several centres and it is almost the chief cottage industry. The district has been from ages past a flourishing centre of handicrafts, the products of which are noted for their artistic beauty. The district is also famous for a wide range of utility and decorative articles like metalwares icons, coir, mats, cane works, pottery, pithwork and toys. The finest variety of embossed work comes from this district.

8. An industrial estate to promote small scale industry has been opened at Thanjavur. Metal industry flourishes at Nachiarkoil, Kivatur, Kumbakonam and Kannaman-galam where various domestic vessels are manufactured and they find easy marketing. Fine Arts like music, painting and dance flourish in this district.

9. *Culture of the district.*—Thanjavur district along with Tiruchirappalli was directly administered by the Cholas, to whom credit should be given for the construction of many of the well known temples in the district. The Cholas who held sway for several centuries were famous temple builders. There are about 1,565 temples in all in this district most of them well managed under schemes drawn up by the Hindu Religious and Charitable Endowments Department. Some of the most important temples are managed by the Mutts at Dharmapuram, Tiruvaduthurai and Tiruppanandal. These ancient temples depicting delicate Chola art and epitomising the ancient Hindu culture, most of them preserved in their pristine beauty, attract foreign tourists and pilgrims. This district has happily remained isolated from wars and depredations. Insulated by the high philosophic attitude cultivated through the ages and the people assured of a frugal living due to the bounties of the Cauvery and the paternal care bestowed by the rulers, the district has preserved to this day a culture which symbolises a true tamilian.

10. *Political History.*—The district has been the seat of one of the early river valley civilisations. The Chola dynasty flourished in this region even around 1,000 B.C. with their contemporaries the Cheras and the Pandyas. It is believed that the Cholas succeeded the Nagas, the ancestors of communities of Kallar, Marawar and Ahamud-yar, commonly known as "Mukkulathor". There are also who believe that the Cholas were non-aryan invaders from lower Bengal who branched out into Burma, Ceylon and Indonesia also. Asoka edicts of 260 B.C. testify to the existence of the Chola Kingdom in its glory. The greek geographer Ptolemy in 130 A.D. refers to the Cholas with their capital at Woriyur. The old annals of Ceylon refer to this kingdom

that flourished during the commencement of the Christian era; but the entire district was not under their control then; the southern portion was under the control of some Velir chieftains and the eastern part under the Nagas. The relationship of the Cholas with their neighbours cannot be said to have been always cordial as they were as guilty of territorial ambitions as their neighbours and instances of intrigues with common enemies are not wanting, notwithstanding the innumerable marital alliances that had taken place between these hordes through the ages. But they had one link in common (i.e.) an ardent desire to preserve Tamil culture and, whenever possible, to extend Tamil domination in a wider territory including the overseas.

11. The Pallava Chieftain Simhavisnu and his successors Mahendra-Varman and Narasimhavarman claim to have subjugated the Chola territory in the sixth century A.D. and the sway of these later Pallava kings lasted over the territory up to the 9th Century A.D. till the Vijayaditya line of Cholas appeared on the scene. During this interregnum, the Pandyas were incessantly trying to extend their dominions into the north when ultimately Arikesari Maravarman defeated Pallava Malla and his successors annexed the Cholamandalam and Thondaimandalam with Pandiyanadu. The Gangas were also subdued in this process. The Chalukyas and the Rashtrakutas have also had their sway over this country for brief intervals till a later dynasty of the Pallavas, known as the Ganga Pallavas, rose to power and held authority over the Chola territory for a few years till Vijayaditya rose to power and founded the second line of Chola dynasty in the second half of the 9th century. They even recaptured the Kongu country in the beginning of the 10th Century A.D. Raja Raja and Kulothunga are the eminent royalties in this line.

12. But however, during Rajaditya's period, the territory Thondaimandalam was lost to the Rashtrakutas and retaken by Aditya II and the Chola supremacy gradually extended to Vengi in northern circars subjugating the eastern and western Chalukyas. Rajaraja is credited with having made matrimonial alliances with the Chalukyas, and one such later alliance ultimately enabled Kulothunga I, Chalukya descendent, to claim heirship to the Chola Kingdom as his mother's heritage and by adoption to his maternal grandfather Rajendra Chola. The sway of the Cholas which extended to Ceylon during the reign of Raja Raja ended during that of Kulothunga in the 12th Century and heralded the decay of the Chola dynasty which was ultimately subjugated by the Vijayanagar empire in the middle of the 14th century. The Portuguese chronicler Mr. Nuniz refers in 1537 A.D. to Coramandal, Thanjavur and Nagapattinam as the subject states of Vijayanagar under Achutharaya. The Saluvas and Tuluvas held overlordship as successors of the Vijayanagar empire. Sevappa Nayak founded the Nayak dynasty in the Tanjore territory and exchanged Tiruchirappalli for Vallam with his Co-brother-in-law Viswanathan Nayak of Madurai in 1640 A.D. The rule of Vijayanagar ended by 1640 A.D. when the Nayaks of Tanjore declared their independence only to be soon overpowered by the Sultan of Bijapur in 1660 A.D. With the waning of the Muslim influence, Madurai Nayaks assumed ascendancy and brought the Nayak dynasty in Tanjore to end in A.D. 1673.

13. Venkoji, the brother of Great Shivajee, in the employ of the Sultan of Bijapur, came to Tanjore to re-establish the Tanjore Nayak on the throne and also succeeded in it, but soon usurped the kingdom to himself in A.D. 1674 and thus established the Maratha dynasty of Thanjavur which continued till long after the British acquisition of the country. But Venkoji had soon to face trouble from Zulfakar Khan, the Carnatic General of Aurangazeeb, who invaded the country and forced him to subjugation in the year 1691 A.D. and made him the feudatory of the Moghul empire. Several places taken by him from the Nayak of Tiruchinopoly (formerly of Madurai), another vassal of the emperor, were ordered to be returned to him. The Maravas of Ramnad eroded into the upland of the territory. When internal dissention arose in Ramanathapuram territory over succession, the Maratha kings successfully intervened and, through a confederacy, managed a partition by which the zamindaries of Ramanaapuram and Sivaganga came into existence and the eroded territory was retaken by the Maratha king. Later, on the death of Bava Saheb, intrigues for succession arose which brought in the intervention of the French in favour of Saiyaji one of the contenders who had to appease the French by ceding to them Karaikal. Chanda Saheb, later the Nawab of

the Carnatic, however, saw to it that Saiyaji was deposed and his half brother (illegitimate) Pratap Singh was put on the gadi in 1739. Chanda Saheb had by then usurped the Nayak country of Tiruchirappalli and established himself there. The Marathas invaded against him in 1740, took Tiruchirappalli and held Chanda Saheb prisoner. The British Government, however, interfered on behalf of Saiyaji in 1749 only to find that he had no support among the Marathas and made peace with Pratap Singh. Chanda Saheb, who was released in 1749 claimed succession to the Nawabship of Arcot and defeated Anwerruddin at the battle of Ambur and thus became the Nawab under the Nizam Musafurjung. He immediately marched against Pratap Singh and secured a bond from him for Rs. 46 lakhs before retreating to Tiruchirappalli. The British were, however, against Chanda Saheb and they lined themselves with Mohammad Ali, son of Anwaruddin. Chanda Saheb was ultimately captured by Mankoji, the Thanjavur general and murdered.

14. The struggle between the French and the British for control of Tiruchirappalli continued in which the loyalty of the Thanjavur king was put to test. The bond of the Tanjore Rajah executed in favour of Chanda Saheb was now in the possession of the French and demanding payment under it, the French proceeded against the Tanjavur country under Colonel Lal through Karaikal. This invasion was repulsed with British help. The Thanjavur Raja had successfully warded off the depredations of Hyder Ali by paying him 4 lakhs of rupees and hence he was reluctant to actively help the British against Hyder. The Rajah had fallen in arrears of tribute to the Nawab of Arcot and this offended an ally of the British. The Nawab on his part would not allow the Rajah to maintain the flood banks of the Cauvery within his territory nor would he undertake to do it himself and this caused great havoc to the Cauvery delta. Beyond offering lip sympathy, the Rajah did not actively help the British when Madras was invaded by the French. Growing suspicious of the loyalty of the Rajah and his intrigues with Hyder and Maratha powers, the British invaded Thanjavur, reduced it taking the King Thulasaji and his family as prisoners and putting possession of the country into the hands of Mohammed Ali, the Nawab of Carnatic.

15. The Court of Directors, however, disapproved the action of the Madras Government and directed the re-instatement of the Rajah in the year, 1776, though Mohammed Ali had already made a rich harvest from the country in the meanwhile. Thanjavur became an ally of the East India Company and a protected State. The Nawab had assigned to the company the tribute due to him from Thanjavur and the British also obtained some villages around Nagore called the Nagore Settlement. Haidar's invasion of Thanjavur in 1780-81 laid some tracts waste followed by poor harvests in the next two years. On the death of Thulasaji in 1787, his young adopted son Saraboji was installed in 1798 after some intrigues, but within a year he made a treaty with the British agreeing to be pensioned off, placing the country at the disposal of the British, except the property consisting of the Fort at Thanjavur. When the last in the line of Maratha Rajas, Sivaji, died issueless in the year 1855, the title and dignity of the Raja were declared extinct.

16. *History of the Poliyams.*—There were 13 ancient poliyams in the district at the time of British assumption, but they were not immediately brought under the purview of the Permanent Settlement Regulation of 1802. They continued to be treated as temporarily settled zamindaries paying the peshkush as fixed earlier by the Thanjavur Rajahs. The origin of these Poliyams is obscure, but it is believed that they were created in the sixteenth century by the Nayak rules and given to leading members of the Kallar and other cognate tribes. In G.O. No. 2730, dated 10th November 1865, the Board was permitted to offer Sannads under the Permanent Settlement Regulation to the Poliyagars on the existing peshkush. Eight of the Poliyars accepted Permanent settlement and they were accordingly permanently settled in the year 1871. The other 5 were permanently settled by 1893 at the time of next succession. All these 13 estates were listed in the schedule to the Impartible Estates Act, 1894, but they had been subject to numerous sub-divisions due to passage of time, with the result that there were as many as 94 zamin estates (including sub-division estates) when the Estates Abolition Act came into force in the year 1948.

17. *History of Inams.*—The grant as inams of whole villages or portions thereof has been a marked feature of the reign of almost every Mahratta Raja who ruled over Thanjavur in the latter part of the seventeenth and the eighteenth centuries. There are no inam grants in this district which can be traced to the older native dynasties and according to the author of the Thanjavur Manual, it is probable that such grants of those dynasties as existed were resumed by the Mahratta rulers to be converted into grants of their own. The grants made by the Mahratta rulers consist almost wholly of endowments to religious and charitable institutions and grants for the benefit of individuals, the latter chiefly Brahmins. Of the former category, the most important and notable are the grants of several villages for the upkeep of the many Chatrams constructed by various Mahratta rulers and their consorts, intended for the accommodation of pilgrims to Rameswaram in the south. The principal Chatrams among these are the Muktabalpuram Chatram in Orathanad, the Yamunambalpuram Chatram at Nidamangalam, the Mohanambalpuram Chatram at Rajamadam, the Sulakshnambalpuram Chatram at Vilangulam (both in Pattukottai taluk), the Dropathambalpuram Chatram at Manamelkudi and the Rajakumarambalpuram Chatram at Mimisal (both in Arantangi taluk). The great bulk of the inam grants was made by Rajahs Pratap Singh and Tulsaji between the years 1740 and 1747.

18. In addition to the inam grants made by the Mahratta rulers, there are also several grants both whole villages and of portions thereof made by the zamindars of the district. Several such inams have been granted, mainly by the zamindars of Pappanad, Madukur, Gandarvakottai, Athivetti, and Palayavanam. These are also like the royal grants being mainly grants for the upkeep of religious or charitable institutions and grants for the benefit of individuals, chiefly Brahmins.

19. The Inam Commission of 1861 went into the history of all the inams in the district which existed on the date of the British assumption, whether granted by the Mahratta rulers or by Poligars, and confirmed, by the issue of title deeds, such of the Inams as satisfied the conditions for confirmation by the Inam Commission. Several of the personal inams had changed hands by then and communities other than Brahmin were also represented among the holders of such inams. It will be noticed that, in this district, the Inam Settlement preceded the permanent settlement by about 10 years. In the sannads issued to the zamindars at the time of the permanent settlement, the whole villages originally within the ambit of their zamins, which they had granted as inams and the grant of which had been confirmed by the Inam Commission by the issue of title deeds, were also mentioned as part of the zamins. The permanent settlement having followed the inam settlement, the Government could not have been unaware of the earlier issue of title deeds for all these inam villages. It has to be taken therefore, that these were enumerated in the sannads only because it was thought necessary to include in them all villages which originally formed part of the respective zamins and were under liability to pay Jodi to the Poligars.

20. *History of Mukhasa Inams.*—Mukhasa tenure, peculiar to Thanjavur district is a complex one. Mukhasa villages accounted for a considerable part of the total area of Inam estates in the district. These were lands which were retained by the Rajah of Thanjavur, being lands which were in his immediate enjoyment, at the time of the Treaty of 1799 by which the Tanjore country was ceded to the East India Company. These lands continued to be in the enjoyment of the Rajah till 1855, when following the death of the last Rajah without male heirs as stated earlier, his estate including the lands were seized by the East India Company. The Claim of the company was based on the principle of escheat consequent on failure of heirs, but the seizure was upheld later as an act of State by the Privy Council in "Kamatchi Bai Sahiba V. Secretary of State in Council". However, in 1862, on a memorial from the widow and heirs of the Rajah, the lands were restored to Kamatchi Bai Sahiba, the Senior Rani, on behalf of the heirs of the late Rajah and they have continued to be the private properties of the Rajah's family since then. There have been a number of alienations and partitions among the members of the family. Also there have been a number of exchanges of these Mukhasa lands with lands under the control of the Government, with a view to consolidate the Rajah's estate in and around Thanjavur. Also there seem to have been a number of cases of alienations by the Rajah, out of the lands which were left in his immediate

enjoyment after 1799, even before 1855, mostly in favour of Religious and Charitable institutions. There are a number of such cases in villages which continued to be treated as Mukhasa, mostly vested in religious institutions under the management of the Palace Devasthanam.

21. No consolidated list of Mukhasa lands which were seized and resorted in 1862 is available. The earliest record showing the Mukhasa lands is a notification issued by the Collector in 1868, purporting to contain a list of Mukhasa villages and Thottams. In this notification only 139 villages have been mentioned, whereas at the time of coming into force of the Estates Abolition Act, there were 199 Mukhasa units. The increase in the number could be the result of subdivisions of the Mukhasa villages or the result of exchanges by which additional units were acquired by the Rajah. Whether the units now existing but not notified in 1868 are parts of Mukhasa villages notified in 1868 or not, is a matter to be inferred from geographical contiguity or grouping in the successive surveys which have taken place. No complete record of the lands got in exchange by the Rajah is also available. Where a village not notified in 1868 cannot be treated as a part of any village so notified, owing to its being situated as an independent unit, the only inferences possible are that either it is a unit got in exchange by the Rajah in the subsequent exchanges already referred to or that the notification of 1868 was not complete. One such village is Inambur Thenpathy in Kumbakonam taluk which is being treated as an independent Mukhasa village but is not found in the notification of 1868 and it cannot be treated as part of any Mukhasa village notified in 1868; since it is situated away from Thanjavur, it is not reasonable to presume that it formed part of any exchange, because the purpose of the exchanges was to consolidate the estate of the Rajah near Thanjavur.

22. In a series of Judicial decisions the Madras High Court has laid down that the grant of 1862, by the Government, is the root of the title and that the grant was of Melwaram alone. In the decision in Appeal No. 358/54, dated 10th February 1958 a Division Bench of the Madras High Court has reaffirmed that the full Bench ruling in Sundaram Iyer V. Ramachandra Iyer I.L.R. 40, Madras 384 applies to all Mukhasa villages. This is the latest in a series of judgments in which the High Court had come to the same conclusion; though there are a few decisions that the case of each Mukhasa village should be examined individually with reference to the facts of each case.

23. The inams in the district were investigated by the Inam Commissioner in the 1860s and title deeds were issued in respect of all inams, whether consisting of whole villages or not. However, Mukhasa villages were not dealt with by the Inam Commissioner. When the Inam Commission commenced its work in the district, these lands were in the possession of the Government. Orders were issued in G.O. 705 (Pol.), dated 5th December 1859 that alienations made out of the Mukhasa lands will be treated as private property and dealt with by the Inam Commissioner. However orders were issued in G.O. 112 (Pol.), dated 26th April 1865 that consequent on the restoration to the family of the Rajah, of the villages in which the alienations are situated, the instructions in G.O. 705 (Pol.), dated 5th December 1859 regarding the treatment of the alienations by the Inam Commissioner must be deemed to be cancelled; Presumably these are investigated before the G.O. of 1865. Also the Inam Commissioner had refused to deal with certain lands on the ground that it was not clearly proved that they did not part of Rajah's Mukhasa lands.

24. These lands were allowed to continue in the possession of the grantees even the Thanjavur Palace estate was seized by the Government. In G.O. 705 (Pol.), 5th December 1859 it has been ordered that such alienations will be dealt with by Inam Commissioner; the other lands in the immediate enjoyment of the Rajah be regarded as lapsed to the State. This was in accordance with the policy adopted in re to such alienations in the nature of inam, in other tracts which vested with Government. Following the restoration of the lands to the Rajah's family the Government decided not to deal with these alienations as independent Minor Inams. This will show that whatever might have been the nature and the terms of the grant when it was made the Government did not treat them as distinct from the Mukhasa lands. Therefore the position is that the melwaram of Mukhasa villages including these lands was granted to

the Tanjore Rajah's family in 1862, because judicial decisions have laid down clearly that the restoration of 1862 should be deemed to be a grant and root of the title, and should be deemed to be of melwaram alone. Therefore if subsequent to the grant of 1862 these lands continue to be enjoyed free of rent, the arrangement has to be treated as a case of grant of melwaram after 1862 whereas, the land namely kudiwaram vested in the institutions even earlier.

25. The position in regard to such lands which cannot be treated as part of any Mukhasa village is different. The notification issued in 1868 by the Collector does not include all lands for which title deeds had not been issued by the Inam Commissioner. Where the Inam Commissioner had not dealt with the lands on the ground that they had not been proved to be not part of Mukhasa, the lands concerned have to be treated as inam villages or as minor inams according as the lands constitute a named village or not; even though no T.D. had been issued, the fact that they have been allowed to continue to exist as inams would amount to recognition by implication. They cannot, in the absence of proof, be regarded as covered by the grant of 1862 and the decisions that the grant was of melwaram only cannot be applied to such cases.

26. The inam villages in this district were the subject matter of enquiries under Section 9 of the Madras Estates (Abolition and Conversion into Ryotwari) Act, 1958 (Act XXVI of 1948) before it was repealed. The tenure of some of the Mukhasa villages was also enquired into under section 9, but the enquiry was not complete and was not based on a comprehensive examination of the Mukhasa villages. In many cases groups as existing now which included several villages notified in 1868 were dealt with as single units and orders passed. The procedure does not seem to be uniform, in some cases parts of some groups have been dealt with separately; in some cases, some of the units in a survey group had been dealt with while the tenure of the rest had not been examined at all. However, with a view to file applications under Section 4 of the Madras Estates Supplementary Act, 1956 all orders under section 9 declaring any inam village as not an estate were re-examined. A comprehensive examination of the Mukhasa villages was made and action taken on the following lines with reference to B.P. Rt. 631, dated 25th June 1958.

- (i) Where a number of villages notified in 1868 or parts thereof had been dealt with together and taken over and there had been no objections, no further action was taken.
- (ii) Since the grant of 1862 had been construed as the root of the title the grant was held to be of melwaram alone, whatever was granted as a village in 1862 will constitute an estate falling within the scope of the Abolition Act. The notification of 1868 was taken as the basis for determining what was actually granted.
- (iii) Units not notified in 1868 but which are treated as Mukhasa were treated as part of the Mukhasa village of which they can be treated as hamlets with reference to contiguity and grouping at earlier surveys.
- (iv) Where any area had not been taken over, the matter was re-examined and if an order under Section 9 declaring that it is not an estate existed an application under Sec. 5 of the Madras Estate Supplementary Act, was recommended. A village notified in 1868 was taken as the unit. If the order related to an area comprised of more than one such village, separate applications were filed for each such village. If the order related to a part of such a village, application was filed for a declaration that the unit, along with other units which would constitute a Mukhasa village as notified in 1868, is an estate.
- (v) If no order under Section 9 existed, an executive enquiry was conducted and action taken to notify the area under section 1 (4) of the Act XXVI of 1948.

27. The vestiges of this tenure have thus been eliminated successfully.

28. *Land Revenue Administration.*—The political administration of the Cholas has dy been dealt with earlier in detail. During their reign, the revenue was imposed in mp on the whole village, the shares of the various ryots being left to be apportioned by village elders. Weights and measures differed from village to village and the resulting tem of individual assessment, though fair, was most complicated. Very minute areas e measured and assessed to revenue. Revenue surveys were made both during the m of Rajaraja I (985-1013) and later during that of Kulottunga I (1070-1118.) lothunga, abolished the inland transit duties and was rightly proud of such an nlightened measure. Irrigation, which received the attention of the earlier cholas, was greatly developed by their successors. Karikal Chola is credited with the construction of the Grand Anicut, the bulwark of the fertility of the Tanjore Country for over ten centuries, and the old work remains the base for the modern improvements, since made

upon it. It was intended to regulate supply in the Cauvery and to drain it away into the Coleroon during floods. The nne net work of channels taking off the Cauvery that has been handed to us is the gift of the Cholas to the deta through the ages. The country was administered by village assemblies which, though supervised by higher officials, exercised an almost supreme authority in all details. They were divided into committees of which four are specially mentioned, viz. those for annual supervision, and those for the care of tanks, gardens and justice. The administration was thus broad based. A number of villages formed a district under a district officer, these again being grouped into provinces.

29. *The Later Maratha Kings.*—An interesting survey of the revenue administration of the country in the period immediately preceding the British acquisition of the province is to be found in the report of the Commissioners sent to ascertain the resources of the country at the end of the eighteenth century. Previous to the accession of Pratap Singh (1730), the cultivators were allowed to retain only an inadequate share of the crop, but paid the Government's dues with perfect obedience. Pratap Singh's authority depended largely on the good will of the people and he is represented as having weakly acquiesced in gradual diminutions of the Government share, and the consequent reduction of his revenues. The revenue ultimately arrived at by Pratap Singh was an assessment of a liberal nature imposed jointly on the whole village and this, in spite of the determined efforts of his successors to alter it, remained more or less unchanged till the British occupation. At the end of the eighteenth century, which also marked the end of the Maharatta rule, the commissioners found the amount of the revenue undefined, the rate of assessment irregular, and a uniform spirit of independence and resistance among the landholders to pay Government's dues.

30. The assessment under the Marattas of the irrigated lands, which formed by far the most important item in the land revenue of the Country, was as follows:—

31. The productive power of each village as a whole seems to have been permanently estimated in terms of local measures (kalams) of paddy, and the tax payable to the Government was a fixed share (the proportion varying in different villages) of this assessment. It was not, however, paid in grain but was converted into money at a commutation price fixed every year by the Government at the prevailing market rates. Thus the grain standard of the village, the share payable to Government, and the price of commutation were the three cardinal points in the settlement, an alteration of any of which would inevitably alter the amount actually payable by the ryots.

32. *The Dabir Muri.*—It was apparently the grain rents of the villages which the successors of Pratap Singh chiefly attempted to raise. Tulsaji was mediating a reform of the assessment when he was deposed in 1773, and the work was vigorously taken up by Muhammed Ali, the Nawab of Arcot.

33. He employed a certain Dabir Pandit to make a new settlement; and as a provisional step, he put the whole country under the Amani system, according to which the crop was harvested under the superintendence of the officers of Government, and the actual amount of produce realised was taken as the basis for fixing the village rent, instead of any mere estimate of the quantity. The rent could then be received in kind or its value could be commuted into a money payment. The Nawab appears to have employed the latter method. The advantage of the system, if properly worked, was that the ruler knows precisely what proportion of the ryot's actual gains is being exacted, and gains or losses equally with the ryot from good or bad seasons. Its disadvantage was that its administration required a large establishment of low paid officials, who could be easily corrupted and were consequently apt to give untrue accounts of the produce realised, thus defeating the whole object of the system. It also involved an inquisitorial interference in the profession of the cultivators which must necessarily be galling.

34. Dabir Pandit made the settlement, known as 'Dabir Muri' based on the cultivators' own accounts of their produce for the last twelve years—a source of information likely to be misleading—and perhaps he corrected the estimates by the figures provided by the amani administration then proceeding. This however resulted in a greatly increased

assessment. The Nawab apparently never acted on this settlement but adopted the amani system throughout his administration, as he could exact from the ryots much more than what he could ever have obtained under the Dabir Muri. He insisted on a much higher proportion of the gross produce than his predecessors, and took as much as 59 per cent. Indeed in the second year of his rule he exacted a staggering amount of over eighty lakhs of rupees from the district.

35. Tulsaji, on his restoration in 1776, was equally unprepared to accept the Dabir Muri, and he attempted to continue the profitable amani system, apparently with the idea of obtaining data to raise still further his new assessment. The hard hand of the Nawab had however, been removed, and the weak Maratha king was forced after a struggle of two years, to desist from the attempt, owing to the bitter opposition of the people and the dishonesty of the servants he employed to administer the system. He does not ever seem to have succeeded in obtaining the revenue due under the Dabir Muri but had to fall back upon the accustomed reputed sharing of the produce. From the data, however, obtained by this trial, his minister Bava Pandit succeeded in slightly raising it over the Nawab's assessment, though the increased amounts were not actually collected. The Dabir Muri as raised by Bavanna exceeded by 21 lakhs of kalams of paddy, the grain standard found in force by the Commissioners at the end of the century.

36. The scene was suddenly changed by the devastating invasion of Haidar Ali. The divisions of Kumbakonam, Sirkali and Tiruvayyaru (Thanjavur taluk) were rendered desolate, and the inhabitants of the rest of the district were much depressed. To restore the prosperity of the country an entirely new system was invented by Bava Pandit. Ruined or depressed villages, were throughout the devastated tracts, clubbed with more fortunate neighbours into units, called Pathakams, and these were put under the control of some leading inhabitant (called the Pathakar) who was selected by the inhabitants and approved by the Government. The agricultural stock and resources of all the villages in each Pathakam were pooled together so that the ruined villages were cultivated as well as their neighbours, and the pathakar managed the agricultural operations of the whole and engaged for the payment to Government the assessment due on the entire pathakam. The expedient was at first a decided success, and is spoken of in terms of high praise by the Commissioners. It is said that Bava Pandit had no intention of continuing the system for more than a short time, but he was succeeded by a less able minister named Siva Rao to whom it appealed as eminently simple and the reverse of troublesome to the Government. He accordingly extended it throughout the delta; and completed the system by dismissing the remaining Government establishment about the country and delegating their powers to the Pathakars. The result was to enormously increase the influence of the pathakars who shortly became "an overgrown and inordinate power". They formed an alliance with the ruffianly and powerful kavalgars, in theory the guardians, but in practice the oppressors of the public, and shortly were almost as dreaded by Government as they were by the ryots. They became in fact renters making the most favourable terms between Government and the inhabitants for their private advantages without the penalty of forfeit and although removable at the pleasure of the Raja they were scarcely ever so removed on account of their alliance with the Kavalgars.

37. *Amani-system under the British.*—This State of things continued until (in 1799) the Madras Government assumed charge of the country. At that time positive orders had been received from England that Lord Cornwallis' system of a permanent settlement should be introduced throughout the Madras Presidency, and detailed instructions had been furnished to Collectors as to the plan on which the settlement was to be introduced. In the case of Tanjore, however no reliable data for fixing the land assessment were available. In order to obtain these, practically the whole district was placed under the amani system, the Pathak system being abolished at the end of the revenue year 1799–1800. The Government's share of all crops was received in kind and disposed of by the officers of Government to the best advantage. This system went on from 1800–01 till 1803–04, when it was decided to introduce a system of money rents calculated on the results obtained from the existing records and the experience of the recent administration.

38. *Annual Leases.*—For the next three years 1804–05 to 1807–08) annual rents were fixed by the principal Collector, Mr. Wallace. An estimate was formed of the crop likely to be secured on the data afforded by the Dabir Muri and the results of the amani

management, and the money rent due was ascertained by applying varying rates of division and a commutation price fixed by the Collector. The rents, according to the immemorial native custom, were fixed in the gross for each village; but in 1804–05 in all villages owned by more than one ryot the apportionment of the assessment among the different holding was left to the ryots themselves, and a patta was issued to each specifying the proportion of the lump assessment payable by him. This was carried a step further in the settlements of 1805–07, when even in the villages owned by a single ryot the cultivators were asked to apportion the village assessment among their fields. This recognition of individual ownership is an interesting anticipation of later reforms and controversies, though it had considerable influence on the course of revenue affairs.

39. The rates of division (Varam) were altered more than once in the course of the first few years of British administration. The British found the cultivator's share (kudivaram) varying between forty and fifty per cent of the divisible crop. The Government's share (melwaram) was slightly reduced by them and the Kudivaram, as increased, stood at between fifty and sixty per cent in 1807.

40. *Triennial Lease.*—In 1806 a Committee was appointed to consider the best mode of realising the revenue of Thanjavur in future. The Committee advocated, and the Government decided to adopt, a system of "village rent" as opposed to either a "ryotwar" or "Mootah" (i.e. Zamindari) settlement. This merely amounted to a continuation of the old system by which the assessment was imposed in gross on the whole village. The small steps taken in the earlier settlements towards the recognition of individual responsibility were thereby rendered nugatory. The rent was to be assessed in money and not in grain. The chief datum for assessing it was the average of the money receipts of the grain rents of 1804–07; but this was checked by a reference to the results of the four preceding amani years (1800–04). The period of the lease was fixed at three years. The inhabitants of nearly four-fifths of the villages agreed to the terms proposed by the Collector on the basis of these orders. Of the remainder, the majority owing to previous bad seasons, were without the requisite data for the settlement of a long lease; and the inhabitants of the rest resolutely refused to accept such a lease. These villages were therefore, either allowed to continue on the amani system or (in most cases) were settled on a rent for one year. It should be observed that throughout the early settlements in the Tanjore district terms were not, as a rule, arbitrarily imposed on the ryots. Proposals were made from time to time to which the ryots were induced to assent. But they appear to have been generally offered an alternative, or permitted to resort, in lieu of accepting such proposals, to the amani system or a division of the actual produce the justice of which they did not dispute.

41. *Quinquennial lease.*—The results of the triennial lease brought into prominence the general disadvantages of a money assessment. Fixed rent systems make no allowances for vicissitudes of season and a money rent labours under the additional disadvantage of not varying with prices. Now in all the three years of the triennial lease the crops suffered severely from unfavourable seasons or inundation, and in the last two years the price of paddy also fell very greatly. Thus the gross money receipts of the ryots were much reduced both by bad seasons and low prices, while the amount they had to pay to Government remained constant. It is not surprising, therefore, to find that at the end of the triennial lease, they clamoured for a return to the amani system, and were strenuously opposed to any more fixed rents. The Government, however, prohibited a recourse to grain rent calculated on a scale of waram more liberal to the ryots. The lease was in any case to continue for five years. Certain very rigorous rules were promulgated for setting aside the land-owning ryots and dealing direct with their under-tenants in case they did not agree to the new proposals, but these were put into force in very few cases. In the large majority of the villages, money rents were accepted at an average reduction of seven per cent of the rates of the former triennial lease. Some villages were assessed at a grain rent and some were allowed to return to amani. The results of this lease were more satisfactory than of the previous one as, although some of the seasons were unfavourable, prices ruled high for four out of the five years and the ryots profited greatly.

42. When, therefore, a renewal of the lease for another five years was proposed, the ryots agreed to it without demur. During this period however, prices fell again, and the ryots, unable to profitably dispose of their grain, were serious losers.

43. At this juncture another general consideration of the settlement policy took place at Madras. Proposals for the settlement of both Thanjavur and Trichinopoly were then before Government, and three distinct plans were suggested. These were essentially systems that have already been described, (viz.) a money rent, a grain rent payable in money at an annual commutation price, and a system of amani in which the Government's share was similarly to be commuted annually into money. It was decided to adopt the first with, in the case of Thanjavur, a considerable reduction of the assessment under the previous leases. At this point the question was reviewed whether the settlement should be made with the whole village or with the individual ryot. The latter principle had now found favour with the Directors and orders had been received for its introduction where practicable.

44. *The Mirasi Tenure.*—The mirasi or village communal system of land tenure was at that time universal throughout Thanjore and has left its traces to this day. This tenure seems to have been based upon a theory of the joint communal ownership by the villagers proper (the mirasidars as they were called) of all the village lands. In former times this generally involved the joint management by the mirasidars of all the fields of the village or the distribution of these at stated intervals to the villagers for their individual cultivation. It was no doubt for this reason that settlements were in early times made between Government on the one hand and the entire body of the villagers on the other. It must be borne in mind however that in spite of this communalistic colouring, the system always involved a scale of individual rights to specific shares in the net produce, however secured, of the general property. Each mirasidar's share (Karai or Pangu) was clearly defined and recognised within the village; and herein lay all the essential elements of individual ownership. If a villager, for example, had a share of one-sixteenth of the village wealth, it was in one sense only a matter of detail whether his share was described in terms of paddy or land. As a matter of fact, it gradually came about that almost everywhere lands were permanently assigned by the village community as the unalterable share and private property of each mirasdar. The ultimate grafting of the ryotwari system on this tenure is described later on. It is clear however that the system lent itself equally well to a settlement either with the village as a whole or with each individual ryot.

45. The Board of Revenue objected to the change from communal to individual responsibility and compared it to the forcible "dissolution of a joint stock company in English and requiring each proprietor to trade upon his own portion of it in order that it might be separately taxed". They believed that the economic position of the individual ryot would be much impaired by such a dissolution. They were particularly opposed to the assessment of individual fields, since, judging from the imperfections and consequent modifications of such settlements in other districts, they regarded the just appraisal of the value of particular fields as intrinsically impossible. And in the case of Thanjavur, where a ryot's holding varied under the mirasi system perhaps from year to year, they regarded any system of assessment upon particular fields as absolutely impracticable. Accordingly they recommended, and the Government decided, that, though each ryot should be assessed with a part of the joint village rent in proportion to his share in the joint village property, yet the rent should still be a fixed money rent imposed jointly on the village and the whole village should be still jointly liable for any failure to pay it. The essential change was that the Collector would first proceed against the defaulting individual to recover arrears of revenue; but failing complete recovery from that source, he could hold the whole village liable. No assessment of fields was to be attempted.

46. The ryots do not appear to have objected to this recognition of individual responsibility which in some ways did not go so far as some of the early measures of Mr. Wallace; but owing to their recent losses from low prices they were resolutely opposed to a continuance of the fixed money rents. The Collector (Mr. Cotton) accordingly proposed that they should be permitted to revert to the older system of paying a grain rent of so many kalams of paddy convertible annually into money at a commutation price which might vary according to the selling price of the year. The Government permitted this to be done, but authorised certain deductions to be made from the recent quinquennial rents in the case of any villages that would accept a money rent; and the Collector ultimately

succeeded in inducing most villages to consent to a money lease. The lease, however, only lasted for a year and was followed by a system, the introduction of which is one of the land-marks in the Tanjore revenue administration.

47. *Olungu settlement.*—In proposing an assessment for the following year (1821–22) the Collector urged that a further fall in prices had rendered necessary a further reduction in the money rents. Fluctuation in prices had caused most of the trouble experienced in recent settlements, and the Government were now anxious to "meet the contingency of future fluctuations in the price of grain" and to ensure that the minds of the people should be set at ease". The Board recommended the obvious remedy of a grain rent convertible into money at an annually-varying commutation price; but this was demurred to by the Government as being an absolute desertion of their principle of a fixed money assessment. The Government desired a money assessment which, though varying with considerable changes in price, should yet not constantly fluctuate. A system was accordingly decided upon, whereby each village should be assessed to money rates, which were to be decreased when the price of grain fell five per cent or more below a certain standard, and increased when it rose ten per cent or more above that standard. At the same time a careful reconsideration took place of the value of the village lands, of the proportion of the produce which the Government ought to demand, and of the price at which the grain should be converted into money. The result of this deliberation was the Olungu Settlement, which prevailed in Thanjavur for nearly forty years.

48. The method by which the money assessment was arrived at this settlement was as follows:—

The grain value for each village was first established. The precise data on which this was done are a little obscure. Four valuations for each village were taken; namely:—

- (1) The old Dabir Muri grain-standard
- (2) The average of the receipts of the two highest of the four years of amani management (1800–01 to 1803–04).
- (3) The same average reduced by ten per cent; and
- (4) The Jamabandi grain amount of the year 1819–20.

49. The new grain standards were worked out by applying five rules to these four valuations. If valuation No. 4 exceeded each of the others, it was to be accepted as the new standard. If No. 4 was less than No. 1, but greater than No. 2, then No. 4 was still to be accepted as the new standard. If however No. 3 was greater than No. 4 and No. 1, then No. 3 was to be the standard. If No. 1 was greater than No. 4 and No. 3, but was less than No. 2, then No. 1 was to be accepted. No. 2 was however, to be accepted when No. 1 was not only greater than No. 4 but was also greater than No. 2. The grain standards were thus automatically settled by working out on the available data and on certain definite rules.

50. The next step was to consider the waram or proportion in which the produce was to be divided between the Government and the ryot. Till then the proportion received by the cultivator had been calculated at a number of rates varying in different localities from 50 to 60 per cent. Two rates of Kudivaram (or the ryot's share) were next established, namely 50 per cent for all villages irrigated by rivers, and 55 per cent for all those irrigated by tanks.

51. The commutation prices varied for groups of villages. It was settled on a comparison of (1) the averages, and (2) the means between the highest and lowest of the selling prices of the five years from 1815 to 1820 of the group of villages and of neighbouring groups. This worked out generally at rates more than the average of those years.

52. A money assessment was then worked out for each village from the grain assessments at the rate of waram and the commutation prices settled as described above. This, however, was not regarded as final, but was modified according to certain rules by a comparison with the figures of the settlement of 1819–20. If the former did not exceed

of remission on account of unfavourable season. No doubt too, the villages still remaining under amani hoped that a new and more generous settlement would enable them to give up that vexatious system.

58. A survey was accordingly commenced in 1827 and was completed throughout the district in the course of the three years 1828-30 by Mr. Kindersley. With regard to the nature of the settlement to be carried out there was a great deal of disagreement and misunderstanding between the Collector and the Government and the wishes of neither were actually followed. It had been the desire of the Government that, along with the survey, there should be a complete recalculation of the village grain and money standards. It had indeed been Munro's opinion that the chief difficulty would be in determining the sum to be laid on each village because there is a very great want of accounts on which any dependence can be placed. Mr. Kindersley on the other hand was satisfied to modify the Olungu standards according to the extent of cultivation now properly ascertained and the circumstances of the village generally, and to accept the resulting figures as the new village assessments. Thus as far as the village totals went, all that this new settlement did was to confirm, with modifications dictated by experience, the old Olungu assessment of Mr. Cotton, only converting into a fixed demand an assessment which was variable with prices. The general effect of the modifications was to increase the demand on the rented villages, chiefly owing to increased cultivation, and to decrease it on lands which had remained under amani. On the whole a slight increase was realised in revenue and a considerable excess over the old Olungu area was ascertained by survey. A further step was however taken by the distribution of the village total among the recently surveyed fields. This was done primarily by the mutual agreement of the ryots themselves; but their distribution was checked and remodelled after an examination of the fields by assessors appointed by the Collector.

59. The Government strongly disapproved of these proceedings as being less scientific than the settlement ordered by them and as depending on a bargain or composition between Government and the mirasidars in which the more obstinate would necessarily win. Accordingly, in 1831, as soon as they realised the precise nature of the Collector's proceedings, they forbade the extension of the settlement to any villages beyond those which Mr. Kindersley had already begun and occupied some little time. At the end of Mr. Kindersley's settlement proceedings we find that 3,079 villages (between a half and three quarters of the whole district) had been resettled in the gross and that in 1,818 of these the gross assessment had been apportioned among the fields.

60. This settlement, which had been so strongly condemned in 1831, was considered in 1859 to be the one best adopted to Thanjavur, and was ordered to be extended to those parts of the district where Mr. Cotton's Olungu settlement still prevailed. By that time a continued rise in prices had rendered the position of the villages assessed under the fixed settlement of Mr. Kindersley infinitely more advantageous than that of the Olungu villages, which had frequently to receive remissions owing to the combination of years of high prices with bad seasons and short produce. A large scale special remission of over nine lakhs of rupees was given to the Olungu villages in 1858 out of the increment of the assessment due that year in consequence of the increased prices; but a condition was attached to it that the ryots should agree to the conversion of the Olungu into a Mottamfaisal settlement for the future. The result was that all but a few villages (which will be referred to hereafter) were brought under Mr. Kindersley's settlement. Its extension was carried out by Mr. V. Ramayyengar (subsequently Diwan of Travancore) under the direction of the Collector Mr. Cadell. The principles adopted were in the main the same as those followed by Mr. Kindersley. Most if not all of the villages were settled in the gross without apportioning the assessment among the fields. The increase in area now brought to account was seven per cent, and the increase in assessment over the Olungu Standard (i.e. without any increment from prices) was only two per cent. At the same time a new and important rule was introduced throughout the district with regard to remissions of revenue in bad seasons. In the Olungu system ryots were allowed in cases of a material failure of crops to claim a settlement on the actual produce. Formerly this right was conceded also under the Mottamfaisal settlement because, under the principle of a lump assessment, the land was in reason equally entitled to it. When this settlement was introduced into the remaining Olungu Villages, the privilege, which was

incidental to the now defunct Olungu settlement was abolished throughout all alike; and they came under the ordinary ryotwar rules on the subject according to which remission of assessment extended only to so much of the land as proved unproductive.

61. *Assessment on dry lands.*—The above account has been mainly applicable only to the irrigated lands, which form by far the most important revenue area in Thanjavur. There remain what are now termed the dry lands. Under the native Government these were apparently divided into three classes, namely (1) those cultivated with dry grains without irrigation (2) those cultivated (without irrigation) with any other crops and (3) those on which garden crops were grown under irrigation. Of these the first class was administered on the amani system, and the second and third had to pay a fixed money assessment on rates fixed by Venkaji the first Maratha King in 1675, which remained in force till the British acquisition of the district. During the first three years of the British administration the first two classes of dry lands were placed like the paddy lands, under amani. In 1803-04 they were roughly assessed at Rs 1½ per acre with the option of coming under amani; and in the settlement of the next three years, 1804-07, they were partly assessed on an estimate of their productive value and partly on actual produce and prices. Meanwhile the garden lands (class 3 of the dry lands referred to above) had been, except in 1803-04 assessed with what was in some places called a *dinusu* (kind) assessment which varied according to the kind of crop grown upon it; but in 1805-07 the Government insisted on their being assessed according to the productive power of the ground. During the three leases between 1807 and 1820 all three classes of dry lands were assessed at money rates. There was a uniform rate in each village for garden land, and another uniform rate for the first two classes. The garden land rates were retained in the Olungu and Mottamfaisal systems and with slight modifications upto the time of settlement. They represented the average of the first Collector's original rates (established in 1800) in as many of the 32 kinds of crops, classified by him as "garden crops" as happened, in the three years previous to 1807-08, to have been cultivated in each village. The assessment on the other dry lands was more often altered than on the garden lands. The Government share was calculated at 60 per cent and the commutation prices remained more or less the same as the selling prices of the years 1800-07. In the villages where no "field war" assessment was made, there was one uniform rate for each village. In the field assessed villages the village assessment was distributed over the fields according to their relative values.

62. *Review of the Mottamfaisal Settlement.*—When the extension of the Mottamfaisal settlement had been concluded the tenures in force in the district were as follows: (1) there remained one petty hamlet still under the Olungu rent system, because it had refused to accept the Mottamfaisal settlement, and another petty hamlet on a grain rent; (2) forty-six villages in the sandy plains in the south-east corner of the district, which in consideration of the fertility and cultivation of their lands, had all along been treated separately from the other villages of the district and were still settled at a lump assessment per village distinct from both the Olungu and the Mottamfaisal assessment; (3) 112 villages which had been transferred to the possession of Government from the Raja's private estate in exchange for some villages given to him, and in which the tenants had no occupancy rights, were also leased out on lump money assessment for terms of years, and one similar village was leased out on a grain rent; (4) all other villages were included in the Mottamfaisal settlement, the majority of them being assessed in lump, while in only about 1,500 was the assessment apportioned among the lands. It must be observed however that, whether the assessment had been apportioned field-war or not, the settlement was essentially ryot-war. As early as the Olungu assessment, it will be remembered, the Government had withdrawn any objection to the principle that each individual ryot should be held primarily responsible for the revenue assessed on his share of the village property. The whole village was then held jointly liable for any arrear due from the responsible individual, but it is unlikely that this was often enforced, and the theory of the joint liability of the village was not probably long maintained. It is not clear when it was abandoned. Under the Mottamfaisal settlement the form of individual *pat'as* and *chittas* was introduced in 1865, and thereafter the only thing that differentiated the position of the individual *nattadars* of Thanjavur from those in other districts was that their holdings were generally estimated not in acres and *cen's* but as a fractional share of the whole village. This was the less to be deplored as private sales of land also generally

the latter by as much as ten per cent, the latter was adopted as the ultimate standard. If the former exceeded the latter by more than ten but less than 20 per cent, so much of the excess as was above 10 per cent was added to the latter, which was then adopted as the assessment. If the excess above the assessment of 1819-20 was more than 20 per cent, half the excess was added to that assessment. If, however, the average was less, the new standard was adopted, unless it was also less than the assessment of 1820-21, in which case the latter (the assessment of 1820-21) was adopted. In some 60 villages, where these standards were objected to as being too high, the results thus reached were still further modified by working back (through the commutation price) to a money rate where the grain values represented by the money rate should not exceed the present Jamabandi grain amount.

53. The process was still not complete. A final grain standard was now worked out through the commutation price from all the final money rents. This final grain standard is in fact what was subsequently referred to as the Olungu standard of produce. It was actually employed in this settlement as the basis of a grain rent in the case of those villages which would not accept the new money rates. In these cases the ryots paid the Government share of the grain standard (i.e. a grain rent) at the actual selling price of the year, calculated, however, at rates of warum five per cent more favourable to the Government than those for villages assessed in money.

54. Such was the Olungu settlement—A complicated and round about process indeed! It will be seen that, in spite of the many processes involved, the money rent of 1819-20 was really made the chief standard of reference for the new money settlement. It should be noted that the money assessment of that year was developed out of the data of the seven years from 1800 to 1807 when prices were high and that in working out the final Olungu grain standards the commutation price was calculated on the low prices of the years from 1815-20. The lower the commutation price the higher is the grain standard evolved from a money rate. And, in this case, whatever were the precise results of the other purposes, the general result was a considerable raising of the grain values of the villages. If we compare the grain equivalent of the money rent for 1819-20 (referred to above as the present Jamabandi grain amount) with the new Olungu grain standards we find an increase of about one-twelfth. Indeed Mr. Kindersley a later Collector states that Mr. Cotton was anxious to raise the old grain standards which he knew to be too low, and deliberately employed this round about method to secure it. The money assessment, however, showed a decrease of about a lakh of rupees.

55. The new Olungu settlement was finally introduced in 1822-23, a temporary settlement having been made for 1821-22. The large majority of the villages accepted the money assessment, others accepted the grain rent commutable annually into money, and the rest remained under the amani system. Of those that accepted the new money rates only about three-quarters were prepared to agree to their indefinite continuance, and the remainder consented only to leases of one to five years. The increase in the price of paddy this year (1822-23) by the application of the rule that there should be an increase of assessment whenever the price rose by more than five per cent; caused the assessment to rise by three and-a-half lakhs; but this the Government decided to forego in consideration of the losses the ryots had sustained by the late quinquennial lease, and because there was some doubt as to the accuracy of the price returns. Some more villages accepted the new settlement next year (1823-24) and a further rise in prices that year increased the revenue by over Rs. 16 lakhs. Of this, however, Rs. 9 lakhs were remitted in consideration of the bad season and poor outturn. Prices had now taken a decided turn for the better, and the cry of the ryots was henceforth for a fixed money rent, irrelevant of price, which would secure for them the entire benefit of the increased value of their grain. To this however, the Government would not consent; and some of the villages consequently refused to accept the settlement in the following year. Prices continued to rise, and though a disastrous season in some villages demanded special treatment, the rise in prices brought in over twelve lakhs of revenue above the assessment. The number of villages accepting it was continually varying, since the leases were for different terms, and villages were constantly passing out of the number included in the assessment into the number under amani (the general alternative); and, vice versa, villages under amani were constantly accepting the Olungu settlement for short terms. In most of these leases

the ryots attempted to get the money rates reduced by special sanction, and negotiations with them were a considerable item in the work of the Collector. A few villages were specially treated, being allowed the Olungu money rates independently of prices, but these were ultimately brought under the proper Olungu settlement or administered under amani.

56. It is necessary to notice two important modification of the system as sketched above which were decided upon in the years which immediately followed. A condition was inserted in the pattas by the Collector, who was convinced that his grain standards were still inadequate, that the rent should only hold good provided that it did not appear that it was founded on incorrect accounts, and that the villages were not capable of yielding a greater excess of produce above the assumed grain value than 20 per cent. Under this provision large additional sums were collected in 1823-24 on the discovery of large excesses of produce over this grain value in a number of villages. The Board objected to this as contravening the general intention of the Government; that the rents should remain unaltered. The Government while remarking that, in order to show their desire that alterations should be as few as possible, they were prepared to forego the increment obtained in this manner, yet clearly laid down the principle that under certain circumstances the rent would be raised. These were firstly, cases in which the determination of the standard produce had been affected by fraud; secondly when in consequence of improved means of irrigation two crops were obtained on fields which formerly yielded only one; and thirdly cases where an additional extent of land had been subsequently brought under cultivation. The administration of the last of these provisions was an affair of some difficulty, as it had to be ascertained what was the extent of land assumed to be in cultivation at the time of the settlement, or, as it was called, the Olungu area. Another modification of the settlement was that a condition was inserted in the pattas to the effect that indulgence would be shown to the ryots in cases of unusual drought or inundation. The actual yield of the entire holding was made the test of a just claim to relief, and it was only when it fell short of 70 per cent of the standard, that remission was granted. In such cases the crop was harvested under the superintendence of the officers of Government, and the actual outturn (after deducting the usual village charges) was divided in the proportion of 45 per cent to the ryots and 55 per cent to the Government, while five per cent was deducted from the ryot's share to pay Government for the expense of superintending the harvest. Ordinarily, only a failure of the second or samba crop was compensated in this manner. As the Kuruvai crop had already been reaped and removed, a calculation was always necessary to determine whether the failure on the samba crop constituted a fall of 30 per cent in the entire productive power of the village. The entire produce of the village was estimated by adding to the actual samba produce (which has been ascertained by supervising the harvest), the proportional standard produce of the land on which the Kuruvai crop had been raised plus 20 per cent on account of the presumed excess in the outturn of this crop over the general village average.

57. *Mottamfaisal system.*—Scarcely had the Olungu settlement attained its final shape when a movement started which originated the Mottamfaisal settlement of Mr. Kindersley. In 1826 the Governor, Sir Thomas Munro, visited Thanjavur and resolved to carry out a survey and a settlement field by field after the method which had been adopted in the ceded districts. This plan had been rejected six years earlier on account of the intrinsic difficulty of such settlements, the supposed advantages of corporate union which were imagined to be essentially involved in a village settlement, and the idea that in Thanjavur a field-war or ryot-war assessment was inconsistent with the system of common ownership and periodical distribution of lands. It is obvious that to Sir Thomas Munro, who was of all people competent to give an opinion as to the possibility of just field assessments and who firmly believed in fostering independence by settlement with the individuals, the first two arguments at any rate cannot have seemed convincing. Nor, as experience has proved was the third difficulty insurmountable. Moreover, he found the ryots willing to accept a fixed field assessment as likely to save them from two objectionable incidents of the present settlement. Firstly, they wanted to have a fixed settlement altogether independent of prices, from rises in which they desired the exclusive benefit; and secondly, they disliked the inquisitorial nature of the constant inquiries into their produce which were necessary in the frequent application of the rules

took place by shares. There was moreover no serious obstacle to the complete amalgamation of the mirasi tenure with the ryot-war and field-war systems as known elsewhere. Where the periodical distribution of lands was persisted in, a periodical transfer of pattas could also be made with the consent of all parties concerned. What however happened in most cases was that the periodical distribution of land was not made and that a former distribution became stereo-typed. In at least one village, a partial transfer of land was made year after year, and the whole village was accordingly entered in one joint patta. In another village a decree for redistribution was obtained from civil courts. But these are quite exceptional cases and it may be said generally that the system of redistributing fields, and with it most traces of the old communal ownership of village lands, was dead throughout the district.

63. *First Ryotwary Settlement.*—Whether a scientific survey and resettlement could be, with advantage, introduced into Thanjavur was a question which was much discussed. In 1881 the question underwent a thorough investigation and the Government eventually decided that the district should be surveyed and settled. It was then shown that both the Olungu and the Mottamfaisal settlements had been essentially unscientific. The standards of produce condemned by Munro in 1827 had been again adjusted on hardly more reliable data than before, and the commutation price was only about five-eighths of what it was in other districts. The exact area of the district was uncertain, but accepting the figures of the survey of 1827–30, the average rate paid per acre on irrigated land was small when compared with other districts. It was decided in 1887 that the work of settlement should be entrusted to Mr. G. P. Clark after the completion of the settlement in Madura. In December, 1888 a few field hands were accordingly deputed to begin classification in the Kumbakonam taluk; but it was not till September, 1889 that Mr. Clark and the remainder of his staff were able to move into Thanjavur.

64. In September, 1890 Mr. Clark submitted a scheme to the Board of Revenue for the settlement of the district based on the classified results of three taluks (Kumbakonam, Thanjavur and Sirkali) which were selected as fairly representing all classes of soils and of irrigation sources. Before, however, the proposals could be submitted to the Government, the classification of the remaining six taluks was brought to a close; and a complete scheme for the whole district was submitted by the Board in its proceedings No. 719, dated November, 1st 1892.

65. By this Settlement all the villages in the district were brought under one system. There was no essential difficulty in bringing the 46 villages in the south-east corner of the district which had been assessed on a lump assessment (the "Kattukuttagai" villages, as they are called in old records) into line with the others; and in the case of the Government villages of the old palace estate the occupancy right was sold to the ryots, and they were henceforth treated like the rest of the district. The survey and settlement then proceeded on the same scientific lines as elsewhere.

66. The survey showed that the area under cultivation amounted in the aggregate to two per cent more than that shown in the old revenue accounts. The greatest difference noticed between the old and new survey was in Tirutturaippundi taluk, where it was twelve per cent.

67. The irrigation sources were divided into five classes. The river channels were divided into three and the rest into four classes. The first class of the non-deltaic parts was, however, considered to be equal to the second class of the river channels. The first class of the latter were chiefly the channels at the apex of the delta in the Thanjavur, Papanasam and Kumbakonam taluks and the west of Nannilam, and the Coleroon channels. In all these cases it was found that the deposit of silt carried by the Cauvery was uninterrupted and rich. The second and third class sources were determined with reference to quality and consistency of supply and the difficulties in drainage or supply. The final distribution of sources in classes I to III as given in Mr. Clark's introduction report (recorded in B.P. No. 377, Revenue, dated 23rd November 1895) is given below:—

First Class.—(1) The whole of the Kumbakonam taluk with the exception of the tract shown under classes II and III

(2) The whole of the delta portion of Tanjore with the exception of the area shown in classes II and III:

- (3) Twenty-four villages in the Shiyali Taluk irrigated by the South Rajanvaikkal from the Coleroon.
- (4) Seven villages in the Shiyali taluk irrigated by the South Rajanvaikkal from the Coleroon and two villages irrigated by the Kirtimanar.
- (5) Four villages in the Mannargudi taluk irrigated by the Vennar.
- (6) All the villages (139 in number) in the Nannilam taluk lying to the west of the Tiruvarur-Mayavaram road excepting those irrigated by the Nattavaikkal, the Virandanar and the Vanjiar.

Second Class.—(1) Twenty-eight villages in the north-east corner of the Kumbakonam taluk irrigated by the Manniar, the area irrigated by the drainage sources viz. the palavar, the Sullanar and the Nandalar.

- (2) The area under the drainage sources in Tanjore, viz. the Konakadangalar, the Poigaiyar, the Turiar; the area irrigated by the tail end of certain channels from the Vennar, the Vettar and the Vadavar and the area under the Sengalaner eri (tank) fed by the Anantha Cauvery a branch of the Vennar.
- (3) All the villages in the Shiyali taluk with the exception (a) of the twenty-eight villages placed in the first class (b) of the six villages near the coast placed in the third class, and (c) of the lands in some other villages under drainage sources placed in the third class.
- (4) All the villages in the Mayavaram taluk with the exception of (a) the nine villages placed in the first class (b) of the sixteen villages near the coast placed in the third class, and (c) of the villages or portions irrigated by the drainage sources placed in the third class.
- (5) All the villages in the Mannargudi taluk with the exception of (a) four villages irrigated by the Vennar placed in the first class and (b) of the villages in the south and west of the taluk placed in the third class.
- (6) The whole of the Nagapatnam taluk with the exception of thirty villages in the south-east corner of the taluk.
- (7) All the villages irrigated by the Nattavaikkal, the Virandanar and the Vanjiar in the Nannilam Taluk together with all the villages irrigated by the other rivers and situated to the east of the Tiruvarur-Mayavaram road excepting those irrigated by drainage sources placed in the third class.
- (8) Thirty-five villages in the north-west corner of the Tirutturaippundi taluk.

Third Class.—(1) The area irrigated by percolation from the main rivers—the Cauvery and the Kodamurutt in the Kumbakonam, Tanjore, and Mayavaram taluks.

- (2) Two villages irrigated by the Pamaniyar in the Pattukottai taluk.
- (3) Six villages near the sea coast in the Shiyali taluk.
- (4) Sixteen villages similarly situated in the Mayavaram taluk.
- (5) Portions of villages in Shiyali, Mayavaram, and Nannilam irrigated by drainage sources.
- (6) A few villages in the south and west of the Mannargudi taluk.
- (7) Thirty villages in the south-east corner of the Nagapatnam taluk.
- (8) The Tirutturaippundi taluk with the exception of thirty-five villages in the north-west.

68. As for as dry lands were concerned the district was divided into two groups. Roughly speaking the whole of the non-deltaic portion of the district and the Katthukuthagai villages in the south-east were classed in the second owing to their comparatively backward condition both as regards facilities of communication and general prosperity; while the rest of the district was placed in the first.

69. The standard crops adopted were paddy for the wet lands and ragi, cumbu and varagu for the dry lands. The commutation prices of these grains were reduced by taking the average of the prices of the twenty non-famine years preceding 1891-92 and allowing fifteen per cent for merchant's profits. For paddy the mean was struck between the prices of the first and second sort. The resulting prices per garce were: Paddy Rs. 121, Cumbu Rs. 134, Ragi Rs. 130, Varagu Rs. 76. Only one commutation price was considered necessary for each grain throughout the district. The grain standards were obtained in the case of the wet lands by actual crop experiments, and in the case of dry lands by considering the outturns sanctioned for similar lands in adjoining districts. These standards varied in the case of wet lands, according to the ultimate classification, from 1,300 Madras measures per acre to 400 measures. For the dry lands (where the assessment was obtained from the average of the values of the three typical crops) the outturns varied according to the land classification in the case of ragi from 400 to 120 measures, of cumbu from 320 to 110, and of varagu from 550 to 200 measures. The expenses of dry cultivation were likewise deduced from the figures adopted from similar adjoining districts, while for wet lands they were fixed

after careful enquiry. For the wet lands they varied between Rs. 5-8-0 and Rs. 2-10-0. For vicissitudes of season and for unprofitable areas, such as field banks, etc. included in ryots' holdings, an allowance of fifteen per cent was made in the tracts irrigated from the rivers and of twenty per cent in the rest of the district. Fifteen classes were worked out for wet lands and twelve for dry. For each class the grain outturn was converted into money at the commutation rate, the percentage allowance for unfavourable seasons was made and finally the deductions for cultivation expenses were subtracted. The result was deemed the net produce of the land in money and of this one half was taken as the assessment. The assessment in no case amounted to a third of the gross produce, and in many cases amounted to a much smaller fraction. In the case of the rich Padugai dry lands between the river banks and the flood embankments, two special rates of Rs. 7 and Rs. 5 were sanctioned without the ordinary calculations.

The rates so arrived at are given in the margin.—

Wet RS. A.	Dry RS. A.
14 0	7 0
12 0	5 0
10 0	4 0
9 0	3 0
8 0	2 8
7 0	2 0
6 0	1 8
5 0	1 4
4 8	1 0
4 0	0 12
3 8	0 8
3 0	0 4
2 8	
2 0	
1 8	

Of the wet land, only a very small percentage was assessed at the higher rates. Less than one per cent was charged either Rs. 14 or Rs. 12 per acre, and less than twelve per cent more than Rs. 9. The highest rate of Rs. 14 was applied only to 900 acres, forming an exceptionally fertile tract of land in the Thanjavur taluk popularly known as "the breast of Thanjavur". No less than 67 per cent of the irrigated land was assessed at from Rs. 5 to Rs. 8 per acre. Almost one half of the dry land was assessed at Rs. 1-4-0 or Re. 1 per acre, and a sixth of it at rates below one rupee. Of the remainder about a quarter was settled at rates ranging from Rs. 2-8-0 to Rs. 1-8-0. Dry lands growing rainfed paddy (Manavari) were assessed at one taram higher than ordinary dry land, except in the highest taram. Tankbed lands held on patta were classed as dry and assessed at a special rate not exceeding the highest dry rate of the district.

70. The result of the survey and settlement amply justified the belief that both the previous survey and settlement had not adequately represented the resources of the country. The survey it is true, only showed an aggregate increase in the cultivated area of two per cent, over the extent shown in the revenue accounts. But the total difference in assessment between the old and the new settlement amounted to over twelve lakhs of rupees, or an increase of 29 per cent, over the figures of the former. The corresponding increases in the Taluk assessments vary from fifteen per cent in Pattukkottai to 36 per cent in Thanjavur and Kumbakonam. Nannilam follows with 33 per cent. And yet the average rates were not high when compared with those of other districts. The average wet rate for the district was Rs. 6-4-9 per acre, which was less than that in Kistna and Tiruchirappalli.

71. A few minor aspects of the new settlement need mention. Out of about 72,000 acres of Government land annually paying a charge for second crop, a total area of only 23,430 acres was registered as double crop land. Of these, 22,565 acres in Thanjavur and Kumbakonam taluks were made subject to a second crop charge of half the first crop assessment, while the rest were allowed to compound for the second

crop charge at one-third—one fourth or one-twelfth of the first crop charge. The total area of assessed waste available for future occupation in the district amounted to 59,000 acres of dry land assessed at Rs. 57,000 and 19,000 acres of wet assessed at Rs. 70,000. The dry waste formed only fourteen per cent of the total arable land under that head, and the wet waste only two per cent. More than half of the latter was in Thiruthuraipundi taluk which was mostly low land, ill-drained and liable to submer-sion.

72. *Tree tax.*—The Revenue derived from trees deserves special mention. Under native rule there was no fixed system regarding it. In some cases the Government divided the produce with the ryots, in others the topes were rented out, and in yet others they were assessed at a fixed rent in money. In the first year of the British administration, Mr. Harris classified the productive fruit trees and established a tax per tree for each class. Exempted from all tax in 1803-04, trees were again taxed on Mr. Harris's scale in the next year, and again in the following year they were exempted from all tax except a small assessment on topes. By 1810 the tree-tax system had been re-introduced and it seems (with occasional variations before 1829) to have continued, on the scale laid down by Mr. Harris, until Settlement. The question was raised in 1855-58 whether this tax should be abolished and a land-tax substituted for it; but it was decided that it should be maintained, as it gave satisfactory results and encouraged tree planting. Trees on inam and patta lands and on private poramboke (such as field-ridges and backyards) were exempted, and the tax was generally confined to topes (other than those planted under the tope rules) and to trees on waste lands, assessed, unassessed or poramboke. In the new settlement the tax on trees on assessed waste lands was discontinued and a land tax was substituted for it. For trees on unassessed waste lands or public porambokes the trees-tax system was continued. It was impossible to lease such trees, in the manner followed in other districts, as the ryots are considered to own them. The claim to the ownership of untaxed trees (i.e., of trees not included in Mr. Harris' list) when standing on inam or patta lands lies with the ryot. But special rules governed such trees on all other lands. Those planted by ryots on river or channel banks belonged to them or their descendants; and so did those in back-yards owned by ryots, or those planted by ryots on padugais within twenty yards of the river bank before 1864 (when the cultivation of padugais within that limit was prohibited). All others belonged to Government.

73. *Resettlement 1923-24.*—The period of 30 years fixed for the ryotwari settlement of the district introduced in the year 1893-94, having expired in 1922-23, a resettlement was carried out and new rates introduced in all the taluks in 1923-24. It was based on the proposals made by the Special Settlement Officer Mr. G. H. Jackson, I.C.S. and took the form of a percentage enhancement of the existing rates of assessment. As a preliminary to the re-settlement, the registry in the revenue adangals was thoroughly revised and brought up-to-date by a special revenue staff followed by a re-survey of holdings.

74. Government passed orders on Mr. Jackson's scheme in August 1922. Mr. Jackson had found that the classification of irrigation sources in the old delta area was far from being scientific and would need considerable alteration. He did not however recommend any major changes in view of the impending execution of the Cauvery-Mettur Project, which would substantially alter the capacity and character of the existing sources, and also because the existing classification was accepted over quarter of a century and was intricately connected with the soil sorting. No general re-classification of soils, nor revision of dry grouping or re-grouping of irrigation sources was made, although in a few villages unfavourably situated in the delta, some of the second class sources were transferred to the third class in consideration of drainage difficulties. The revision of the boundary effected reduced to the third class the classification of the Pallavanar in Tiruthuraipundi taluk, Palavar in Sirkali taluk, Muthappan Cauvery and the Manjalar in Mayuram taluk, and the Chittar and Vellayar in Nagapattinam taluk, involving a total ayacut of 11,340 acres. The resettlement notification also provided for the following factors:—

- If a defective source is improved or a new source is constructed by Government, the Government shall be at liberty to revise the classification, and impose such wet rates of assessment and water rate as they may deem fit on the lands commanded by the sources.
- On the completion of the Cauvery-Mettur Project, the Government reserve to themselves the power to reclassify the irrigation sources in the upland tract and to impose on the wet lands registered under these sources the wet lands rate appropriate to the new classification that might be assigned to them.

75. As at the previous settlement, paddy was adopted as the standard crop for wet lands, and ragi, cumbu and varagu for dry lands. On the basis of the average prices of these food grains during the twenty non-famine years ending 1919-20 and after making the usual deductions the net commutation rate arrived at was Rs. 221 for paddy, Rs. 267 for ragi, Rs. 263 for cumbu and Rs. 168 for varagu representing increases of 83, 105, 96 and 121 per cent, respectively, over the rates adopted in 1893-94. Notwithstanding these heavy increases the Government did not enhance the previous rates by more than 18½ per cent, the two lowest dry rates being, moreover, left unaltered. The rates thus arrived at ranged from Rs. 1-12-0 to Rs. 16-10-0 for wet and Re. 0-4-0 to Rs. 8-4-0 for dry lands. Manavari lands continued to be charged one taram higher than the appropriate dry taram assessments except in the case of lands in the highest taram. Lands registered as dry or manavari in the revenue accounts which had been regularly cultivated with wet crops and lands from which water could not be excluded were, in consultation with the Revenue and the Public Works Departments, registered as wet wherever it was possible to do so without prejudice to the registered ayacut. Lands registered as wet which were cultivated only with dry crops were likewise registered as dry or manavari after ascertaining that they had not been deliberately converted into dry to raise valuable garden crops. The extent thus transferred to wet was 9,327 acres and the wet area transferred to dry or manavari was 1,661 acres.

76. 7,801 acres of poramboke land which were actually under, or were fit for cultivation were assigned on patta as they were not required for communal purposes, and 8,629 acres of such land which were not so required but were fit for cultivation were transferred to assessed waste with a view to assignment later on by the Revenue Department. Channels and pathways exceeding 20 links in width which ran through patta lands were sub-divided and registered as poramboke. Of assessed waste 2,995 acres required for communal or State purposes were transferred to poramboke and 2,498 acres of such waste to patta.

77. All lands which prior to re-settlement had been registered as double crop in the western half of the delta were allowed to continue as such and to pay for the second crop the same proportion of the first crop charge as they had till then been paying. In cases, however, where the retention of the old double crop registration resulted in any hardship, the Special Settlement Officer was authorised to revise the registry. Lands registered as single crop or as compounded double crop prior to re-settlement, were registered as double crop provided the holders thereof applied in writing to the Special Settlement Officer for such registration and the lands were not so situated as to render the supply of water for two wet crops uneconomical. Lands registered as double crop as above were eligible for remission of the difference between the double and single crop charges if the water-supply be insufficient for two crops in any year.

78. *Settlement of Resumed Inams.*—There are two resumed inam villages in this district in which settlement was introduced after the last re-settlement. They are:

1. Palayeevayal village in Thanjavur Taluk and
2. Meykidipatti village in Pattukkottai taluk.

1. Palayeevayal village was endowed to a choultry at Thiruvayaru which was not properly maintained and the village had also been alienated. The Board therefore in B.P.Ms. 2132, dated 9th September 1924 sanctioned the resumption of the inam. Subsequently, in B.P.Ms. 139, dated 8th February 1954, it directed a regular ryotwari settlement of the lands in the village. The Assistant Settlement Officer, Pattukkottai was entrusted with the work. The scheme report and the settlement notification were approved by the Government in G.O. Ms. No. 1790, Revenue, dated 25th June 1955. This village had been originally surveyed under the block survey system for land cess purposes at the time of the original settlement introduced in fasli 1309. At re-settlement introduced, in the year 1925, the assessment was revised according to re-settlement rates. The re-settlement rates of Rs. 4-12-0, Rs. 4-3-0 and Rs. 3-9-0 per acre for wet lands and Rs. 2-6-0, Rs. 1.12.0 and Rs. 1.8.0 per acre for dry lands were adopted, treating the irrigation source Palayeevayal Eri as Vth Class Source.

79. Subsequent to the advent of the C.M.P., the eri was abandoned and all the fields were given direct supply from the C.M.P. But the classification of the source was not stepped up and the assessment revised proportionately. This fact came to notice when the regular ryotwari settlement of the village was taken up as per B.P.Ms. 139, dated 8th February 1954. In G.O. Ms. No. 1990, Revenue, dated 25th June 1955, the Government ordered inter alia, that the difference in back assessment on wet lands as for Class I source should be collected for 3 years prior to fasli 1364 in which the settlement was introduced. The village was placed in dry Group I. The soils, as reclassified under the 5 sort system, were placed under sorts VII-2 and VII-3, the corresponding rates of assessment being Rs. 8-4-0 and Rs. 7-2-0 per acre for wet and Rs. 1-12-0 and Rs. 1-8-0 per acre for dry, respectively.

80. (2) Meykidipatti village was endowed as an inam grant to the Dharma Chatram at Gandarvakottai and confirmed in T.D.No. 1387. The village was resumed in B.P. Ms. No. 2344, dated 25th August 1941 for failure to fulfil the conditions of grant. Subsequently in B.P. Ms. 1181, dated 21st October 1952, the settlement of the lands on a par with other ryotwari tracts was sanctioned and the work was entrusted to the Assistant Settlement Officer, Pattukkottai. The Settlement Notification was approved in G.O.No. 110, Revenue, dated 5th May 1954 adopting the money rates and principles applicable to the upland tract of Tanjore district as per the resettlement notification approved in G.O.No. 2219, Revenue, dated 12th December 1922 as subsequently amended. The village was outside the ambit of the C.M.P. The two tanks in the village were placed under Class IV based on their capacity for supply. The soils were placed under sorts VII-3, VII-4 and VIII-3 and the village was placed in Dry Group II. The Settlement was introduced in fasli 1364.

81. *The Cauvery Mettur Project.*—The impact of the Project on the revenue arising from the district can now be considered. It may be seen that though the Project was under contemplation for long ever since it was suggested by the indefatigable engineer Sir Arthur Cotton in the middle of the nineteenth Century, even when he designed the upper and lower anicuts and improved the Grant Anicut besides undertaking a number of works to improve irrigation from the Cauvery, it got a concrete shape at the hands of Col.W.M. Ellis in the year 1910 and could be taken up for execution only after the Madras-Mysore Agreement on sharing Cauvery waters was entered into in the year 1924, thanks to the good offices of Sir C. P. Ramaswami Iyer, who was then a Member of the Viceroy's Executive Council. On account of the High cost of the Project, and also in view of the terms of the Madras-Mysore Agreement of 1924 regarding utilisation of Cauvery river water for irrigation, the Government have pursued such a policy as would yield the maximum benefit from the Project, as regards levy of water-cess. In pursuance of this policy, the Government passed the following orders:—

(i) In G.O. Ms. 2366, dated 22nd November 1927, it was ordered that pending completion of the Cauvery-Mettur Project and the issue of further orders, no dry land should be registered as wet, and no single crop wet land should be registered as double crop wet nor the charge for a second crop on any wet land be compounded in the areas irrigated by the Cauvery channels below the dam. The Board, in Resolution No. Mis. 671, dated 25th February 1928, interpreted the above orders to apply to all lands now irrigated by the Cauvery channels and to all lands likely to be affected by the Cauvery-Mettur Project, but not to lands that will not be affected. This view was affirmed by the Government in G.O. Ms. No. 458, dated 26th March 1928.

(ii) It was ordered in B.P. Rt. No. 2157, dated 26th March 1930 that all wet wastes in the old and new deltas should be transferred to dry. Under the Madras-Mysore Agreement of 1924 regarding the utilisation of the waters of the Cauvery, the area of new irrigation was limited to Ac. 3,01,000, of which Ac. 2,58,000 was to be under the Grand Anicut Canal system and Ac. 43,000 of extension under the Vadavar system of the old delta. This was accomplished mainly by:—

(a) Construction of a large masonry dam across the Cauvery at Mettur to form a reservoir with a capacity of 93,500 million cubic feet.

(b) excavation of the Grand Anicut Canal, 58 miles long with branches and distributaries for 529 miles.

(c) extension of the Vadavar by 10 miles, widening of the Vadavar and excavation of distributaries thereto for a length of 86 miles.

82. The capital outlay of the Project was about Rupees 6½ crores, and it was estimated to yield a return of 6.31 per cent on the capital outlay.

83. The area commanded by the C.M.P. is called the new delta in contrast to the customary Cauvery ayacut known as the old delta. Since the extension of the scheme, piecemeal extension of irrigation is given from the Grand Anicut canal. Notable among them are (1) the extension of the canal beyond Narasinga Cauvery in Arantangi taluk (which has since gone to Pudukottai district) to stabilise an ayacut of about 15,000 acres chiefly commanded by tanks and (2) the Vuyyakondan extension channel (part of the Kattalai High level channel scheme) which brought in a new ayacut of 4,481 acres besides supporting a second crop in another 4,000 acres.

84. Pudukkottai State did not get the benefit of C.M.P. though the first levels showed that a portion of the State can be commanded by this contour canal. Some enclaves of the State lying in the Orathanad taluk benefited by the seepage accruing out of irrigation of the adjoining land, though no water charge was initially levied for this benefit. On the merger of the State in the year 1948, some irrigation has been provided by extending the ambit of the channels taking off the Grand Anicut Canal towards the west like the Olavayal extension channel, etc.

85. In G.O. Ms. No. 281, Revenue, dated 5th February 1932, it was decided to regulate irrigation of lands from the C.M.P. by water permits, except in the case of wet lands in the old delta. An attempt was made to localise the second crop area with a view to ensure optimum use of water and it was given up in G.O. Ms. No. 1631, Revenue, dated 15th August 1934 in favour of an annual review of the area grown with double crop. To quote Mr. S. Y. Krishnaswami, I.C.S., (Report on the Development of Irrigation under the C.M.P.):—"As long as the Government have committed themselves to the view that water will be granted to the existing double crop in whatever part of the delta it is grown, the fixation of a double crop zone for the development of second crop is of theoretical interest only for, in practice, the water given in the beginning of the cultivation season will enable double crop to develop in all areas which are naturally fitted for the purpose. The results have proved that it (i.e., further double crop development) takes place as much outside the zone as inside it. But no special supplies are now being given to the double crop zone as the Government are committed to giving water to existing double crop all over the delta".

86. Drainage. Drainage is a problem in the tail-end of the old delta, where a number of rivers and distributaries have to perform the dual function of supply and drainage. These two functions are of course, incompatible. Very often, the interests of one village will be served by holding up the water for irrigation, while an adjacent village is clamouring for the water to be passed down to save their crops from submersion. Again the same river or distributary, serves purely as a supply source in one village and as a drainage source in an adjacent village. Certain areas in the old delta are notorious for their bad drainage. Before the advent of the Cauvery-Mettur Project, peak surface drainage was mostly absorbed by the open head channels in the upper reaches, each field held up more water than was necessary for the crop and the system of irrigation cum drainage enabled this water to be used for irrigation lower down, without seriously submerging the lower reaches. After the advent of the Cauvery-Mettur Project, water is regulated and economically used, as a consequence of which more water than is necessary is sent down to the lower reaches of the old delta. The onset of the North-East Monsoon, the backing up of sea and drainage water along the drainage channels in land, and also the incredibly low level of some of the coastal areas as compared to the M.S.L., have all contributed to a serious drainage problem, which is not capable of easy solution. No doubt, several schemes to improve drainage facilities have been executed before and after the

advent of the Cauvery Mettur Project, but those have not materially improved the drainage difficulties in portions in the tail-end of the old delta. On the other hand, the drainage problems in the upper and middle reaches of the old delta have been almost eliminated. It can be said that the upper and middle reaches have improved at the expense of the lower reaches. The upper reaches of the old delta have benefited to only a small extent after the advent of the Cauvery Mettur Project, the middle reaches have benefited most, from the point of irrigation and drainage, and the lower reaches have benefited slightly from the point of view of irrigation, which of course, is offset by deterioration in drainage.

87. The problem of drainage is the most pronounced during local rains under the North-East Monsoon, when the young crops newly transplanted in the tail end areas get washed away. Pending improvements to drainage, relief was given to the affected ryots by stepping down temporarily the classification of the wet lands by one taram, and whenever the defect in drainage was improved due to execution of works, the classification was restored. The improvements to drainage and modernisation of the channels in the Cauvery (old) delta is taken up on a mammoth scale as food production ventures with aid from the World Bank as well as local resources.

88. *Reclassification of Deltaic Sources.*—When the Cauvery-Mettur Project water was let into the Cauvery channels in the old and new deltas, the position was—

- Third Class percolation or spring sources were retained in the same class except in the case of Kuttalam and Sithakadu villages of Mayavaram taluk, which were raised to class II.
- With a few exceptions, the second class sources were raised to Class I, and all third class sources, other than percolation or spring sources, to Class II. The excepted cases were retained in their present classification on the ground that the existing supplies to them had not been improved or that their sources of irrigation were drainages. None of the third class sources, was proposed for transfer to class I.
- In Thetti, Alivalam, Kurumbal, Adanur, Keranur, Andangarai, Komal, Venkanagar and Melamarudur of Thiruthurai taluk, the whole ayacut of second and third class sources were excluded in the reclassification proposals subject to the examination of individual cases later, since they were found liable to submersion.
- The irrigation sources under the Lower Coleroon system were excluded from the proposal of reclassification with a view to consideration later, on merits.
- All the lands in the new delta were to be raised to class I.

89. G.O. No. 1238, Revenue, dated 14th July 1933, was passed on this basis. It was also provided that when any land in the existing delta was transferred to a project source, the source of the land will be placed under class I, irrespective of the classification of the remaining ayacut. After the introduction of the Cauvery Mettur Project, a great deal of piecemeal work has been done with regard to the sources exempted from reclassification. The improvements can be broadly classified as follows:—

- Provision of direct irrigation to lands benefited by percolation and springs from the main rivers.
- Provision of improved drainage facilities in the areas, hitherto liable to submersion.
- Provision of improved irrigation to lands placed under II Class sources.
- Provision of direct supply to lands, hitherto fed purely by drainage channels.

90. In the same manner, as a result of individual representations, certain sources, which were originally reclassified were subsequently brought within the exemption. As and when improved irrigation or drainage facilities had been provided, proposals were sent for the reclassification of the sources. The early proposals were sent by Special Revenue Officers through the Collector. Subsequently the regular revenue officers were asked to attend to this item of work. The proposals were made piecemeal, frequently without any grasp of the subject matter involved, and sometimes contradictory. It must be borne in mind that exemption from reclassification was given only in individual cases, and this too, not by a comprehensive or suo-motu examination of all such cases, but only as and when representations were made. The result is that it cannot be said that exemption has been given in all such cases entitled to get exemption. As regards areas affected by bad drainage, reclassification has been applied with reference to individual patches of land and not with reference to

sources. When this work has been done by several persons, with possibly different opinions, at different times, and without a comprehensive grasp of Cauvery delta irrigation, one can imagine the anomalies and haphazardness, that have resulted from the reclassification proposals sent from time to time. To add to the confusion, sources reclassified as a result of improvements had to be brought down to the original classification after some time, as no appreciable improvement was noticed. These piece-meal reclassification proposals still continue. Orders are passed by the Government on individual cases, even individual fields and the faslis from which such orders will take effect. Each such order is published as a notification, amending or supplementing the original notification. The result is a mass of reclassification notifications.

91. The Madras Mysore Agreement of 1924 on sharing Cauvery water was intended to be in force initially for a period of 50 years. When the agreement became due for renewal in the year 1974, both the States constituting the contracting parties wanted a reassessment of the whole issue in the light of the experience gained by them in the working of the agreement during the 50 years of its existence. Kerala, claiming to be one of the riparian states, joined issue at this juncture complaining that its interests were allowed to suffer under the extant agreement. Tamil Nadu started complaining that the Karnataka State had been building up dams across the Cauvery and its tributaries like the Kabini in contravention of the agreement while the Karnataka State made a counter charge that Tamil Nadu was utilising more water than allotted to it. This wrangling was surcharged with emotion in the political atmosphere prevailing in the States and frequent talks mediated by the centre ended in impasse. The last attempt at reconciliation initiated by Thiru Jagajeevan Ram, Union Minister for Agriculture and Irrigation, however met with success. At the meeting of the States' leaders at Delhi on 25th August 1976, Tamil Nadu being represented by its Governor Thiru Mohanlal Sukhadia, an agreement on broad principles was reached to set up a Cauvery Valley Authority and to nominate a Committee to work out a formula (i) for sharing the available waters equitably in seasons which were far below normal and (ii) to share the surplus water in normal seasons for multi-purpose projects by economising the use of water for irrigation purposes. These proposals are to be given concrete shape.

92. *Kaval fees.*—Thanjavur is by and large a law-abiding district, going by statistics of grave crimes alone but it would be a mistake, however, to give the impression that Thanjavur does not possess its criminal classes and has not passed through times of considerable disorder.

93. The Kallans and to a lesser extent, the Padayachis (pallis), were the Kavalgars or rural police at the end of the eighteenth century; and, like such officials in other districts, were oppressive in the extreme and infinitely more truly criminals than preventers of crime. Indeed it was probable these very propensities which (owing to the native custom of conciliating thieves by employing them as police) obtained for them their appointment as guardians of the public peace and private property. Their power for evil was increased by the disorder consequent upon Haidar's invasion of 1781, and by the weakness of the native Government in the years just preceding the British occupation of the country. The situation as described at the end of the eighteenth century affords a parallel to the state of things so notorious in Tinnevely and Madura.

"The institution of district and village watchers is become the scourge and pest of these rich and happy provinces Originally a warlike race of peons, as long as the influence of a superior Government was felt, they were found to perform their duties with wonderful punctuality, and, by an unexampled vigilance, to secure the inhabitants in general from loss they have been admitted to the receipt of fees from the cultivators and to partake of certain defined privileges As the powers of Government relaxed their misconduct was overlooked, and the inhabitants, defenceless and exposed were unable to keep them in bounds. Being naturally of a predatory habit, they presumed to help themselves with impunity, and to make demands upon that property they were employed to protect and the inhabitants found to their sorrow that no attention was paid to their complaints and that the Circar had lost the power to chastise their aggressors. It is no longer to the Circar officer that the inhabitant pays his first tribute of submission but to the Cavalcarra. We also learn from the inhabitants that such is the arrogance to which they must submit that they dare not put a plough to the ground without first having obtained the assent of the Cavalcarra."

But even after their exactions were no longer permitted by Government, they continued to levy them, and did so till lately in those western portions of the district in which kallans abound.

94. This system, like that found in some other districts, consisted in an arrangement by which the villagers paid to the Kallan to whom the village, so to speak, belonged, certain fees in consideration of which he undertook to keep their property safe from theft and to make good any losses from that cause. If they did not pay, their property would be stolen. In Thanjavur the system only applied to cattle, the fees varying from four annas to one rupee per annum for a pair of bulls. In Madura and Tinnevely it applied also to crops and property in general. The fees were generally not collected by the Kallans themselves, but by their local agents, who were often of other castes. Wherever the kaval existed the system of Tupukuli (discovery fees) also prevailed by which stolen property was recovered by payment of blackmail to the Kavalgar. For these fees, an agent was nearly always employed. These systems were generally acquiesced in by the ryots when such demands were made, and there seem to have been no instances, such as had occurred in the Madura and Tinnevely districts, of revolt against them. In the face of such acquiescence in the system, the police and magistrates were alike powerless. Information, which would be freely given in conversation, dried up when anything in the nature of an investigation or inquiry was commenced, so that neither complainant nor witnesses would be available to bring the offender to book. The fact is, the people were afraid of the vengeance of the Kallans if they should offend them, and the Kallans were generally too moderate in their demands to drive the people to desperation.

95. The castes chiefly responsible for the ordinary crime of the district are the kallans, the Padaiyachis (pallis) and the Kuravans. Valaiyans and Pallans acted as the tools of the Kallans; and Maravans though in Thanjavur an infinitely gentler class of people than their cousins of Tinnevely, were not infrequently caught in crime. It was commonly believed that the Kallans were responsible for most of the cattle theft, their propensity for which is mentioned by Orme. During the Trichinopoly war, Clive's and Lawrence's horses were stolen by two Kallan brothers. The Kuravans are connected with house-breakings; and dacoities are said to be generally committed by Pallans or Valaiyans in the pay of the Kallans, or by the Kallans themselves. The Palli is said to lean to burglary and the Maravan to dacoity. Gangs of Kuravans frequently cross the district.

96. As mentioned above the native Government secured the performance of police duties by employing, or permitting the employment of, members of the most criminal tribes as district and village watchers. The Kavalgars were, then as now, by the conditions of their service bound to produce all stolen property or to make good its value in money. At one time they seem to have done their duties well enough, but towards the end of the eighteenth century, if they ever fulfilled their obligations the security which the inhabitants enjoyed was more than counterbalanced by the blackmail they had to pay. The kavalgars were generally paid from fees levied on varying scales directly by the villagers themselves.

97. An attempt was made by the British Government to continue this system in a modified form. The fees were made more or less uniform, and were collected by the Revenue Officers and paid by them to the watchers. But the powers of the Kavalgars for mischief and their exactions continued, though in a diminished degree, and the system was abolished in 1816 by the Thanjavur Police Regulation 1816 (Regulation I of 1816). From that date the district shared in the general judicial and police reforms which were carried out throughout the Presidency.

Implementation of the provisions of the Abolition Acts (Act XXVI of 1948, etc.).

98. The estate area and minor inams account for 1/4th of the total area of the district. All the Zamin estates were confined to the upland tract of Pattukkottai, Orathanad and Arantangi taluks, while the whole inams and minor inams lay scattered among the ryotwari villages of all taluks in the district.

99. Under Act XXVI of 1948, 94 Zamin estates and 921 inam estates notified in G.O. No. 3157, Revenue, dated 9th December 1950 and G.O. No. 2302, Revenue, dated 1st September 1951, respectively, were taken over on the notified dates (3rd January 1951) or 1st October 1951 as the case may be. A portion of Ramnad Zamin estate notified in G.O. Ms. No. 2093, Revenue, dated 11th August 1949 and 9 of its under tenures notified in G.O. Ms. 2169, Revenue, dated 22nd August 1949 were also taken over.

Tirukalyanapuram another under tenure of Ramnad Zamin and a few other inam estates were notified later and taken over on various dates. All of them were settled in faslis 1367 to 1369.

100. Under Act 26/63, 597 inam and part inam estates were notified in G.O. Press No. 781, Revenue dated 15th February 1965 for taking over on 15th April 1965. These scattered estates covered an area of 252.21 sq. miles. All the estates, except 11 estates with an area of 2.78 sq. miles covered by stay order of Courts, were taken over on the notified date viz., 15th February 1965. In fasli 1379, 272 estates with an area of 98.82 sq. miles and in fasli 1380, 314 estates with an area of 150.51 sq. miles were settled. The following are the estates covered by stay orders of the Courts:—

Taluk.	Village.
Kumbakonam	... Thiruneelakudithottam, ... Pududiwanvadathottam, ... Thirunallur, ... Rendankattalai.
Orathanad	... Vedavijayapuram.
Pattukkottai	... Suryanarayanapuram, ... Maharajasamudram.
Mayuram	... Ramachandrakoilpattu, ... Kidangal.
Mannargudi	... Nanasaheb Thottam.
Tiruthuraiipoondi	... Chidambara Kothangulam.

101. Under Act 30/63, 1376 minor inams covering an area of the 108.56 sq. miles have vested with the State on and from the appointed date of 15th February 1965. Out of this 898 minor inams with an area of 73.64 sq. miles were settled in fasli 1379 and 474 minor inams covering an area of 34.40 sq. miles were settled in fasli 1380. Four minor inams (0.52 sq. miles—Vadapillali-Keelakattalai in Nannilam taluk and Chidambarakothangulam and Achanur in Tiruthuraiipoondi taluk) are covered by the stay orders of the Courts and hence they are yet to be settled after the vacation of stay orders by the Court.

102. In effecting the ryotwari settlement of the estate areas, the district was divided into two tracts, i.e., Pattukkottai, Orathanad and Arantangi taluks where the estates were preponderous, formed one tract and the other taluks where the estates, mostly Inams, were scattered formed the other tract. The re-settlement notification in force in this district was issued in:—

G.O. No. 2219, Revenue, dated 12th December 1922 and amended in G.Os. 439, Revenue, dated 17th March 1924, G.O. No. 622, Revenue, dated 21st April 1924 and G.O. No. 1205, Revenue, dated 7th August 1924.

103. The rates of assessment contained in the above re-settlement notification were adopted in effecting the ryotwari settlement under the Act with modifications in principles, wherever found necessary. The settlement notification for the estates situated in Pattukkottai, Arantangi and Orathanad taluks (including 11 under tenure estates of Ramanathapuram Zamindari located in Arantangi taluk) was approved in G.O. Ms. No. 2156, Revenue, dated 12th June 1958, while the settlement notification for the estates in the remaining taluks was approved in G.O. Ms. No. 4580, Revenue, dated 27th December 1958. There was a separate settlement notification for the three inam estates of Thennamanadu, Kannandangudimelayur and Samipatti transferred from Thanjavur taluk to

Orathanad Taluk on its formation, issued in G.O. Ms. No. 1848, Revenue, dated 10th May 1956 as amended subsequently. The same rates of assessment and the principles embodied in the resettlement notifications and the Section 22 notification of the Abolition Act, 1948 were adopted in settling the whole inam villages and minor inams for which separate settlement notifications were issued by the Government.

104. However, in respect of the ayan villages of Ramand estate portion lying in Arantangi taluk, the rates of resettlement assessment prevailing in the taluks of Sathur and Srivilliputhur notified in G.O. No. 785, Revenue, dated 18th March 1911 were adopted as per the section 22 notification for Ramantahapuram estate approved in G.O. Ms. No. 1510, Revenue, dated 17th April 1956 with suitable modification in principles, as it was mandatory under section 22 of the Abolition Act to adopt one set of rates for all villages comprised in an estate.

105. The setates in the Cauvery delta in almost the entire district had been surveyed under the diagonal and offset system immediately prior to the advent of the C.M.P. about the year 1935 at Government cost and a record of rights prepared. Such estate areas needed only a supplemental survey. Initial survey was confined to the upland tracts not commanded by the C.M.P. and in the uncommanded blocks among the C.M.P. villages. Some villages in the Arantangi taluk had been surveyed under the Punganur system when the G.A. canal was extended beyond Narasinga Cauvery and the survey in those villages was redone to attune it to the system prevailing in the rest of the district. The No. II Survey Party, Salem attended to Survey of Pattukkottai and Orathanad taluks in the initial stages with a detachment at Pattukkottai. The No. V Survey Party formed later at Pattukkottai conducted the survey of the remaining estate areas. The Assistant Settlement Officers at Pattukkottai and Arantangi did settlement work under the supervision of the Settlement Officer, Thanjavur.

106. Some of the salient features of the settlement are given below:—

1. Money rates were not provided for soils I-1P, 1-2P and II-1P for Manavari lands as there was no manavari paddy cultivation in the padugais which usually benefited by percolation and supported plantains and other such crops.
2. *Dry Grouping*—The same pattern of dry grouping made at the original settlement of the ryotwari villages was adopted for the estate areas also. Broadly speaking all villages in the old delta, including some of those in the upland pockets of Nagapattinam, Mannargudi, Tiruthuraiipoondi and Thanjavur taluks were placed in dry group I, whereas the other villages in the uplands (including the new delta in Pattukkottai Orathanad and Arantangi taluks, the southern portion of Thanjavur taluk and the contiguous areas in Mannargudi taluk and some coastal villages in the Tiruthuraiipoondi-Nagapattinam belt around Thoppurthurai (formerly known as Kattukuthagai Villages) were placed in dry group II.
3. Classification of irrigation sources was made more specific as shown below:—
 - (1) *Upland taluks*.—Irrigation sources were arranged in five classes according to their capacity and nature of supply as detailed below.

First Class Sources.—All irrigation sources under the Cauvery Mettur Project whether they are directly or indirectly supplied including tanks receiving supply from the project system.

Second Class Sources.—(i) All channels fed by the Pamanar and the tanks receiving their supply from these channels, in the deltaic portion of Pattukkottai taluk.

(ii) Large river-fed tanks and rain-fed tanks affording supply for not less than eight months in a year.

Third Class Sources.—(i) Percolation and spring sources, deriving supply from the Cauvery Mettur Project System.

(ii) Hill streams, tanks of good capacity fed thereby, spring channels, small river-fed tanks and rain-fed tanks affording supply for less than eight months, but not less than five months.

Fourth Class Sources.—Rain-fed tanks affording supply for less than five months, but not less than three months.

Fifth Class Sources.—Small rain-fed tanks and all sources affording supply of less than three months.
 - (2) *Other tracts*.—Irrigation sources were arranged in five classes with reference to their capacity and nature of supply:—

First Class Sources.—All irrigation sources under the (C.M.P.) Cauvery -Mettur Project (i.e. fed by grand Anicut Canal or the Vadavar extension system whether they are directly or indirectly supplied, including tanks receiving supply from the project system.

Second Class Sources.—(a) Sources fed by the Uyyakondan Extension Channel.

(b) River-fed tanks and rain-fed tanks, affording supply for not less than eight months in a year.

Third Class Sources:—(a) Percolation and spring sources, drawing supply from Cauvery Mettur Project or in the delta, provided they have not been given direct supply.

(b) Hill streams, tanks of good capacity fed thereby, spring channels, small river-fed tanks and rain-fed tanks affording supply for less than eight months but not less than five months.

Fourth Class Sources.—Rain fed tanks affording supply for less than five months but not less than three months.

Fifth Class sources.—Small rain fed tanks and all sources affording supply for less than three months.

(3) *The Old delta.*—The irrigation sources in the old delta deriving their supply from the Cauvery had to be accommodated into the first three classes consistent with their resettlement classification, but they defied an easy and clear cut definition due to their wholesale reclassification at the advent of the C.M.P. and the sporadic and incessant tinkering made with them, either by stepping up or stepping down, at every conceivable occasion. It was therefore provided in the notification that the classification of irrigation sources in the old delta will be done on merits with due regard to the supply and drainage facilities. The classification adopted in the ryotwari villages was to be adopted in the estate villages also if the same source served ryotwari villages as well as ex-Estate villages to be settled, unless there was justification for a deviation by way of difference in supply or drainage facilities. In other cases, the classification was to be done with reference to classification of sources in the adjoining villages which are similarly placed in regard to supply and drainage facilities. The Settlement Officer was given the discretion to up-grade or down-grade the classification of sources wherever he noticed a difference in supply and drainage facilities available in the estate village concerned by comparison to the adjoining ryotwari village.

The Government also reserved the right as usual to reclassify the sources in taken over estate villages in the event of the sources in the adjoining ryotwari villages being reclassified, such reclassification to be done on the same basis as in the ryotwari villages.

4 *Classification of Soils.*—The same classes and sorts as adopted in the original settlement viz. alluvial clay and loam, regar, clay, loam and sand, red ferruginous loam and sand and arenaceous loam, sand and heavy sand were adopted in this settlement. Alluvial soils were absent in the upland tract and hence they were not provided for. There were five sorts under all classes except under the arenaceous series which was accommodated under 3 sorts only. An extra sort under Class II (II-IA) was adopted for delta wet lands around Tiruvayyaru at the head of the delta having exceptional fertility. Two special sorts under alluvial class and one under alluvial loam were adopted for padugai dry lands which had the benefit of rich silt deposits from the Cauvery.

5 *Wet Registry.*—Only lands registered as wet as per the village accounts and checked with the R.O.R. or Mamul wet Survey records were registered as single crop wet in the deltaic area while wet registry in the non deltaic area went by state on ground. Exception was made in the case of lands under wet cultivation for 5 years prior to settlement, or from which water cannot be excluded and they were registered as wet in the old delta. No land was registered as double crop wet in the old delta, though provision was made under non deltaic sources for double crop registry at $1\frac{1}{2}$ times the assessment in the discretion of the Settlement Officer if the holders thereof applied for it in writing. Option was also given to these ryots, on application, for composition of the second crop charge on non-deltaic lands under sources affording ordinarily unfailing supply for two crops and placed in the classes 2 to 5 at rates $\frac{1}{3}$, $\frac{1}{4}$, $\frac{1}{5}$ and $\frac{1}{6}$ of the first crop charge, respectively, which will be reduced by half if the ayacut was supported by substantial private wells. Similarly there was provision for transferring to dry in the C.M.P. area wet lands, not commandable or were not under wet cultivation for 5 years preceding settlement after notice to the ryots, but this provision was not enforced in any case.

107. The taluk of Pattukkottai, Orathanad and Arantangi were taken up for settlement first in view of the preponderance of the estate area therein. The Perambulation report for these taluks was sent by Capt. T. Srinivasan, M.A., Assistant Settlement Officer, Pudukkottai. Thiru R. V. Raman, I.A.S., Settlement Officer, Madurai offered his remarks on the proposals for Settlement of this tract. Based on the recommendations of the Board, the report was approved in G.O. No. 2545, Revenue, dated 2nd September 1953. The Settlement Scheme report for this area was prepared by Thiru K. V. Ramanathan, I.A.S., as Settlement Officer, Thanjavur and it was reviewed by Thiru K. S. Sivasubrahmanyam, I.A.S., as Director of Settlements and Thiru S. Venkateswaran, I.C.S., as Settlement Commissioner. This was approved in G.O. No. 1636, Revenue, dated 2nd May 1958. Settlement was introduced in Orathanad taluk and part of Pattukottai taluk in fasli 1367 in a total area of 232.32 square miles and the remaining estates were settled in faslis 1368 and 1369.

108. In respect of the taluks other than Pattukottai, Orathanad and Arantangi, the Perambulation report was prepared by Thiru S. P. Ambrose, as Assistant Settlement Officer, Pattukkottai. Thiru K. V. Ramanathan, I.A.S., as Settlement Officer, Thanjavur offered his remarks. The report was scrutinised by the then Director of Settlements Thiru K. S. Sivasubrahmanyam, I.A.S., and Thiru S. Venkateswaran, I.C.S., the former Settlement Commissioner. Before recommending the proposals both of them toured some of the typical areas and based on their impressions, they recommended the proposals, subject to those

modifications already referred to, and this was approved in G.O. No. 4230, Revenue, dated 8th November 1957. The scheme report for this area was prepared by Thiru Ramchandar, I.A.S., as Settlement Officer, Thanjavur and it was reviewed by Thiru R. Thirumalai, I.A.S. as Director of Settlements and Thiru S. Venkateswaran, I.C.S., as Settlement Commissioner. This was approved in G.O. No. 1365, Revenue, dated 28th March 1961.

109. For the few estates settled in Nannilam taluk there was no scheme report as the area presented no peculiarities and Government's orders were received by then in G.O. Ms. No. 3785, Revenue, dated 15th December 1959 approving the suggestion to dispense with scheme reports. The introduction report for this Taluk was prepared by Thiru G. M. White, I.A.S., as Settlement Officer, Thanjavur. It was reviewed by Thiru S. P. Ambrose, I.A.S. as Director of Settlements and Thiru P. P. I. Vaidyanathan, I.C.S. as Settlement Commissioner and recorded in G.O. No. 3786, Revenue, dated 18th October 1962. Similarly an Introduction report was prepared for Tiruturaipoondi taluk by Thiru V. Sankaran, I.A.S., as Settlement Officer, Thanjavur. It was reviewed by Thiru K. V. Ramanathan, I.A.S., as Director of Settlements and by Thiru N. S. Mani, I.C.S., as Settlement Commissioner and recorded in G.O. No. 2816, Revenue, dated 19th September 1963.

PUDUKKOTTAI DISTRICT.

History of Formation of the district.

1. Pudukkottai is the newest among the districts of Tamil Nadu and it is also among the small ones. Ever since the merger of Pudukkottai State with the then Madras Presidency in 1948, the local people had been clamouring for a separate district, with Pudukkottai as its headquarters. It was, however, not possible to accept their request till 1974, though the integrity of the Princely State was maintained by retaining it as a separate Division in Tiruchirappalli District. In 1955, the District Revenue Administration Enquiry Committee headed by Thiru M. V. Subramanian, I.C.S., Member, Board of Revenue, examined whether the then existing districts would be heavy charges after the introduction of the National Extension Service. The Committee observed:—

We are of the view that the question of manageability of the Collectors' charges under the four districts of Thanjavur, Tiruchirappalli, Ramanathapuram and Madurai will require examination when the N.E.S. has been introduced there. Possibly, there may be need to carve out a fifth district from the portions of these four districts so as to give relief to these Collectors. Pudukkottai and Aranthangi taluks may be taken away from Thanjavur, Pudukkottai division from Tiruchirappalli and some of the adjoining areas from Ramanathapuram with consequent readjustment between Ramanathapuram and Madurai; and in that case, the headquarters may well be at Pudukkottai which has got some advantages like the availability of buildings and good facilities of communication by road and rail. The new district may not be as large as some of the existing districts, but nevertheless will constitute a reasonably adequate district charge. The time for the formation of the new District will be when the N.E.S. has covered roughly half the area in the four districts concerned.

2. This was not apparently done as thereafter the thinking was on different lines. The problem of reducing the workload of Collectors of heavy districts was sought to be solved by introducing the District Revenue Officer scheme in 1960 under which the revenue work was made the immediate responsibility of an officer of higher rank than a Deputy Collector though the Collector still continued to have overall control and responsibility. The heavier districts were also divided into two development districts each with separate sets of District Officers of the development department. The views veered round again for the creation of compact charges for the Collectors of bigger districts among which Tiruchirappalli was one. It was in January 1973 that the Chief Minister announced at Pudukkottai that the Government would accept the long voiced demand of the area that a district should be formed with Pudukkottai as its headquarters.

3. In pursuance of this, the Government (in their D.O. No. 4149/M2/73-9, dated 6th April 1973) requested Thiru S. P. Srinivasan, I.A.S., Member, Board of Revenue to send proposals for the formation of Pudukkottai District. Accordingly, the Board Member toured the affected areas, and elicited local opinion after giving wide publicity. Based on the enquiry and the representations made to him and taking into consideration the various factors involved in the issue, Thiru S. P. Srinivasan, sent a report recommending that the new Pudukkottai district, with headquarters at Pudukkottai, may be formed with the following areas:—

1. Pudukkottai Revenue Division in Tiruchirappalli District.

2. Arantangi taluk including Avadayakottai sub-taluk, Gandarvakottai and Kallakottai firkas in Orathanad taluk and 9 villages in Peravurani taluk of Thanjavur district comprised in the erstwhile Sendangudi zamin.

4. He did not commend the proposal to add any area from Ramanathapuram district as it might not be administratively feasible, as also in view of the pending demand for the creation of a separate district of East Ramanathapuram. He also discountenanced the suggestion that Manapparai taluk of Tiruchirappalli district may be added to the new district as it would be administratively inconvenient and as there was local objection to that proposal. His other recommendations were:—

(i) Formation of a new Pudukkottai Taluk by upgrading the existing dependent sub-taluk at Pudukkottai and attach to it the 2 firkas to be taken away from Orathanad taluk, i.e. Gandarvakottai and Kallakottai.

(ii) Forming a separate firka for the 9 villages transferred from Peravurani taluk and attach it to Alangudi taluk.

(iii) To form a separate revenue division with headquarters at Arantangi.

(iv) To create a new Panchayat Union with headquarters at Gandarvakottai.

PUDUKKOTTAI DISTRICT.

(v) To appoint district heads to the various departments in the new district.

(vi) To appoint a Special Officer in the cadre of a Collector to work out other details, etc. for the arrangements for starting the new district.

5. Based on this report the district was formed in the year 1974 with the nucleus of the Pudukottai division of Tiruchirappalli district which had a population of 6.6 lakhs, adding to it portions of Thanjavur district as recommended by Thiru S. P. Srinivasan, thus making it an agglomeration of backward areas in the midst of the rich districts of Tiruchirappalli, Madurai and Thanjavur and bordering on the dry district of Ramanathapuram.

6. The formation of the new district was not dictated by immediate administrative necessity but it just fitted into the scheme of bifurcating bigger districts to ensure viability and intensive growth. This backward area had of necessity to receive the highest priority in investment towards development after its constitution into a separate district, with the administrative machinery fully geared up to undertake the task, with all the subsidy and other incentives offered for developing backward regions.

7. *Earlien History.*—Pudukkottai (1,180 square miles) had been a princely State earlier, a feudatory of the British Government, raised to that status by the British Government in recognition of the unflinching loyalty of the Rajah to the British in the Carnatic War and more particularly his assistance in quelling the riots of the Southern Poligars and the capture of the Poligar of Panchalankurichi. Veerapandia Kattabomman, on whose immense opposition floundered the foundation of the British authority in this part of the country, and again in helping to capture Chinna Marudu a usurper of Sivaganga who also challenged the British after an interregnum. It ranked the third in importance among the five Princely States which had direct political relations with the Government of the Madras Presidency, through the Collector of Tiruchirappalli who was the political agent. This princely grandeur is preserved in many beautiful buildings such as the new palace of the Raja, now housing the Collectorate, and the Court buildings, but beyond that this princely State had lagged behind in economic development, languishing partly under the limited resources of this poor state and partly due to the benevolence of the Raja himself. The non-extension of the C.M.P. to this State can be cited as an instance in point in support of this charge. In fact, the idea of diverting Cauvery Water to Pudukkottai was conceived by Raja Reghunatha Tondaman as early as the year 1837, but it did not fructify in the then existing political situation. When the G.A. canal was actually conceived by the end of the first quarter of the century, surveys proved that the contour canal which was intended to serve the parched and dry areas of Orathanad, Pattukottai and Arantagi taluks could actually command enroute a portion of this State as well. Alignments were accordingly made and a P.W.D. rest house was also put up at Karambakkudi as part of the Project. Land Acquisition had also proceeded in the adjoining British territory on the basis of the alignment, but till the last moment the British Government could not come to an understanding with the Raja of Pudukkottai on the sharing of the water of the canal and the lumpsum annual charges to be paid by him for it. The Rajah was then ill-advised that there were ulterior designs in this offer of water through the G.A. canal and that it may ultimately erode into the sovereignty of the State. The State was thus left alone and the canal was realigned skirting the State and it proved to be a great loss to the poor ryots of Pudukkottai who would have otherwise benefited by the Project. Some resurrection was made after the merger of the State by the extension of the Olavayal extension channel, but much could not be done as by then the commandable area of the C.M.P. became saturated upto the maximum extent permitted under the Madras-Mysore Agreement of the year 1924 and problems arose in developing the Cauvery ayacut in Tamil Nadu in the face of the protest of the Karnataka State. Similarly the forest wealth of the State remained untapped and undeveloped, being treated as game reserves for royal pleasure, till the Tamil Nadu Forest Department took up the management in the year 1951.

8. The princely regime that was, cannot altogether be derided as unworthy of any credit, only for the reason that the tract has remained poor due chiefly to the absence of irrigation potential or other natural resources. The State had always cherished art and learning. Outstanding practitioners of art were nurtured by the Rajahs and

muniticently rewarded. The renowned percussionists Mamudia Pillai and Dakshinamoorthy Pillai hailed from this part of the country. The burial place (or Adishtanam) of Sadasiva Brahmendra, the saint philosopher, where an annual festival is conducted bears elequent testimony to the honour bestowed by the Rajahs on men of learning. The famous image of Lord Nataraja belonging to the temple of Thiruvarangulam which has found its way into the National Museum at Delhi would speak of the heights which art attained under the early Rajahs. Development of Tamil was the bed rock of Pudukkottai administration where Court work was carried on in Tamil. The State has not lacked in Political wisdom either. It may be credited for having cradled and nurtured Thiru S. Satyamoorthi, the most eloquent among the freedom fighters of this State. There is also a museum at Pudukkottai established by the Raja on a modest scale. The State recorded a high rate of literacy.

9. Handicrafts and cottage industries thrive as subsidiary occupations in this district. The silk and cotton cloths of Tiruvapur, a suburb of Pudukkottai, have a considerable reputation in the market. The scarlet vegetable dye used there is especially well-known. Patnulkarans are employed in this industry. Coarse cotton cloths are woven at Karambakudi and blankets at Sellukudi. Rush mats and bel-metal vessels are made in and about Karambakudi; mats of Palmyra leaf in and round Ponnamaravati; bell-metal vessels at Kiranur and Alangudi; and baskets near Kilanilai. Bangles are made at Vaittur. The Pudukkottai scenes are well-known. Tiles for houses are made at Tiruvengavasal.

10. The art and architecture of Pudukkottai represent the Chola and Pandia merits blended with Pallava influence. Kodumbalur on the highway between Woriyur and Madurai (the Chola and Pandiya Capitals of yore) prides of works of architectural excellence. Jainism thrived in the caves of Narthamalai and Sithannavasal. Sithannavasal also prides of frescos of Pallava Art. Kudumiyamalai bears musical inscriptions of the seventh century, besides immense contributions of Chola and Pallava arts. The temple at Avudayarkoil is unique in sculptural excellence and it is an ancient one believed to have been constructed by Saint Manickavasagar, a Minister in the Pandia realm.

11. *Criminal Tribes.*—This tract has got one black spot in its professional criminals. The principal criminal class are the Visanganattu Kallans, who live in the north-eastern portion of Kolathur taluk and the north western corner of Alangudi. These people had been for generations professional robbers, cattle lifters and dacoits; they were bound by the rules of their clanship to screen one another. They were declared to be "a perfect pest" to the three British districts adjoining the State. Within the latter, crime was seldom reported, as the criminals had organized an effective system of black-mail which shut the mouths of their victims. In September, 1891, a train was actually wrecked and plundered near the borders of the State. The systematic registration of "known depredators" which was introduced in 1880, the arrangement made for obtaining information regarding Pudukkottai robbers convicted in the neighbouring districts, the rewards offered for the arrest of persons "wanted" for dacoities committed here and elsewhere, and the conviction of the most notorious of the dacoits and their accomplices produced such good results that dacoities have now become rare. Most of the Visanganattu Kallans have now settled down as peaceable farmers.

12. The only other prominent criminal class are the cautious and elusive Kuravans, who thrive on burglaries. There is suspicion that the kallans, who once despised burglaries as an unmanly form of amusement, associated with the Kuravans in committing this crime. The Valaiyans and the class of Pallans known as Kaladis who live in the south-western portion of the State are professional cattle-lifters. They occasionally take to burglary for a change.

13. *Physical features.*—The district newly constituted consists of three distinct divisions though all of them are mostly dry and economically poor—

1. The localities around Pudukkottai on its west and east, and north of it, up to the border of old Tiruchirappalli district;

2. the southern portion consisting of the area around Ponnamaravathi and Tirumayam adjoining Chettinad and Karaikudi in Ramanathapuram district inhabited by people with similar customs and habits and;
3. the areas transferred to this district on its formation from Thanjavur district.

14. The areas newly added from Thanjavur include some portions commanded by the C.M.P. which only has made the new district slightly richer. Paradoxically, Arantangi taluk which was rated as the most backward as long as it was included in Thanjavur district has assumed importance overnight as the richer taluk on its inclusion in Pudukkottai! For the greater part, the district is commanded by tanks which are precarious and for the most part depend on rain and could scarcely support one wet crop; Kulathur and Thirumayam taluks have the largest concentration of tanks and they function in chains as in Ramanathapuram. The Kavinad tank is the largest one with an ayacut of about 2,000 acres. The country is almost plain with a few undulations and hillocks, but with no major rivers to break the monotony. Some of the hillocks are crowned by ancient forts and temples. This landlocked district scarcely receives any rain during the south-west monsoon and the water bearing clouds of the north-east monsoon are spent up over Thanjavur district before they reach this district. The influence of the north-east monsoon even on the Aranthangi Coast is meagre and it is also a traditionally parched area. The average annual rainfall is around 29". The porous red soil in the interior, and the sandy soils of the sea coast militate against the retention of any moisture for long periods. Some subsoil springs have been located around Kodikulam in Arantangi taluk and near Puduppatti (Thiruvonam). But, generally speaking, there are no known sources of substantial subsoil springs which could augment irrigation and hence agriculture is a gamble in this tract. There are of course some wells put up by private enterprise, some of them fitted also with pumpsets, which contribute in a humble way to agricultural progress. Even the big Rajan tank in Pudukkottai which is intended to serve as the chief source of drinking water-supply for the town is dependent on rain water. Pambar and Agniar that drain this district are only swift courses of monsoon run off, not capable of ensuring any copious supply over a length of period for irrigation. Vellar and Kunder are other minor drainage rivers in this region. A number of checkdams have been put up across Vellar in Arantangi taluk to divert its flood waters to tanks, augmented by the seepage from the adjoining C.M.P. tract. This Vellar has been the traditional boundary between Chola and Pandiya Kingdoms. A suggestion was raised recently to find means to fill up the Pudukkottai tanks with the flood waters that drain into the Cauvery, but it has to be examined in all its implications in the background of the Madras Mysore Agreement which is due for renewal now.

15. *Natural resources.*—The State is not rich in minerals. Iron ore occurs in parts and was once extensively worked at Tiruvarankulam and near Perungalur; but the industry has died out. Mica is found, specimens of which were sent to the Madras Exhibition in 1903; but it has not yet been mined. Yellow ochre is extracted to a considerable extent in the Sengarai forests; and bangle-earth is largely exported from the Alangudi taluk. Pipe-clay and clay suitable for making crayon pencils are found; as also are large quantities of building stone and laterite.

16. *Economic development.*—The district can be said to be poised now to a take of towards economic development; areas of investment have been identified by a techno-economic survey conducted by the Small Industries Service Institute. Blue prints have been drawn up for three industrial estates in Mathur, Ponnamaravathi and Arantangi. Kolathur taluk is thought of for the location of a multicore rayon plant, utilising the eucalyptus plantations developed recently in the scrub jungle, on about 8,000 hectares, by the Forest Development Corporation. Encouraged by the success, pulpwood is intended to be planted on more forest land in this district. There is large potential for growing cashewnut and casuarina. The hybrid maize propagated by the agricultural department is proposed to be utilised for a maize milling complex intended to be set up at Palayur by the Agro-Industries Corporation. There are already three spinning mills working on a moderate scale in this district. Ramachandra Chemicals producing fatty acids from neem oil, a raw material for soap industry, is a pioneering venture in this district. The coast line along Arantangi taluk offers good scope for development of deep sea fishing from such centres as Mallipatnam and Kottaiapatnam, whereas the innumerable tanks can be used to develop in-land fishing.

17. But the greatest contribution which this district has made recently towards economic development can be said to be the one the national centre for millet research and development established at Kudimiyannalai in 1970 which has proved by research that a rotational crop of pulses followed by Cholaam can be successful in this tract, as a pointer to dry land farming, and likewise paddy in wet lands followed by ground-nut, blackgram or gingelly. The Anna Pannai run by the State Farms Corporation adopts these improved cultivation techniques in deforested lands where it has proved to be a profitable venture. Kudimiyannalai has now got a tropical fruits research station also. Another giant farm is also coming up at Vembar where development and research in pulses is proposed to be undertaken on reclaimed forest land with assured ground water potential. With the fine net work of roads and Railways already existing, rich rewards can be expected soon from the development ventures undertaken in this district.

18. *Political history.*—Nothing is known for certain about the local history of the Pudukkottai country prior to the seventeenth century. Ancient remains abound in it, but they throw no light upon its fortunes. A number of pre-historic cists and kistvaens, for example, have been discovered, and many relics of the Jains (not only numerous rock-cut caves but also idols) survive. A fair number of ancient inscriptions in the State transcribed by the Government Epigraphist in 1904, relate to places like Tirugokarnam, Kudimiyannalai, Narttamalai, Amma Chatram and Sittannavasal and refer to periods of Cholas, Pandyas, Pallavas and Ganga Pallavas. Parts of the territory which make up the State would seem to have passed at various times from the control of the Cholas to that of the Pandyas and vice versa. In the account given in the Sinhalese Annals of the war of the Pandya succession in the twelfth century, it is said that the Pandya King Kulasekara fled into the hills of "Tondamanad" and this is the earliest occasion in which this part of the country can be said to be referred to as a separate entity.

19. At the end of the sixteenth century the direct control of the present Pudukkottai country seems to have been divided between the Nayakkan Kings of Madurai and Thanjavur, the Setupatis of Ramanathapuram, the Zamindars of Marungapuri and Manapparai, and a line of chieftains called the Pallava Rayas of Pudukkottai. It was the territory of the last named which formed the real nucleus of the present Pudukkottai State. They were subordinate to the Setupati of Ramanathapuram. They are also referred to as the predecessors of the Tondaimans and they have left traces of their rule in many names containing the word "Pallava" in the Pudukkottai country. A Pallava Rayan is also mentioned by Mr. Nelson, in his 'Madura Country' as ruling Pudukkottai before the Tondaimans.

20. The last ruling family of Pudukkottai did not come into prominence till the middle of the seventeenth century, though there is some doubt about the origin of its power. The traditional account says that the founder of the family, Tirumalai Tondaiman, emigrated from Tirupathi or Tirumalai (in North Arcot) in the Tondamandalam, and settled in Ambukkivil (22 miles east-north-east of Pudukkottai) seventeen generations before the middle of the seventeenth century. One Avadai Reghunatha Tondaiman, the eighteenth in descent from Tirumalai, is credited with having distinguished himself by capturing an elephant in one of the hunting expeditions of Sri Ranga Raya of Vijayanagar (about 1638-78) and as having been rewarded with the title of Raya and several other distinctions. The same chief is stated to have conquered the Pallava Rayas in 1639 with the permission of the Vijayanagar king, and to have thus laid the foundations of the present Pudukkottai State. His son served the Nayak king of Thanjavur for a time; but in the end he left his patronage and annexed to his dominions several of the Thanjavur villages. The same Tondaiman is said to have given his sister to Kilavan, the noted Setupati of Ramanathapuram (1673-1708) and to have received (about 1675) as a gift from the Setupathi the rulership of the country of Pudukkottai which his father is said to have conquered in 1640. Another branch of the Tondaiman's family which annexed Kulathur is said to have merged with the Pudukkottai house around this period.

21. Another story of the origin of Pudukkottai as contained in Mr. Nelson's "Madura Country" is that "Pallava Rayan" (evidently the last of that stock) attempted to throw off his allegiance to Ramanathapuram and to place himself under the protection of

Thanjavur; and that he was in consequence removed by the Sethupati. The latter then placed on the throne Raghunatha Tondaiman, whose sister he had married. The use of the name Tondaiman by the Pudukottai rulers does not seem to have originated with this family, however, but seems to have been begun by the Pallava Rayas, for Mr. Nelson mentions a "Pallava Raya Tondaiman", though the title Tondaiman is never ascribed to the Pallava Rayas in the local inscriptions.

22. The steps by which the Tondaimans acquired their independence are not very clear. It would seem, however, from Mr. Nelson's account that about 1686 the king of Madurai attacked Ramanathapuram and the latter obtained the assistance of the Thanjavur king on condition (among other things) that Pudukottai and some other country on the north of the Sethupati's kingdom should be surrendered to Thanjavur for twelve years. The allies were successful in repelling the invasion of the Madurai troops; but in 1698 the king of Thanjavur broke his promise to return the ceded country and war accordingly broke out between the former allies. Much of the ceded country was recovered by Ramanathapuram, but Pudukottai remained untaken, and from this time forth seems no longer to have formed a part of the Sethupati's dominions. Indeed, about 1730 the Tondaiman inflicted a crushing defeat upon his former overlord at Kavinadu. Nor did Pudukottai remain subject to Thanjavur since in 1725 the Tondaiman was allied with Madurai against Thanjavur in the war of the Ramanathapuram succession, and again in 1750, with Thanjavur against Ramanathapuram. Thus the Tondaiman appears to have become an independent chieftain about the beginning of the eighteenth century.

23. Kilanilai was added to the Pudukottai country in 1803, when it was granted to the Tondaiman by the British Government in reward for his loyalty.

24. The palace records give some other particulars about the gradual extension of the limits of the Pudukottai state; some villages were obtained by a brother of Raghunatha Thondaiman for his services to the Madurai Nayakkan, Ranga Krishna Muttu Virappa (1682—89); Ponnamaravati and some villages in the west of the State were taken from the Marungapuri Poligar, probably toward the end of Raghunatha's reign (1661—1730); and his grandson (1730—69) obtained additions to his territory from the Nawab of Arcot.

25. After the British accession, the State was declared foreign territory under Act VI of 1844. A sanad was granted to the Raja in 1862 permitting him and his successors to adopt heirs in accordance with Hindu law and the customs in his race. From about 1800 a Political Agent for Pudukottai was appointed. He was at first the Resident of Thanjavur, then from 1841 to 1865, the Collector of Madurai and then again from 1865 to 1874 he was the Collector of Thanjavur; and from 1874 onwards he was the Collector of Tiruchirappalli. In all important administrative matters, the Rajah had to act by the advice of the Government of Madras tendered through the Political Agent.

26. Though the ordinary coinage used in the State was that of the British India, a local coin called Amankasu was also current. This is a copper coin worth one-sixteenth of an anna. It bears on its obverse the figure of Brahadamba, the goddess of the Tondaimans, without any legend, and on its reverse in Telugu characters the word Vijaya, which probably stands for Vijaya Raghunatha Tondaiman (1730—69) by whom it is believed to have been first coined. Till 1888 these were coined locally in a rough form; but since that year the coin had been minted for the State in England.

27. *State administration.*—The immediate administration of the State was in the hands of a Diwan assisted by a colleague designated the Councillor, the two when acting together being called the "Diwan in Council". In any matter in which these two officers differed, in all financial questions, and in all subjects of general importance, the Diwan in Council obtained the commands of the Raja. All ordinary official correspondence with the Political Agent was carried on in the name of the Diwan in Council. The best known of all the Diwans of Pudukottai was the late Sir A. Seshayya Sastri, K.C.S.I. who filled that post with eminence from 1878 to 1894.

28. An assembly of representative was constituted in 1902 on the lines of the Mysore Assembly. It was composed of 30 persons chosen by the State as representatives of the various classes of the community and nominations to it were made by the heads of departments and by public institutions. The assembly had, however, no legislative or administrative power. The immediate control of the revenue and magisterial departments vested in the hands of the Diwan Peshkar, who was also the chief magistrate.

29. Regulations were issued by the Raja as in the case of the other Native States, but subject to the approval of the Madras Government, before being passed into law. As instances of enactments thus passed may be mentioned the Regulation for the Recovery of Arrears of Land Revenue, the Land Acquisition Regulation, the Compulsory Vaccination Regulation and the Kudimaramat Regulation. Among the regulations governing the relations of the State with British territory are the Extradition Regulation, the Suppression of Earth-salt Regulation and a Regulation for making penal all acts committed within the State in contravention of the British Post Office Act. A Law Committee advised the Diwan in Council in drafting Regulations and to report on the legislative needs of the State.

30. *Earlier Revenue administration.*—Out of the total area of the State viz., 1,180 square miles or 754,000 acres, nearly 400,000 acres were held on ryotwari or inam tenures; 14,080 acres formed the Manoverthi Jaghir; 56,676 acres represented unoccupied land fit for cultivation; and the rest was land (such as hills, forests, village sites, etc.) which was not fit for cultivation. The ryotwari area is either Varapattu (share cropping also called amani) or Tirvaipattu, assessed land, but Varapattu lands were almost negligible having been progressively converted and included in the Tirvaipattu area. The rates in this latter are of various kinds and origins. First, there are the rates fixed in 1878 for the old amani land; secondly, certain lump assessments for blocks of wet and dry; thirdly the "taram faisal" rates of the Kolattur taluk which were tentatively settled long ago on a ryotwari system; and lastly the mamul kadamai rates fixed on no principle but sanctioned by longstanding custom. The customary rates of assessment for wet lands varied from Rs. 10 to Rs. 4 an acre and for dry land from As. 6-6 to Rs. 1-8-0. There were also special rates for dry land on which paddy was grown.

31. *Revenue settlement.*—A cadastral survey of the State was made followed by regular settlement operations. The Durbar notification, dated 29th January 1911 contained the Settlement rates. The lands were classified as wet and dry and the new rates were rationalised based on soil classification. Wet lands were placed in groups I to V with rates ranging from Rs. 10 to Rs. 1.50 and dry lands were placed in a single dry group with rates ranging from Rs. 3 to Re. 0.37 per acre. On the expiry of the currency of the settlement (30 year period), Thiru V. James, B.A. sent up a resettlement investigation report on 11th August 1945, but the State merged with the Indian Union before the resettlement could be given effect to. All but the amani ryots were considered to have an occupancy right in their land and were given pattas every five years. Annual leases were given to the others. Grant of seasonal remissions was not in vogue, but land grown solely with fodder crops was granted remission of assessment.

32. *Inams.*—The inam lands may be classified roughly as grants to Brahmans, to private temples or choultries, to various public servants and to other deserving people. Except those to a few classes of public servants, all these had been enfranchised on lines similar to those followed by the Madras Inam Commission. Inams to State temples were resumed in 1897 and an annual money payment was substituted.

33. The Manoverthi Jaghir was originally assigned to a Rani of the ruling family for her private expense. It was afterwards applied to various palace purposes and ultimately came to be enjoyed by the Raja himself. Two other jaghirs assigned to his brothers by a former Tondaiman about 1730, were resumed in 1881 and 1904, and the members of the families pensioned.

34. *Miscellaneous revenue.*—Revenue used to be derived from the earth-salt manufactured from saline soils as a State monopoly; but in 1887 the Madras Government arranged with the Darbar for the suppression of this manufacture and entered into a

convention by which the Government agreed to pay Rs. 38,000 annually as compensation, imposing on the Darbar, at the same time, the obligation of maintaining a preventive staff costing about Rs. 10,000.

35. A sort of profession tax Rs. 12 on each stone mason was instituted in 1890, the masons having been freed from certain services which they had been performing till then. Seigniorage on minerals, such as granite and laterite, was levied since 1899.

Resettlement.

36. In G.O. Ms. No. 2711, Revenue, dated 9th October 1950 the Government accepted the recommendations of the Board of Revenue that there was a need for the Re-settlement of the Pudukottai merged area and that an Officer trained in Settlement work should carry out preliminary investigation on the major points likely to arise for decision during resettlement. Thiru K. P. K. Menon, I.A.S., Assistant Settlement Officer, Pudukkottai accordingly conducted an investigation and sent a perambulation report, dated 20th January 1951 through the Settlement Officer, Madurai. The proposals for the resettlement of the area were generally approved by the Government in G.O. Ms. No. 476, Revenue dated 19th February 1952 and at the same time the Government observed that there was no urgency to take up the resettlement work. Subsequently in G.O. Ms. No. 836, Revenue, dated 26th February 1961, the Government gave clearance for taking up the resettlement work in the area from 1st March 1961.

37. In approving the perambulation report in G.O. No. 476, Revenue, dated 19th February 1952, the Government decided that:—

- (1) No general reclassification of the soil was necessary, as classification of soils had been done on modern lines during the original settlement of the area made by notification issued by the ex-Pudukkottai Durbar and published in the supplement to Part I of Pudukkottai Gazette dated 17th May 1911. In the settlement, the regar and red ferruginous series had been adopted with three classes under each and the soil was classified under the 5 sort system. This classification was considered adequate. There will not therefore be any change in the existing money rates, as the Pudukkottai rates compared favourably with those obtaining in the Kadambam area of Tiruchirappalli district.
- (2) The decision of the ex-Durbar of Pudukkottai to place all the villages in one dry group needed no change.
- (3) The re-classification of all irrigation sources had to be made on merits with reference to period of supply and delimitation of their ayacuts made especially in regard to the sources placed in the V Class avoiding any wholesale transfers of lands from wet to dry.
- (4) In respect of tanks with small ayacuts of less than 20 acres, the responsibility for their maintenance may be transferred to the ryots concerned and the ayacuts charged with a special rate of assessment at Rs. 3 or Rs. 2-8-0 per acre corresponding to the highest dry rate.
- (5) the numbering of the classes of irrigation sources now classified as I to III will be altered as classes II to IV without involving any change in the money rates for the wet tarams, that the existing classes IV and V source will be adopted.
- (6) the description of 'Manavari' will be introduced. It will include lands now classified as Manavari wet, bearing the assessment applicable to Vth class source, and assessed one taram higher than dry lands of the same soil classification excepting, of course the lands placed in the highest taram. When such lands can be irrigated from other Government sources, they will be classified as wet with appropriate assessment.
- (7) the levy of special concessional rate for the lands on which 'Virali' is grown will be discontinued and the lands charged with dry assessment appropriate to their class and sort.
- (8) water charge will be levied for second crop raised on wet lands with the aid of Government water.

38. They also approved that the registry should be verified and brought upto date, that there will be a Rough Patta Objection Hearing and that fair accounts should be prepared with descriptive memoirs.

39. While sending the draft of the resettlement notification in pursuance of the above decisions, the then Settlement Officer, Tanjore Thiru G. M. White, I.A.S., raised some other points which were peculiar to this area and which needed to be settled with a view to bringing the prevailing conditions on a par with the similar ryotwari tracts, as well as the ex-estate areas settled, in Tiruchirappalli district.

40. His report further disclosed that an area of 300 acres of wet, manavari and dry lands Karambakudi firka of Alangudi taluk was irrigated by the Olavayal extension channel, Alivalam channel and Akkaraivattam channel which are branches of G.A. canal and fed by the Cauvery river and that there was direct irrigation from the channel

as well as from tanks fed by the channels. This area lay contiguous to or lay as enclaves in the C.M.P. fed tract of Orthanad and Pattukottai taluks of Thanjavur district. The C.M.P. was classified as a I Class source and there was also a ban on wet registry of lands denoted as dry or manavari. The settlement notification of Pudukottai State, issued on 17th May 1911 was found to have reserved a right to charge within the currency of the new settlement, the rates of assessment on lands, the irrigation of which is materially improved by the construction of a channel from the Cauvery river or by any other considerable irrigation project. New rates had therefore to be evolved for the C.M.P. I Class wet lands. It was also found necessary to work out new rates for lands to be recorded as manavari, as hitherto, manavari lands were described only as wet in the ex-Dharbar accounts. All these factors were taken into account in the resettlement notification issued in G.O. Ms. No. 2254, Revenue dated 22nd May 1962 (and published in the *Fort St. George Gazette*, dated 6th June 1962) as subsequently amended. The salient features of the resettlement notification are as follows:—

41. The resettlement notification provided for adopting the rates of assessment introduced in Kulathur Taluk in fasli 1320, in Alangudi taluk in fasli 1321 and Tirumayam taluk in fasli 1322 as approved and published by Ex-Pudukkottai State Durbar in their Gazette, dated 17th September 1911. It was specifically pointed out that the object of the resettlement is to revise the classification of irrigation sources and to delimit the ayacuts, introduction of the description 'manavari' and transfer of the lands registered as manavari wet to manavari, to delimit and demarcate porambokes, to correct the registry and bring it upto date, to prepare special accounts and to eliminate certain special features peculiar to the merged area to bring the conditions in the area on a par with the conditions obtaining in the adjoining ryotwari areas of Tiruchirappalli district. The resettlement notification was also made applicable to the 4 villages of Kilayur, Sempatti, Sulipatti and Usilampatti which originally formed part of Kulathur Taluk in the merged area and which were transferred to Manaparai sub taluk of Kulitalai taluk by G.O. Ms. No. 967, dated 23rd June 1965 subsequent to the merger, but was not applicable to the 14 villages in Illupur firka of Trichirappalli taluk transferred and added to the Kulathur taluk of Pudukkottai division by G.O. Ms. No. 4006, dated 25th October 1957.

42. The specific deviations made from the prevailing settlement notification are enumerated below:—

- (1) It was found that the C.M.P. wet rates under Class I as borrowed from the Thanjavur Notification were only slightly more than the existing rates under second class sources (as reclassified) in the merged area. As the policy of the Government was not to effect any transfer from dry or manavari to wet in C.M.P. the area the lands in Alangudi taluk registered as dry and fed by C.M.P. channels were to be retained as dry and appropriate water charge collected, as the C.M.P. fed dry lands did not qualify for manavari registry.
- (2) It was found that there were several Government tanks serving both ayan and inam wet lands and according to the rules issued under the Pudukkottai Irrigation Regulation, 1933, contribution was being collected from the inamdars for the maintenance and repairs done to such irrigation sources. As this regulation had been repealed and the Madras Irrigation Cess Act was made applicable, and there was no likelihood of existence of many sources of this kind, these tanks needed to be maintained and repaired by the Government and that it was not, therefore, necessary to collect any contribution from the inamdars. This problem has also since abated as the inams in Pudukkottai have been abolished and taken over by the Government.
- (3) Regarding handing over of tanks for private maintenance charging the ayacut with a special flat rate of assessment of Rs. 2-50 or Rs. 3 per acre, it was decided that it may be confined to the rain fed tanks with an ayacut of 10 acres and less, notwithstanding the fact that they formed links in a chain of irrigation sources as in Ramanathapuram district. It was also decided to cancel the agreement in respect of others, some 300 to 400 irrigation tanks already handed over by the Durbar to private maintenance and take them over with a view to eventually hand them over to the Panchayat Unions for proper maintenance. As the number of irrigation tanks already under private maintenance or to be handed over for the purpose in the merged area was considerably large, it was found that the application of special rates equivalent to the highest dry rates as is in vogue in the taluks of Tiruchirappalli district would mean unnecessary sacrifice of revenue as also a source of a very big concession to such private owners who had been paying full assessment to the Durbar; it was, therefore, decided to register the lands fed by such irrigation sources as wet but the appropriate wet rate will be one taram lower than the normal wet assessment (except in the case of a land placed in the lowest taram). The ayacutdars were also permitted to enjoy the usufructs of the trees standing on the tank bed and bund. The cultivation of a second crop under such tanks will be free of charge as hitherto.
- (4) As for private tanks constructed on patta lands it was found to be appropriate to register the ayacut lands of such private tanks as manavari and levy the appropriate manavari rates and register the tank in patta lands as dry subject to appropriate dry rates.

- (5) As for ayacuts of private irrigation works provision was made to register them as manavari and subjected to the levy of manavari assessment. Regarding poramboke wells, no need was felt to change the existing practice in the merged area to levy water rate for irrigation from such wells.
- (6) In regard to lands irrigated from Doruvu wells and Tholais, which were mostly cases of supplementary sources of irrigation to the lands already registered as wet under different sources, provision was made in the resettlement notification as for the other tracts in Tiruchirappalli district taking the date of construction of the doruvu well as the criterion viz. 8th May 1937; standing permits were to be issued for permitted Tolais.
- (7) Baling wet lands were granted the usual remission if bailing was not by mechanical contrivance.
- (8) Regarding collection of tree tax, it was agreed to dispense with the collection of tree tax on patta lands collected hitherto by the Durbar, and in cases where the land pattadars and the tree pattadars were different, the tree pattadar might be left to make his own arrangement with the owner of the land.
- (9) The levy of ground rent was found to be not uniform under the ex-Durbar, but the existing rates of ground rent were continued with a reservation for the revision of rates during the currency of resettlement.
- (10) Since the existing taram rates were not changed, involving no enhancement of assessment, it was found unnecessary to make provision regarding increment remission in the resettlement notification.
- (11) The provision for grant of remission of assessment on lands grown only with fodder crops was abolished and provision was instead made as usual for the grant of seasonal remission as applicable to the ryotwari area.
- (12) Assessed waste lands in the C.M.P. area were registered only as dry.

43. The introduction of resettlement in the ryotwari tract of the Ex-Pudukkottai area has been completed on the above lines.

44. *Settlement of Pudukkottai Inam.*—The same resettlement notification was made applicable to the inam estates including part inam estates (notified under Act 26 of 1963 in Schedules I and I-A) which had vested on and from the appointed date, viz. 15th February 1965. They have all been settled accordingly except 25 villages covered by stay orders of the Supreme Court still pending vacation. The process of confirmation of these inams and minor inams under the Pudukkottai settlement of Inams Act 1955 (Act XXIII of 1955) before their ultimate abolition has already been detailed in the General history in Part I.

45. *Settlement of Minor Inams in Pudukkottai.*—There were 361 minor inams in certain villages of the merged territory of Pudukkottai covering an area of 82.24 sq. miles. All these minor inams had vested in the State under Act 30 of 1963 on and from the appointed day, viz., 16th February 1965. The Settlement Notification under Section 16 of Act 30 of 1963 was issued in G.O. No. 1408, Revenue, dated 14th August 1967 and it was made applicable also to the Minor Inams in the 4 villages of Kilayur, Sempatti, Sulipatti and Usilampatti which originally formed part of Kulathur taluk of Pudukkottai merged territory and which were subsequently transferred to the Manapparai Sub-Taluk of Kulithalai Taluk by G.O. Ms. No. 1967, Revenue, dated 23rd June 1955 after the merger, but not to the 15 villages of Illuppur firka in Trichy taluk transferred and tagged on to the Kulathur taluk of Pudukkottai division by G.O. Ms. No. 4006, Revenue, dated 25th October 1957. In introducing the ryotwari settlement in these minor inams, the principles set forth in the resettlement notification issued in G.O. Ms. No. 2254, Revenue, dated 6th June 1962 were adopted. No other deviation was made.

46. Two hundred and fifty-three minor inams with an extent of 43.22 sq. miles were settled in fasli 1379. In fasli 1380, 64 minor inams covering an area of 99.21 sq. miles were settled. The remaining 44 minor inams with an area of 19.79 ss. miles which were covered by stay orders of the Courts, were subsequently settled in fasli 1382 after the vacation of the stay orders.

47. The minor inams in the 14 villages of Illuppur firka referred to above were settled under the Notification issued in G.O. Ms. No. 2676, Revenue, dated 25th August 1966 along with the other minor inams in Tiruchirappalli district adopting the principles contained in the resettlement notification of Tiruchirappalli district issued in G.O. No. 177, Revenue, dated 29th January 1925.

48. *Areas transferred from Thanjavur district.*—The history of Settlement and resettlement of the tract transferred from Thanjavur district is given in detail under Thanjavur district. It is briefly recapitulated below:—

This tract comprised of the most backward area of Thanjavur district known as the upland tract. In the resettlement notification applicable to Thanjavur district this tract was placed in dry group II with one taram less for each sort of soil in comparison

with the deltaic tract. Irrigation sources were placed in Classes II to V and here again the II class source in this upland tract was equated with a III class source in the deltaic tract and it meant one taram less for the corresponding soil. There was provision for manavari classification. When the C.M.P. was extended to this upland tract, the portion commanded by it was known as the new delta and the wet ayacut was reclassified adopting deltaic wet rates applicable to the I class source. In the new delta area, transfer of dry or manavari land to wet was banned by G.O. No. 2366, Revenue dated 22nd January 1927. All wet lands were registered as single crop lands only subject to levy of fasli Jasti for II crop cultivation. Soils belonging to the regar, red ferruginous and arenaceous series were met with in this tract. Red clay was conspicuous by its absence. The arenaceous soils were sorted under three sorts each while the other soils were classified under the 5 sort system. Manavari lands were placed in a taram higher than the corresponding dry lands. In Arantangi taluk the estate area was comprised of innumerable Zamin and Inam Estates lying interspersed among ryotwari villages while the other tract transferred from Peravurani and Orthanad taluks were all Ex-Zamindari areas. The ryotwari tract had been resettled with reference to G.O. No. 2219, Revenue, dated 12th December 1922 as amended by G.O. No. 439, Revenue, dated 17th March 1924, G.O. No. 622, Revenue, dated 21st April 1924 and G.O. No. 1205, Revenue, dated 7th August 1924 while the ex-estate areas had been settled as per the notification issued in G.O. Ms. No. 2156, Revenue, dated 12th June 1958. All the Minor Inams comprised in those areas were also settled as per G.O. Ms. No. 2416, Revenue, dated 20th July 1966 while the whole inams were covered by a notification issued in another Government Order.

49. The area transferred from Thanjavur district included 9 villages of Ramanathapuram Zamindari which were settled by a Settlement notification issued under Section 22 of Act XXVI of 1948 in G.O. Ms. No. 1570, Revenue, dated 17th April 1956. Ramanathapuram Zamindari was settled adopting the rates in force in Sattur and Srivilliputhur taluks of that district and contained in the last Resettlement Notification issued in G.O. Ms. No. 785, Revenue, dated 18th March 1911.

50. Thus broadly speaking, Pudukkottai district comprises of tracts covered by 4 different sets of settlement rates, viz.

1. Ex-Pudukkottai State area covered by the resettlement notification issued in G.O. Ms. No. 2254, Revenue, dated 25th May 1962,
2. Ex-areas of the upland tract of Thanjavur district to which the rates notified in G.O. No. 2219, Revenue, dated 12th December 1922 are applicable,
3. Fourteen villages of Tiruchirappalli taluk constituting Illuppur firka transferred to Kulathur taluk to which the Kadarambam rates notified in G.O. No. 177, Revenue, dated 29th January 1925 are applicable,
4. Nine villages of Ramanathapuram Zamindari included in Arantangi taluk which were settled adopting the resettlement rates contained in G.O. Ms. No. 785, Revenue, dated 18th March 1911.

RAMANATHAPURAM DISTRICT.

1. I. (a) *Introduction*.—Ramanathapuram is the one district which has its headquarters outside its limits. Even since it was carved out of portions of Tirunelveli and Madurai in 1910, it is administered from Madurai and recent efforts to fix its headquarters within the district limit has not had unanimity of acceptance by politicians. Except the taluks of Sathur and Srivilliputhur, the other seven taluks of Aruppukkottai, Sivaganga, Tirupattur, Tiruvadanai, Ramanathapuram, Mudukulathur and Paramakudi were formerly comprised wholly in the two great zamindaries (viz) Ramanathapuram and Sivaganga which together covered an area of 3,708 sq. miles out of the total area of the district of 4,828 sq. miles. The reason for the general backwardness of this district is not therefore far to seek. The great temple at Rameswaram with its famous corridors of architectural excellance the Central Electro-Chemical Research Institute and the group of educational institutions under the Alagappa Trust at Karaikudi add importance to this otherwise sordid district. Two of our past Chief Ministers Thiru P. S. Kumaraswami Raja and the redoubtable Thiru K. Kamaraj have hailed from this district, and they have helped a great deal to put the district on the march along the road to industrial and agricultural prosperity.

	HECTARES.
(a) Geographical area	12,42,762
(b) Population— Rural	21,13,545
Urban	7,46,662
Total	28,60,207
(c) Towns and villages electrified	6,496
(d) Pumpsets	28,358
Harijan colonies	
(e) Cattle—	
White cattle	6,24,370
Black cattle	1,28,812
Sheep	7,77,082
Goat	2,89,280
Other live stock	11,593
Total poultries	10,80,684

1. (b) *Physical Features*.

2. Ramanathapuram district lies between 9°-7' and 10°-22' of the northern latitude and 77°-20' and 79°-25' of the eastern longitude. It stretches from the western ghats to the Bay of Bengal and gently slopes towards south east. The district is located on the sea coast with a projection into the west, forming a wedge between Madurai and Tirunelveli districts. It is bound on the north by the districts of Madurai, Tiruchirapalli, Pudukottai and Thanjavur, on the east by the Palk Bay and on the south by the Gulf of Mannar and Tirunelveli district. The Kerala State abuts the district on its south-western corner separated by a ridge of the western Ghats. This range of mountain rises precipitously from the plains to a maximum height of 5,000 feet and slopes gradually away on the western side into the Kerala region. Except for this range and a few detached hills such as the Piranmalai in Tirupattur Taluk, the district is an uninteresting plain presenting few natural features. The taluks of Srivilliputhur, Sattur and Aruppukkottai are situated from west to east in a line wedged in between Madurai and Tirunelveli districts. Sattur Taluk and a large portion of Aruppukkottai and Srivilliputhur consist of black cotton soil where cotton grows well. Around the northern part of Srivilliputhur at the foot of the Western Ghats is the Watrap valley where the soil is red loam and is richer than the rest. The development of the district, is naturally weighted towards these three taluks. The rest of the district known as East Ramanathapuram is covered by red lateritic soil with such natural poor growth as Odai, Palmyrah, bamboo and jungle shrubs. The striking feature of this East Ramanathapuram is its coastline of

RAMANATHAPURAM DISTRICT.

about 160 miles, the longest for any district in the State, but there is nothing remarkable about it, the line being unmarked by indentions or promontories of any importance. The bottom of the shallow sea along the coast line is generally of loose sand with small detached rocks in many places and provides an ideal fishing ground. The coastal area is almost a sandy tract with no natural growth but provides an unlimited potential for development of salt industry. The coastal taluks of Mudukulathur and Ramanathapuram about the Gulf of Mannar. The Ramanathapuram taluk narrows down towards the east and extends into the sea between the Gulf of Mannar on the south and the Palk Bay in the north terminating in the island of Rameswaram. Rameswaram is a low sandy foot-shaped island separated from the main land by the Pamban Channel. The sub-marine extensions in the east are marked by numerous reefs, sholas and corali islands, including the legendary Adams Bridge believed to have been built for Sri Rama for his conquest over Ravana of Sri Lanka. The general character of the coast, the rapid growth of the Dhanuskodi Promontory and the existence of raised beaches at Mandapam with fresh coral adhering to them indicate recent accretions to the Country.

3. Besides Rameswaram, a number of small islands jutting out of the Gulf of Mannar from part of Ramanathapuram taluk:

1. Katcha Theevu
2. Ramanatha Odai
3. Singalatheevu
4. Mundal
5. Krushadaitheevu
6. Pathesal or Peria Kunda Theevu
7. Nadu Theevu
8. Poomarichan or pallitheevu
9. Manalpattu Theevu
10. Manalitheevu
11. Muyal Theevu
12. Mullitheevu
13. Valaitheevu
14. Thaliritheevu.
15. Appavutheevu.
16. Poovasampattu Theevu
17. Pillayar Munai Theevu
18. Yanaiparai Theevu.

4. Rameswaram is the only inhabited island in this group which is a place of pilgrimage of All India importance due to the location of the temple of Sri Ramanathasami. No plough is used for cultivation in this island, but only hoes, due to the belief that Sri Rama traversed this area and the plough is the emblem of his adversary Sri Parasurama. The major portion of the island is covered by tamarind and odai trees. Among the other islands Muyal Theevu was held under cove by the Mandapam Marakayar. Recently Katch Theevu has become a subject of controversy regarding ownership between India and Sri Lanka Government, but it is being tackled as part of the international agreement in delimiting the Palk Strait and Gulf of Mannar along the median line for fixing the maritime boundary. This Gulf provides a vast source of pearl and chank fisheries and though the islands are generally barren they assure strategic importance due to their location along the coast of this country.

5. The district consists of nine taluks. In 1958 there was some readjustment of taluk boundaries due to introduction of settlement in Ex-estates, but there was no change in the number of taluks. The revenue divisions were, however, increased from 3 to 4 with effect from 1st August 1962 by creating the new Sivaganga Division.

1. (c) Irrigation.

6. The district is conspicuous by the absence of any perennial rivers. Those that exist are merely those that carry the surface drainage of the monsoon flows which is quickly impounded in tanks, many of them being small and shallow. The average rainfall of the district which is about 33 inches is spread out in the ratio of 1:2 between the south-west and north-east monsoons and naturally most of these rivers get any flow during the latter

season only. Generally the preparation of the seed bed and sowing starts with the south west monsoon, leaving the transpiration and harvest to the influence of the north east monsoon. The only river of importance is the Vaigai which rises in the Western Ghats and after traversing Madurai district enters Sivaganga taluk and flows in a south easterly direction through Paramakudi and Ramanathapuram taluks and empties into Ramanathapuram tank, the surplus of which flows into the sea near Uchipuli. The other rivers such as Arjuna Nadhi, Sevalaperi, Vaipar, Mudangiar, Virayanadi, Mannarkottai Nadi, Gundar, Kanal Odai, Manimuthar and Thenar are all minor streams, the flow of which is seasonal, capricious and uncertain, but helps to feed innumerable tanks. The Arjunanadi and Sevalaperi rivers flow across Srivilliputhur and Sattur taluks and join Vaipar in the latter taluk. Vaipar then enters the Tirunelveli district 14 miles east of Sattur and ultimately empties itself in the Gulf of Mannar. The Mudangiar and Uppodai are just drainage channels in Srivilliputhur and Sattur Taluks. The Gundar, a narrow and rapid river formed by the confluence of several streams rising in the eastern slopes of the Varisanadi and Andipatti ranges above Watrap, traverses Aruppukottai and Mudukulathur taluks, flows south and empties itself into the Gulf of Mannar. The river is diverted at Kamudi with the name of Reghunatha Cauveri to feed Kaleri lake in Ramanathapuram taluk, besides a large number of small tanks enroute in Mudukulathur taluk. The Kanal odai is a drainage channel in Aruppukottai taluk. The Manimuthar which rises in the highlands near Piranmalai flows thro' Tirupattur taluk and assuming the name of Virisuliar enters Tiruvadanai taluk. Thenar is another river that serves the two taluks. The Sarguniar drains some of the Periyar fed areas of Madurai district and flows on the north of Sivaganga Taluk and then across Tiruvadanai taluk, feeding several tanks in its course. The Pambar is a small rivulet in Tiruvadanai Taluk. The Uppar river takes its source in the eastern boundary of Madurai district and joins the Vaigai river near Manamadurai in Sivaganga taluk. The Kirthamalai river has its course from the Vaigai near Madurai, passes thro' Sivaganga Taluk, enters Mudukulathur taluk and after receiving the water of a small rivulet, Paraliar, discharges itself into Raghunatha Cauveri near Perayur.

7. In this dry district with a low seasonal rainfall, where the soil is also of poor fertility, the conservation of the available water is of paramount importance. The district is aptly described as the "land of tanks" boasting as it does with such big tanks as the Ramanathapuram big tank, Rajasingamangalam tank, Melnad tank and Kattikulam Periya Eri, each of which has an ayacut of 4000 to 5000 acres. But the former Zamindari administration scarcely paid any attention to the construction and maintenance of irrigation works, and neglected the tanks. Even the few tanks that were restored were not up to the recognised standards. Soon after the abolition of the estates in the year 1949-50 Government bestowed intensive attention on the improvement of irrigation sources in the district. A severe Cyclonic storm that devastated the district in December 1955 caused considerable damage to irrigation works. It was tackled with great vigour. A large number of new schemes were executed as plan schemes, so as to increase irrigation facilities in the district to a considerable extent. The net area irrigated under different sources which during 1950-51 was 3,35,331 acres increased to 6,74,308 areas in 1960-61, due to the concerted attention paid by Government to irrigation in this district.

8. The topography of the district is well suited for the construction of tanks. The irrigation system in the district consists of a number of minor tanks fed partly from their independent catchment and partly from the diversion of river waters and jungle streams thro' canals. A special feature of the tanks in the district is their construction in series, the surplus water escaping over the weir from one tank feeding the tank lower down and so on. This system of chain tanks has its advantages as well as disadvantages. The advantage with the system is that the residual water after irrigation which would otherwise go waste finds its way into the lower tank. But, the main disadvantage is that the whole system is ruined, if any tank breaches during heavy rains.

1. (d) Industries:

9. Ramanathapuram district is the least industrialised among the districts in the state. When the district was formed in 1910, there were just a few ginning factories at Virudhunagar and Sattur. The development of industries in Ramanathapuram has been retarded

due to lack of a number of factors such as suitable climate, water, well developed transport system, availability of mineral resources of importance and industrial raw materials, and forest wealth. Limestone occurs in the taluks of Sattur, Srivilliputhur Aruppukottai and Ramanathapuram and some deposits of Gypsum occur in Mudukulathur and Keelakarai. The Palmyra growth available in the district supports some cottage industries like manufacture of mats and palmgur. Coconut trees grown in the coastal area provide raw material required for the coir industry. The main commercial crop of the district, however, is cotton and it is supplied to ginning factories and spinning mills around Rajapalayam and adjoining districts. It is only since a few years ago that the district has set its pace towards industrialisation and the progress of development is quite encouraging under the aegis of Government who have extended all concessions applicable to industries started in backward districts. Despite the many natural handicaps, the district could now boast of a number of industries on account of the zeal and enthusiasm shown by the industrialists here. A steel rolling mill has been started in Virudhunagar. A cement factory went into production at Tulukkapatti in 1961. A cluster of match and fire works factories and litho printing works have come up around Sivakasi and Sattur which have a few light engineering units also. With a view to help development of small industries, Industrial Estates have been established at Virudhunagar, Karaikudi and Sivaganga in the Co-operative Sector. There are industrial training institutes located at Virudhunagar and Paramakudi besides an engineering College and three Polytechnics at Karaikudi. A fourth polytechnic is fast coming up at Rajapalayam. The Central Electro-Chemical Research Institute, one of the National laboratories set up by the Government of India is located at Karaikudi which helps industrial development of the district in a very large measure. Metal containers and steel trunks are manufactured in factories at Devakottai, Rajapalayam and Karaikudi. Wood screws and wire nails are manufactured in Rajapalayam where another factory produces machine screws, bolts, nuts and rivets and there are some welding works. Rajapalayam is a centre for timber trade; also Srivilliputhur is an important centre for production of charkas, where the State Government and the Tamil Nadu Sarvodaya Sangh, a private body, have their workshops.

10. Virudhunagar is also fast becoming an industrial centre. Besides the steel rolling mill, the Indian Textiles Paper Tube Company, Ltd., at Peralai Road produces paper tubes and paper ring tubes. Production of dhal is a thriving industry in this region to which 7 mills are harnessed. The oil pressing industry, though spread over the district, has a concentration and around Virudhunagar. Manamadurai is a centre for tile work. Brass Vessels from Devakottai and Sivakasi are found in markets all over the state and a few of the manufacturers here have now switched over to the manufacture of stainless steel utensils. The usual rice milling industry is concentrated around Karaikudi, Ramnad, Virudhunagar, Srivilliputhur, Sattur Sivakasi, Watrap and Keelarakulam.

11. Palm leaf products, pottery, basketry and bell metal works industries are also widely prevalent, while sea-shell works and coir making are peculiar to the coastal region. Cattle rearing is a thriving industry. The Indo Norwegian Project located at Mandapam has revolutionised the fishing methods of this area along the long sea coast. Chank fish is an ancient industry. In the coastal town of Keelakarai, Tondi and Pamban, fancy articles are manufactured from chank and other sea beads, though the chanks are mostly exploited for export to West Bengal to support the bangle industry there.

12. The general purpose workshop of the TANSI at Rajapalayam functioning since 1958, provides facilities for training and technical service besides producing, though on a limited scale, hospital furniture, cycle parts, steel almyrahs, etc. There is a marine workshop at Mandapam. In addition, there are a number of industrial units run by Government and Industrial Co-operatives which are all of recent origin. Handloom weaving of cotton and art silk yarn has achieved a phenomenal growth in recent years.

13. I. (e) *Agriculture*.—Cultivation in this district used to depend much on the moonsoon which was very often uncertain and capricious. The poor fertility of the soil and lack of proper irrigation facilities had made agriculture a gamble. Visitations of drought were very frequent. Under the yoke of Zamindars, the ryots had no incentive for hard work on account of the tenure system in which the lion's share of the

produce went to the land-holder. The people of the eastern part of the district found an easy opening to Burma, Malaya and Ceylon which gave them scope for better earning and easy living. Ceylon, less than 30 miles off the coast of this district, provided an irresistible temptation to the people of this area to migrate. As the sum total of the factors contributed to the apathy of the ryots to take to agriculture as a living those who could sustain alone stayed in the villages, and the less fortuitous among them migrated seasonally to the more fertile adjoining districts for work as coolies in agricultural farms. Conditions have, however, completely changed now since the abolition of the Zamindari system. The construction of Vaigai dam has stabilised irrigation in about a lakh and five thousand acres and its network of 93 irrigation channels feeding hundreds of tanks on either side of the river is a boon to the taluks of Sivaganga, Paramakudi Mudukulathur and Ramanathapuram. These facilities for irrigation will be further enlarged if the proposal for the two dams, one at Thiruppuvanam and another at Paramakudi, now under consideration as part of the scheme to modernise Vaigai canals materialises. Burma and Ceylon having been virtually closed to the Indians and these outlets having been plugged, the people are compelled to remain at home and to take up agriculture as an occupation utilising the facilities provided by the Government. A large area of waste land in eastern Ramanathapuram is now brought under cashew cultivation on account of the incentives provided by the Government. Intensive cultivation of coconut has been undertaken in eastern taluks of Ramanathapuram, Tiruvadanai, Paramakudi and Mudukulathur. The red soil in Sivaganga, Tirupattur and Tiruvadanai taluks and portions of Aruppukottai and Srivilliputhur taluks is found suitable to raise orchards on a large scale. Srivilliputhur taluk produces some of the best long staple cotton where a package scheme is implemented to improve both quality and quantity. The rapid strides taken in rural electrification have enabled to energise pumpsets for agricultural wells as supplemental sources of irrigation. Supply of improved seeds, development of village manurial resources, propagation of improved methods of cultivation, distribution of modern implements at concessional rates and grant of loans have all helped the ryots who have harnessed themselves to grow more food.

14. I (f) *Political History*.—The ancient history of Ramanathapuram is bound up with the history of the Pandyan dynasty which ruled the kingdom comprising Madurai, Ramanathapuram and Tirunelveli country, till 1063 A.D., when the country was overrun by Rajendra Chola and was held by the Cholas for a short period. After the Cholas, it passed into the hands of Mohammedans (Madurai Sultans) who governed it for the emperor at Delhi till 1365. It went again into the hands of Pandyas when, aided by the kings of Vijayanagar who were at the zenith of their glory, parakrama Pandya Thevar started a new line after the Mohammedan interregnum. The kings of Vijayanagar then exercised the supreme authority over the Pandyas. But shortly (by 1520) the Pandyan dynasty was subverted by the Nayaks of Vijayanagar. The Nayaks from Madurai ruled the Ramanathapuram country through their palayakars during the 16th, 17th and early years of the 18th centuries. The Marava dynasty of Sethupathis who were lords under the old Pandyan rule reigned over this part. Off and on they shook of the Pandyan yoke and asserted independence, issuing at times, coins in their own names. The Maravas were "A very fine race of men, active and athletic with a greater degree of manliness than an other race in south India". The royal family of Ramanathapuram has a very remote antiquity, though it had its own vicissitudes. The title "Sethupathy" held by them implies "guardianship of the causeway of the sacred Rameswaram". Tradition would have it that this honour was conferred on the first Sethupathy by Sri Rama in turn for the help he received on his conquest of Sri Lanka. One Muthukrishnappa who became Governor of Madurai by 1609 A.D., re-established one Sadeika Thevan Udieyan as "Sethupathy" of Ramanathapuram. His successors Sethupathy Kuttan, Reghunatha Sethupathy and Kilavan Sethupathy were noted for their achievements and prosperity. It is soon after the death of Kilavan Sethupathy in 1710 that the Ramanathapuram country came to be divided. Frequently disputes over succession resulted in internal feuds. In 1730 on account of dispute over succession, Sashivarna Periya Udeya Thevar of Nallukottai, a popular chieftain of Ramanathapuram assisted by the king of Tanjore, Raja of Pudukottai and one Kattaya Thevar deposed Bhavani Shankara, the Sethupathy, and distributed the lands amongst themselves. Sashivarna Thevar took 2/5th share and became the Raja of the country, "of the fertile lands on the banks of the Vaigai" "the Sembiya Valanadu" and the "harbour of Tondi" assuming the title of Raja Muthu

Raghunatha Periya Udaya Thevan and was subsequently known as Raja of Sivaganga. The remaining 3/5th share was taken by Kattaya Thevan who assumed the title "Sethupathy". In this bargain, the Raja of Thanjavur extended his dominion upto Pamban in the South. By this time the Nayak regime in Madurai became weak and the last of the Nayaks died in 1731. After the fall of the Nayaks the country fell into the hands of Chanda Sahib, the Nawab of Carnatic. In 1741 Chanda Sahib was forced to cede his ill-gotten dominion to the Maharatas who were in turn driven out by the Nizam in 1744. When the country was conquered by Nizam, Mohamed Ali and Chanda Sahib were the rival claimants for the throne of Carnatic to which Tirunelveli, Ramanathapuram and Madurai then belonged. The cause of Md. Ali was espoused by the English while Chanda Sahib had the support of the French. This gave rise to a series of conflicts in the Carnatic. On the downfall of the Nayaks, the local chieftains i.e. the Poligars began to assert their independence. The Sethupathy of Ramanathapuram and the Raja of Sivaganga were notable among the Poligars. The later history of Ramanathapuram district is largely the history of revolt by these two big poligars. They did not acknowledge the suzerainty of the Nawabs. In the year 1752, they openly declared as against the Nawabs, the last legal heir of the Nayaks (the adopted son of queen Meenakshi) as the king of Pandya Mandalam. In the conflict between Chanda Sahib and Mohammed Ali, these Marava chieftains took sides with Chanda Sahib. The Mohammedan rulers assisted by the English marched on them and were able to subdue them completely in 1773 when the Marava country was reduced to obedience by General SMITH. After the reduction of the country in 1773, the Sethupathy was deprived of his personal freedom. In the year, 1792 when he showed a disposition to rebel again, he was coerced to surrender and the country was ceded to British Government. In the same year, Marudu brothers under the employ of Muthu Vaduganatha Thevar, Zamindar of Sivaganga also rebelled by throwing their lot with the rebel poligars of Tirunelveli headed by Kattabomman of Panchalankuruchi and their rebellion was also subdued. By this time the Nawab became quite powerless. The Nawab had handed over the management of the country to the English even by 1781, during the progress of war with the Poligars. At the fall of SRIRANGAPATTINAM in 1799, treasonable correspondence between Mohammed Ali and his sons and Tipu Sultan was found and thereupon the English decided to assume the entire Governmental powers after making a monetary provision for the family of the Nawab. In the year 1801 the British declared the country as in a state of revolt and Colonel Agnew, who had earlier suffered a defeat at the hands of Marudu brothers, met them in Kalaiyarkovil, took them prisoners and hanged them. The English who came to support the cause of the Nawab finally annexed the country. A British Collector took charge of the administration of the area in 1795. In 1799 Mr. Lushington was appointed Collector and on his report the two Palayams of Ramanathapuram and Sivaganga were made permanently settled zamindaries under the provisions of the Regulation of 1802. They were declared impartible. One Padamattur Gowri Vallabha Periya Udaya Thevan, collateral descendant of the family from which Sashivarna Thevan sprang, was nominated zamindar of sivaganga with the title of "RAJAH". At the same time Ramnad Zamindari was restored to Rani Mangaleswari Nachiyar. They were henceforward called "Istimrari Zamindars". Before the end of the year, the rebellion had been completely stamped out and the country was quiet. Palayampattu, Pandalgudi and Pallavanatham are estates subdivided out of the Ramanathapuram Zamindari in a later partition, and some smaller estates were likewise carved out of Sivaganga also. The few Palayams in Sattur and Srivilliputhur do not have any absorbing history of their own.

II. REVENUE ADMINISTRATION.

15. (a) *History of Land Revenue Administration.*—The Tirunelveli district, of which Ramanathapuram formed part, was a distinct region of the Pandya Kingdom from very early times. Agriculture was the main occupation in the district throughout and the Pandyan rulers of the first empire relied on land revenue as their main source of income. A brief sketch of their land revenue system as well as those of the Cholas who held sway over this territory during different periods is already given. The district had no separate existence till the year 1803, when the Palayams of Ramanathapuram and Sivaganga were constituted into a separate district, only to be merged later with Madurai in the year, 1808. Hence the early revenue history of the district is bound with that of Tirunelveli which is dealt with elsewhere.

16. The Zamindaries and Palayams had their own revenue system, though they were regulated by the various regulations issued in the year 1802. The Permanent Settlement had ensured to the tenants fixity of tenure as well as permanency of rent, though for improving waste land, the landholders were free to stipulate their own terms. Ramanathapuram is one of the few estates which had a systematic revenue administration as it had the benefit of being frequently placed under the Court of Wards to be managed by experienced revenue Officers. Credit goes to Diwan Muthirulappa Pillai who did substantial revenue reform in Ramanathapuram estate before it fell to the British in the late 18th century. His classification of the land as wet or dry and fixation of rent based on the quality of soil and the capacity to yield and the division of the produce on the half net theory approximated to the modern settlement principles and his system sustained with few modifications throughout the period of the estate administration for about 1½ centuries, till the estate was abolished and taken over by the Government. Generally speaking, grain rent, or division of produce in the threshing floor was prevalent for wet lands, while for dry lands, cash rent was in vogue. Vanpayir, or cash crops, invited a higher rent. The village accounts were kept fairly well and the administration though centralised, was fair and purposeful. A survey of the estate villages was also made, but it was given effect to only in a few villages attached to the Rameswaram Devas:hanam. In the Sivaganga Zamin estate, however, a survey of the ayan and Dharmananam villages made in the year 1928 was given effect to though no arrangement was made for its maintenance.

17. Sivaganga Zamindari had, however, a chequered history. On the death of the first Istimrar Zamindar Sri Periya Udaya Thevar of Padamattur in the year 1829, his daughter sued for succession as against his brothers' descendants and succeeded in the year 1864, but when she died in the year 1877, litigation again arose to be settled in the year 1881. The interrugnum is a sad story of mismanagement of the estate, all its assets being frittered away, the estate becoming heavily encumbered and mortgaged and absolutely impoverished with many questionable titles being created. Then again, the estate came into the hands of certain European lessees who had advanced certain sums to the Rajah, but during their control between the years 1887 and 1918, some system was introduced in the revenue administration to be followed up by the Court of wards during the periods 1918 to 1933 and 1941 to 1946. It was during the superintendence of the Court of Wards that this estate came to be surveyed. But the administration of Sivaganga estate in general has been superficial, compared to the state of affairs in Ramanad Zamindari.

18. Ramanathapuram and Sivaganga Zamindaries each from a compact and contiguous block of villages in the seven taluks of Ramnad district (except Sattur and Srivilliputhur taluks) though in Tiruvadanai taluk one finds some intermingling of a few scattered fields belonging to either of the two zamindars. Broadly speaking, Sivaganga zamindari is markedly of red soil while the Ramnad zamindari is regar or sandy.

19. The other feature is the existence of dual tenure in some of the villages in Sivaganga and Ramnad Zamindaries. The peculiarity about the grant in respect of these villages is that the title deed portions and ayan portions are not divisible by metes and bounds on ground, because the management of both the inam and ayan portions was done by the zamindars themselves, the former in their capacity as trustees for the chatrams or institutions and the latter in their capacity as Zamindars.

20. It was the practice in Ramnad Zamindari, whenever a Sethupathi ascended the throne, for him to give liberal grants of whole villages as endowments to temples and charitable institutions. Such grants made prior to permanent settlement were treated as inam grants and those made after the permanent settlement were treated as Dharmananam grants or under tenures. It was noticed that as many as 99 villages listed in the sanad bore titledeeds and they were ultimately treated as independent inam estates. Those were cases of early grants, on which the noted Diwan of the Samasthanam, Muthirulappa Pillai, had just before the permanent settlement increased the jodi to such an extent that the grantees abandoned them and the villages consequently passed into the hands of the administrators of the Zamindari and were actually under British control when the estate was restored to Rani Mangaleswari Nachiar and permanently settled. These grants were, however, recognised by the British Government and they assumed the character of Inams.

21. (b) *Original Settlement.*—Besides the Zamindaries and Palayams, Ramanathapuram district as constituted in the year 1910 contained the ryotwari aluks of Sathur and Srivilliputhur transferred from Tirunelveli district in which the settlement introduced by Mr. Puckle during the year 1872-1878 was prevailing. The salient features of Mr. Puckle's settlement are furnished in detail under Tirunelveli district and they are summed up below for easy reference.

22. At the original settlement of Tirunelveli district, Mr. Puckle had divided the district into four tracts (viz.) the river valley, the palmyrah forest, the red soil tract and the black soil tract. The prevailing 5 classes of soils (viz.) black clay, loam and sand, and red loam and sand were divided into five sorts each thus giving 25 varieties of soils. For wet lands the yield of each variety was ascertained by experiments and enquiries and soils of similar yields were bracketed together and seven tarams or classes were arrived at. The standard scale of rates for the 7 tarams of the 1st Group wet lands were Rs. 12/-, Rs. 10-50, Rs. 9/-, Rs. 7-50, Rs. 6/-, Rs. 4-50 and Rs. 3-50. Villages relative advantages of irrigation, situation, etc., the standard scale of rates being stepped down by one taram for each group and providing lower rates for the lowest tarams under the inferior group which actually resulted in the adoption of 10 rates. Most of Srivilliputhur was placed in the third group and Sathur in the fourth group.

23. For the dry lands, however, no attempt was made to determine the yield, etc. Mr. Puckle did not work out a settlementable for dry lands. He was guided by the experience he had gained in Salem and Tiruchirapalli Districts, and he used only a few rates and classified the lands by large blocks. He adopted neither the Tiruchirapalli nor the Salem table in its entirety. There was no grouping for dry lands either as he found all to be poor alike and according to him "the advantage that some of them gained in fertility was lost in position". The resultant rates for wet and dry lands as evolved by Mr. Puckle are shown below:...

Wet lands				
First Group.	Second Group.	Third Group.	Fourth Group.	Dry Lands.
(1)	(2)	(3)	(4)	(5)
RS.	RS.	RS.	RS.	RS.
12 00	10 50	9 00	7 50	5 00
10 50	9 00	7 50	6 00	3 50
9 00	7 50	6 00	4 50	2 50
7 50	6 00	4 50	3 50	1 50
6 00	4 50	3 50	3 00	1 00
4 50	3 50	3 00	2 50	0 75
3 50	3 00	2 50	2 00	0 50
				0 37
				0 25
				0 19

24. It will be seen that the provision of four groups for wet lands resulted in ten wet rates. In respect of dry lands, the two highest tarams (Rs. 5/- and Rs. 3-50) were for the permanent improved soils in the garden lands under wells while a special sixth sort (less than worst sand) (Rs. 0-19) was for the very inferior soils of the palmyrah tract. This ultimately resulted in the adoption of 10 dry rates.

25. Double crop charges adopted by Mr. Puckle were two thirds, half, one third and quarter over the single crop rates for the four groups, respectively. Baling wet lands were charged at half the single crop wet rates.

26. Treatment of palmyrah formed a peculiar feature in the original settlement of Tirunelveli district. The practice of levying a charge on the palmyrahs, in addition to, and quite independently of, land assessment had prevailed in the area from very early times. In 1855, the Government abolished the taxation of trees on patta lands

in the rest of the Presidency but made exceptions in the case of Tirunelveli and Salem as far as palmyras were concerned on account of the peculiar tenures and complicated interests affected. Prior to original settlement, there were in the area about 5 million trees yielding approximately a revenue of rupees one and half lakhs and it was thought to be a fruitful and expanding source of revenue. Enumeration of the trees and the collection of the tax were attended to with much labour and strain and also vexation to all concerned. Besides the above, there were other complications such as trees alone being held on patta by persons who owned no land in the village, trees held on patta on lands owned by different pattadars, trees held on patta on poramboke and Government waste lands, etc. Mr. Puckle studied carefully the complications and inconsistencies referred to above and evolved a simple system of Palmyrah settlement. His first proposal for the redemption of the tree tax by the owners at twenty years' purchase did not meet with the approval of the Board. As a result palmyrah tree tax was allowed to continue as an independent tax with certain modifications proposed by Mr. Puckle to simplify the system. The main features of his scheme were to fix the palmyra tax calculated at a certain rate per tree for a period of years and to free the land from prospective demands when new palmyras are grown. Thus a permanent palmyra tax was introduced. Palmyras were divided into five classes according to age and sex and charge. As new palmyras were not to be taxed, a small addition to the calculated sum was made and thus a sort of arbitrary compounding was effected. No charge was to be levied for palmyra trees cut and removed, nor any reduction in assessment effected therefor. With regard to trees on Government waste land it was proposed to assign the land concerned to the tree pattadars at a nominal land assessment besides the tree tax calculated as mentioned above. With regard to trees held by persons other than the land pattadars and where the different ownerships of trees on Government waste lands could not be easily ascertained, the prevailing system of enumeration and taxation was allowed to continue. The freedom to remove old trees or to plant new ones was not allowed to this class of persons.

27. (c) *Re-settlement.*—At the time of the formation of the district Mr. Chadwick had already sent up his proposals for the re-settlement of Sankarankoil, Ottapidaram (since named Koilpatti), Sathur and Srivilliputhur taluks based on which the resettlement notification for the four taluks was issued in G.O.No. 785, Revenue, dated 18th March 1911.

28. (i) *Wet lands.*—During resettlement a general enhancement of assessment by 12½% was decided upon. At the original settlement double crop charges had been calculated at one and two thirds; one and a half, one and one third and one and quarter times the single crop rates for the four groups, respectively. During resettlement, the Government proposed to adopt the scale of charges according to modern principles and as prevailing in the other districts (viz.) one and a half, one and one third, one and a quarter, and one and one fifth the single crop charge. With certain exceptions, an enhancement of 12½ per cent was generally applied to the old double crop assessment and the single crop rate was derived therefrom on the basis of the new proportions. This resulted in the highest single crop rate increasing from Rs. 12 to Rs. 15, an increase of 25 per cent which was considered as not unjustifiable while taking into account the general rate of increase in prices. This enhancement had little effect in Sathur and Srivilliputhur taluks where wet lands were placed in the third and fourth groups only.

29. (ii) *Classification of Irrigation Sources.*—While during the original settlement the wet lands in the area were divided into four groups, during the resettlement the grouping system was done away with and, instead, the irrigation sources were classified with reference to their propensity for second crop cultivation in respect of river fed sources and with reference to capacity in the case of rain fed sources. The irrigation sources were classified into four classes as shown below:—

(1) First class sources comprised of river-fed sources, 85 per cent of the area under which was regularly cultivated with two wet crops.

Mudukalathur Taluk II:—

12. Sendaneri
13. Sippikulam
14. Alavankulam
15. Brahmarkulam
16. Kuruchikulam

Thiruvadanai:—

17. Thirupalaikudi
18. Machur
19. Pattamangalam
20. Kumani
21. Irumbavayal
22. Alikkudi.

38. In respect of the classification of irrigation sources a clause permitting discretion to the Settlement Officer was introduced in the settlement notification for this area, which provision was absent in the resettlement notification for Sathur and Srivilliputhur taluks.

All the villages were placed in one dry group. Even though there were a few coastal villages in the Mudukalathur taluk it was not considered necessary to introduce a second group merely for their sake.

In soils: III. 1, 2 and 3; IV-2, 3 and 4, VII-A, 1, 2, 3 and 4; VIII-1 to 5 were the classes and sorts used.

In respect of Palmyras the procedure adopted for the ayan taluks of the district was followed:—

39. (ii) *Transfer of eight villages to Aruppukottai taluk.*—1. Kuttukottai alias Alagiyanallur, 2. Nandikundu, 3. Mallankinar, 4. Reddiarpatti, 5. Kovilangulam, 6. Mariapatti, 7. Chatram-Pu. iankulam and 8. Vettilai-Murianpatti.

The above eight villages formed part of Tirumangalam taluk of Madurai district and were settled originally along with the rest of that district. They were included in BOAG'S scheme of resettlement for the Periyar tract, of Madurai on which the Government had passed orders. Meanwhile, however, these villages were transferred to Aruppukottai taluk of Ramanathapuram district. Boag, therefore, considered that the orders contained in G.O. No. 53, Revenue, dated 8th January 1916 should be so modified as to enable him to apply the rates found in the Ramanathapuram resettlement table in such a manner as to give, as nearly as possible, the same enhancement as that sanctioned in the order referred to. BOAG also recommended the reclassification of the soils on the Ramanathapuram system so as to facilitate the application of the Ramanathapuram Resettlement rates. These were approved in the orders noted below:—

1. G.O. No. 274, Revenue, dated 5th February 1919
2. G.O. No. 665, Revenue, dated 20th March 1919
3. B.P. No. 52, dated 16th April 1920

In respect of these villages also there was a provision in the notification allowing discretion to the Settlement Officer to deal with exceptional cases in respect of classification of irrigation sources.

The soils already classified on the Madurai system were now reclassified on the Ramnad system. It is interesting to note that the merging of the soils of different classes was different in Madurai and in Ramanathapuram and strangely enough in Madurai "Black Clay" was considered superior while in Ramanathapuram "Black Clay" was considered inferior to "Black Loam". This necessitated the black clay

being stepped down by one sort and the black loam being stepped up by one sort. Red loam and red sand soils were more or less left as they were. There was no mention of palmyras either in the scheme report or the notification or the introduction report.

(iii) *Resettlement of four villages in Paramakudi taluk.*—(1) Sittanendal, (2) Periyandandal, (3) Kakkanendal and (4) Chaturvedamangalam.

40. These villages which originally formed part of the Ramnad Zamin had been assigned even before the permanent settlement for the support of a deposed poligar; and the revenue therefrom was excluded from the assets of the zamin when the pesh-kush was fixed. After having changed through several hands these villages finally reverted to Government by escheat. They were originally settled in 1890 on the lines sanctioned for the settlement of Madurai district. In 1920, when the currency of the original settlement expired, they were resettled generally on the lines laid down for Sathur and Srivilliputhur taluks as per G.O. No. 274, Revenue, dated 5th February 1919, G.O. No. 665, Revenue, dated 20th March 1919 and B.P. 17, dated 26th January 1921.

41. During the original settlement these villages were placed in the second group by Mr. CLERK, not on any consideration of their distance from markets and roads or railways, but solely with a view to avoid excessive increase in the assessment at settlement. During resettlement, however, Mr. BOAG raised these villages to the first group as he considered it unnecessary to retain a second group.

42. In these villages also the soils were reclassified with reference to the Ramnad system.

43. There is no mention of palmyras in the papers relating to the resettlement of these villages.

44. (iv) *Ravuthampatti village of Sathur taluk.*—This is a small resumed inam village in Sathur taluk. This village was settled on the lines laid down for Sathur and Srivilliputhur taluks and the proposals were approved by the Government in G.O. Ms. No. 27, Revenue, dated 6th January 1920.

45. (v) *Ten resumed inam villages.*

Sivaganga taluk—

1. Karungulakudi
2. Usilanendal alias Sundanendal
3. Ramandalakottai
4. Tiruppuvanam

Sathur taluk—

5. Kundalakutta
6. Nallamuthanpatti

Tiruvadanai taluk—

7. Kandangudi

Mudukalathur taluk—

8. Eravadi
9. Tarakudi

Paramakudi taluk—

10. Pirakkankuchi.

The above villages were also settled as per G.O. Ms. No. 2813, Revenue, dated 25th October 1920 on the lines laid down for Sathur and Srivilliputhur taluks including the question of treatment of palmyras.

46. (vi) *Tarvanendal village in Tiruvadanai taluk.*—The above village was also settled on the lines of the notification for Sathur and Srivilliputhur taluks and the settlement notification was approved by the Government in G.O. No. 2116, Revenue, dated 21st November 1933.

(2) Second class sources comprised of river-fed sources, 50 to 84 per cent of the area under which was regularly cultivated with two irrigated crops, one of which was a wet crop.

(3) Third class sources comprised of all river-fed sources less than 50 per cent of the area under which was cultivated with two irrigated crops and also rainfed sources affording more than five months supply.

(4) Fourth class sources comprised of other rain fed sources.

30. The resultant rates of enhancement, however, were not uniform. At the lowest end, the increase was exactly $12\frac{1}{2}$ per cent on the single crop assessment and rather less when calculated on the double crop assessment. The resultant wet rates adopted at re-settlement are furnished below:—

First Class	Second Class	Third Class	Fourth Class
RS.	RS.	RS.	RS.
15-00	13-12	10-25	8-50
13-12	10-25	8-30	6-75
10-12	8-50	6-75	5-00
7-50	6-75	5-00	4-00
5-62	5-00	4-00	3-37
4-25	4-00	3-37	2-75
3-37	3-37	2-75	2-25

31. (iii) *Fasli Jasti*.—During re-settlement the charge for occasional second crop on single crop wet lands was ordered to be levied at half the single crop assessment instead of three fourth that was being charged previously.

32. (iv) *Baling Remission*.—The baling wet lands were reclassified and a fixed remission of Re. 1 for the first crop and 50 nP. for the second crop was allowed instead of a remission of half the assessment as made earlier.

33. (v) *Dry Lands*.—As already stated earlier, during the original settlement, no outturn, commutation rate or settlement table for dry lands were worked out and, therefore, it was not possible during resettlement to work out the percentage variations in the ordinary manner. There was, no other alternative during resettlement except to revise the dry rates adhoc on the basis of general enquiries regarding increase in average prices of dry grains and scrutiny of sale and lease value of lands and the improvements effected in communication and marketing facilities. The highest two tarams applicable to permanently improved lands were dispensed with and the remaining 8 tarams were only retained. Based on the enquiries, it was proposed to enhance the first four rates at the general rate of three annas in the rupee, the next at the general rate of two annas in the rupee, and to leave the three lowest tarams unaltered. The Board also recommended these proposals of the Special Officer but the Government took the view that it was undesirable to increase the assessment on the corresponding rates and approved a fresh set of rates which were somewhat simplified as follows:—

Dry rates: Rs. 2.81, Rs. 1.69, Rs. 1.12, Re. 0.81, Re. 0.56, Re. 0.37, Re. 0.25, Re. 0.19.

34. There was no general reclassification of soils except in the case of dry lands in a few villages of watrap valley as Chadwick thought that "there was something wrong with the classification of dry lands in the Watrap Valley" during the original settlement. Lands which were originally registered as "permanently improved" were transferred to their appropriate classes and sorts. Another modification suggested by Chadwick and approved by the Government during the resettlement of Sattur and Srivilliputhur taluks was the reclassification of the superior and rich red loam of the Srivilliputhur taluk, which was put up during original settlement as IV-I best black soil, as VII-A without any proposal to raise or alter the taram but merely adopting the rate for IV-I soil.

35. (vi) *Palmyras*.—During the resettlement palmyrah-bearing tracts were divided into three groups with reference to the suitability of the tract for the growth of palmyras, which had a specific effect on the yield of the trees. The trees were divided into two

categories (viz.) "Smooth" and "Rough", meaning trees which had come to yield and fit for tapping and trees which were not so fit, respectively. The rates adopted are as shown below:—

	Group.	smooth.	rough.
	(1)	(2)	(3)
1st		8 pies	3 pies
2nd		6 ..	3 ..
3rd		4 ..	2 ..

Both Sathur and Srivilliputhur taluks were placed in the third group. Palmyra mediation officers were appointed to tackle the cases of trees held by persons other than the pattadars. Rules governing the assignment of waste lands containing palmyras were incorporated in the District Standing Orders. Attempts were continuously made to bring in some measure of order and simplicity into this most complicated and vexed question.

36. (vii) *Sum up*.—Thus it would be seen that earnest attempts were made during resettlement to eliminate the peculiarities and anomalies of the original settlement and to bring the system in according with the practice in the other districts and to conform to the Boards's Standing Orders and other general orders issued from time to time in revenue and settlement matters. But it must, however, be remembered that everything was done within the general frame work of Mr. Puckle's system "which was rightly considered classic" and was unassailable despite the passage of time.

37. (d) *Other settlements and resettlements effected*.—(i) Subsequent to the resettlement of Sathur and Srivilliputhur taluks, a few scattered villages came up for settlement or resettlement but they presented no peculiarities worth mentioning. The following 22 villages in Sivaganga and Ramanathapuram Zamins which were granted for religious or charitable purposes were wholly or partially resumed and their settlement effected in the orders noted below:—

G.O. Ms. No. 128, Revenue, dated 31st May 1916

G.O. No. 2098, Revenue, dated 14th September 1916

G.O. No. 2377, Revenue, dated 21st October 1916.

B.P. No. 2, dated 8th January 1918.

Following broadly the principles embodied in the Settlement notification issued in G.O. No. 785, Revenue, dated 18th March 1911.

Ramanathapuram:—

1. Kanjirangudi
2. Kumariyendal
3. Andichiendal
4. Ladanendal
5. Pandamangalam

Paramakudi:—

6. Melapidariseri
7. Pandappanendal
8. Thattanendal

Mudukalathur Taluk I:—

9. Kuttadiendal
10. Sadakkannendal
11. Kudirmoli

55. While sending the scheme report, the Settlement Officer, Sivaganga (Thiru V. Karthikeyan, I.A.S.) noticed that the survey grouping of the villages in Sivaganga Taluk, though purported to be done in conformity with the principles approved in G.O. P. No. 3160, Revenue, dated 11th December 1950, resulted in ill-shaped and outsized villages, not named properly and appropriately either, and it was too late to set it right. In this context he had indicated that he original grouping proposals need scrutiny with greater vision and accuracy. This was a pointer to the grouping proposals approved subsequently in other areas.

56. The Assistant Settlement Officers functioning at Sivaganga, Tirupathur, Aruppukottai, Ramanathapuram and Sattur conducted the settlement operations under the Settlement Officers concerned and they were supervised by Thiru N. Subramanyam, I.C.S., Director of Settlements and Thiru K. S. Sivasubramanyan, I.A.S., who succeeded him, under the able direction of Thiru S. Venkateswaran, I.C.S., the then Settlement Commissioner. This tract bristled with tenorial problems which were tackled successfully. The officers who did settlement work here can be said to be the pioneers in that work. It may be noticed that, paradoxically, the versatile resettlement notification of Tirunelveli district with its highly strung wet rates in the higher tarams which was prevailing in Sattur and Srivilliputhur taluks had to be suitably adopted for this tract. If the result of settlement operations in this most backward tract was deemed a success, notwithstanding the constraints that needed to be imposed, it was due to the practical approach to the question made by the Officers who were in the helm of affairs and ensured an equitable settlement, fair both to the Government and the ryots. If the progress of Ramanathapuram district can be considered to be phenomenal in the last two decades, it can well be ascribed to have stemmed from the estate abolition followed by other land reform measures introduced over the years.

MADURAI DISTRICT.

(e) *Implementation of the provisions of Act XXVI of 1948,*

26 of 1963 and 30 of 1963.

47. Under the Tamil Nadu Estates (Abolition and Conversion into Ryotwari) Act, 1948, 41 Zamin estates, 760 U.T. estates and 1,384 Inam estates (3,721-34 square miles) were notified and taken over on various dates. As programmed these estates have been settled commencing from F. 1367.

Eight hundred and fifty-one whole Inam villages (447.27 square miles) were subsequently notified and taken over under Act 26 of 1963. They have been settled in Faslis 1379 and 1380.

Seven hundred and eighty-seven Minor Inams (53.04 square miles) have vested on and from the appointed date (i.e.) 15 February 1965 under Act 30/63. Out of this 786 minor inams have been settled during Faslis 1379 and 1380 with the exception of one minor inam (viz.) Mekkarai (1.69 sq. miles) which is covered by stay orders of the High Court and its settlement is, therefore, held over.

48. The resettlement notification prevailing in this district for Sathur and Srivilliputhur taluks is that issued in G.O. Ms. No. 785, Revenue, dated 13th March 1911, while those applicable to the stray resumed inam villages and transferred villages also have adopted the same rates. The notification issued in G.O. Ms. No. 710, Revenue, dated 8th March 1916 relating to resettlement of non-Periyar tract of Madurai district as amplified by the Periyar tract resettlement notification approved in G.O. Ms. No. 1413, Revenue, dated 15 April 1918 is prevailing in the adjoining Madurai district. It was noticed that the tract coming up for settlement included a small bit of Sivaganga Zamindari lying as an enclave in Melur taluk of Madurai district, a portion of Sevalpatti estate lying in Sankarankoil and Koilpatti taluks of Tirunelveli district besides portions of Ettayapuram, Sivagiri and Athangarai zamin estates lying in the two districts, and a portion of Ramanathapuram Zamindari lying in Thanjavur district (since transferred to Pudukkottai district).

49. In effecting the ryotwari settlement of the estates taken over in the district, the rates of assessment notified in G.O. Ms. No. 85, Revenue, dated 13th March 1911 were adopted with suitable modifications in principles. An exception was made in respect of the portions of Saptur, Sandaiyur and Peraiyur estates lying in Sathur and Srivilliputhur taluks with their headquarters in Madurai district for which the rates of assessment and principles set out in the non-Periyar tract resettlement notification referred to above were adopted in the settlement notification issued in G.O. Ms. No. 1194, Revenue, dated 27th February 1960. The notifications under Section 22 of the Act for the settlement of the other estates taken over under the Act were approved (i) in G.O. Ms. No. 1570, Revenue, dated 17th April 1956 for Ramanathapuram estate area, (ii) in G.O. Ms. No. 2898, Revenue, dated 8th August 1958 for the Sivaganga Estate area and (iii) in G.O. Ms. No. 4546, Revenue, dated 24th December 1958 for the various other estates in Sathur and Srivilliputhur taluks. The notification for the settlement of minor inams issued in G.O. Ms. No. 684, Revenue, dated 27th March 1967 adopted the same rates and principles mutatis mutandis and it also included the rates of assessment provided for developed and undeveloped lands for the hill areas in Madurai district in G.O. Ms. No. 1835, Revenue, dated 6th October 1925.

50. (f) The main modifications adopted at the settlement of estates are given below:—

1. Provision for a 5th class of irrigation source, with a corresponding provision of appropriate rates for the lands under the new 5th class source by suitable manipulation of the money rates by reduction of one taram from the rates under the IVth-class source already available in the resettlement notification, classification of the source generally being done taking into account only the capacity of the sources
2. Deletion of VII-A soil, for Sivaganga and Ramnad Zamindaries, and the introduction of arenaceous series for the coastal area (XII to XIV) with provision for 3 sorts under each, as also class VI (red clay) soil to provide for any contingency, though it was not then visualised that any particular area would deserve to be classified as red clay.

3. Provision of a second dry group for the backward estate area, by manipulating the dry rates already available in the resettlement notifications, and
4. Provision of "Manavari" class for dry lands capable of raising a wet crop but not commanded by any irrigation source, the appropriate assessment being fixed at one taram higher than the corresponding dry assessment.
5. The orders of Government for abolition of palmyrah tax prevailing in Sathur and Srivilliputhur taluks were received in the meanwhile in G.O. Ms. No. 270, Revenue, dated 5th February 1954 and the gist of the connected orders were embodied in the notification. But the ad-hoc increase of 2 annas per acre ordered in G.O. P. No. 334, Revenue, dated 13th February 1954, to offset the loss incurred due to the abolition of Palmyrah tax, was not given effect to in the estate area.
6. In the matter of double crop registry of wet lands, provision was made for it in respect of all lands which in all ordinary seasons had an unfailing supply of water for 2 crops with eligibility for remission of the proportionate second crop charge in case of insufficiency of water supply for the second crop in any year. But scarcely any land qualified for double crop registry by this standard, even in the Periyar Project area under the Vaigai river channels—not to speak of other tracts. The option to compound second crop charge was also utilised only sparingly.
7. The sort VIII-6 under dry land was retained for exceptionally poor soils though recourse to it was had only very rarely.

51. (g) *Perambulation and scheme reports.*—The Settlement party which commenced functioning at Madurai in January 1950 was in charge of the settlement work in this district till September, 1954 when it was bifurcated and a separate settlement party started functioning from Sivaganga, exclusively to be in charge of the estate area comprised in Sivaganga Zamindari. The introduction of settlement programmed for fasli, 1366 had to be postponed by a year due to the cyclone of December, 1955 and the consequent diversion of settlement staff for a few months for cyclone relief work. The introduction of settlement proceeded taluk by taluk simultaneously in both the bigger zamindari tracts.

52. The following are the officers who prepared the perambulation and scheme reports for the introduction of the ryotwari settlement in this district:—

1. *Sivaganga Estate.*—Area 1,733 square miles.—Thiru R. V. Raman, I.A.S., as Assistant Settlement Officer, Sivaganga prepared the perambulation report and it was approved by the Government in their Memo. No. 27506, Revenue, 51-4 (R), dated 17th October 1951. The Scheme report for Sivaganga taluk was prepared by Thiru V. Karthikeyan, I.A.S., as Settlement Officer, Sivaganga Settlement Party No. II and this was approved in G.O. P. No. 453, (R), dated 30th January 1957, while the scheme report for the other portions of Sivaganga Zamindari in Aruppukottai and Paramakudi taluks was prepared by Thiru T. S. Sankaran, I.A.S., who succeeded him as Settlement Officer, Party II Sivaganga and it was approved by Government in G.O. P. No. 1023, Revenue, dated 10th March 1958.

53. 2. *Ramanathapuram Zamin.*—Area 1,398 square miles.—Thiru K. P. Hameed Ibrahim as Assistant Settlement Officer, Ramanathapuram prepared the perambulation report for the Ramanathapuram estate area which was approved by the Government in Memo. No. 55920, R. 51-6, dated 24th December 1951. The scheme report for the Ramanathapuram estate portion in Aruppukottai taluk and other interlying estates was prepared by Thiru K. S. Sivasubramanyan, I.A.S., as Settlement Officer, Party I, Madurai and this was approved by the Government in G.O. P. No. 2518, Revenue, dated 22nd June 1956. His report for Ramanathapuram and other taluks was approved in G.O. P. No. 3134, Revenue, dated 1st August 1957.

54. 3. *For Sattur and Srivilliputhur taluks.*—The Perambulation report was prepared by Thiru C. G. Rengabashyam, M.A., as Assistant Settlement Officer, Aruppukottai, endorsed by Thiru K. Vaidyanathan, Settlement Officer, Madurai and it was approved by the Government in G.O. Ms. No. 3885, Revenue, dated 12th October 1957.

MADURAI DISTRICT.

I. (a) Introduction :

1. The headquarters of Madurai district is the City of Madurai, known also as the Temple City which has a great tradition behind it. During the Sangam Age, Madurai was the seat of Tamil culture and learning. It has witnessed vicissitudes of fortune and seen the rise and fall of many a dynasty, though its recent achievements in the economic field, particularly during the British regime, have been comparatively less, and notwithstanding the fact that the location of the district headquarters of Ramanathapuram also at Madurai partly accounts for its prosperity. The ancient glory has, however, left behind a few monuments for the visitors to provide tourist attraction but a lot more could be done to make Madurai important from the economic and industrial points of view. With the establishment of an affiliating University in Madurai for the development of modern education, it is hoped that the district will make quick strides in the field of education. That the town has recently been upgraded into a municipal corporation is evidence of a new awakening that has set in among the people of the region who hanker for development around.

2. At the time of the survey of the region undertaken in the middle of the 19th Century, the district consisted of seven taluks (viz) Tadikkombu, Nilakottai, Modakulam, Melur, Tenkarai and Tirumangalam. But in 1860 when Mr. Pelly took up the delimitation of villages and taluks, he renamed the existing taluks and merged Nilakottai with Tadikombu. The new taluk of Kodaikanal was formed in 1889 by merging parts taken from Periyakulam and Palani taluks. The subsequent reintroduction of Nilakottai taluk increased the number of taluks to eight grouped under three Revenue Divisions. A new Revenue Division (viz Periyakulam) was sanctioned in G.O. Ms. No. 2965, dated 13th July 1962.

(a) Geographical area: 4,869 square miles (12,61,234 hectares).

(b) Population:

Rural	...	...	...	...	...	2,614,003
Urban	...	...	...	...	...	1,324,194
					Total	3,938,197

(c) Electrification:

Towns and villages and hamlets electrified	...	...	...	...	5,630
Harijan colonies	...	...	...	...	1,687
Pumpsets	...	...	...	...	64,822

(d) Cattle:

While cattle	...	...	...	...	9,61,394
Black cattle	...	...	...	...	2,68,870
Sheep	...	...	...	...	6,41,621
Goat	...	...	...	...	3,31,923
Other Livestock	...	...	...	...	21,272
Poultry	...	...	...	...	12,01,253

(e) Irrigation Schemes under Plan periods:

1. First Five-Year Plan:—

Vaigai Reservoir Completed: Serving Madurai and Ramanathapuram districts.

2. Third Five-Year Plan:—

Manjalar (completed): Non Plan Project.

(f) Other Irrigation Schemes:

Medium Schemes:—

1. Modernising Vaigai Channel: Annual Plan 1967-68. To serve Madurai and Ramanathapuram.
2. Parappalar.
3. Palar Porandalar.
4. Marudhanadi.

1. (b) Physical Features—

3. The district lies at the foot of the western ghats between 9°-30' and 10°-50' of the northern latitude and 77°-10' and 78°-30' of the eastern longitude. It is bounded on the north by Coimbatore and Tiruchirappalli districts. Tiruchirappalli, along with Ramanathapuram, forms the eastern border also. On the South are found Ramanathapuram and Kerala State, the latter extending to its western borders also, separated by the western ghats and forming the western boundary with Coimbatore.

4. The soils found in the district conform to the black and the red varieties, over 85 per cent of the area in the district being of red ferruginous soil, while black soil or regar is found in Tirumangalam taluk and parts of Periyakulam and Palani taluks. The cropping pattern in this district follows this broad soil division, modified, however, by irrigation potential and rainfall.

5. Based on the physiographic characteristics, Madurai would comprise of five broadly defined natural divisions. The Palani hills and their neighbourhood in the east constitute an area different from the rest of the district. Similarly Tirumangalam taluk in the south—a level plain of black cotton soil-marked with small granite hills with a little vegetation scattered here and there—is widely different from the rest of the region. The remaining parts of the district can be grouped into three natural divisions viz (a) the level tracts of Nilakottai and Madurai taluks and the southern part of Meiyur taluk watered by the Periyar system; (b) the comparatively drier plain of red soil, more similar to adjoining Coimbatore district and stretching across the northern parts of Meiyur, Palani and Dindigul taluks; and (c) the Cumbum Valley in Periyakulam taluk, noted for its thick vegetation and watered by perennial streams from the great hills on the west, which being one of the greenest spots in the State, forms the most pleasant part in the district.

1. (c) River System—

6. The important rivers that traverse the district are Vaigai and Siruli or Sirulliar. They have their origin in the Travancore area of Kerala State. The Vaigai rises from the Travancore side of the western ghats and is reinforced by the flow from the eastern slopes of the High Wavy mountains in the district. After flowing towards northeast, Vaigai turns in a new easterly direction and passes through the slopes of Andipatti and Nagamalai ranges. Two minor streams, the Varahanadi and Manjalar rising in the Palni hills reinforce Vaigai before it reaches the slopes of Andipatti. The Peranai regulator is an important irrigation work at this point. Vaigai then runs in South easterly direction through Periyakulam, Nilakottai and Madurai taluks serving a total ayacut of 146,000 acres before it enters Ramanathapuram.

7. Siruliar also rises in the same way and, after traversing about 30 miles parallel to Vaigai, it unites with Vaigai near Allinagaram. This river is used to divert the Periyar water into Vaigai. Periyar flows westward to Kerala, but its water is collected in a reservoir and diverted to the east through a tunnel into Vairavanam stream which joins the river Siruliar near Sirulipatti. Thiru Muthirulappa Pillai, the Veteran Dewan of Ramanathapuram is credited with having conceived the Periyar Project in the late 18th Century, though it took a century more to fructify. Siruliyar thus reinforced serves an ayacut of 120,200 acres. Improvements have been made to Periyar reservoir from time to time and it is also harnessed to power production.

8. Vaigai Project.—In order to exploit the surplus waters of Periyar, which went to waste in spite of the above said scheme, a new project was evolved. The reservoir has been built across Vaigai about 20 miles above the Jeranai regulator but below the confluence of Siruliar with the main stream Vaigai. This scheme was taken up under

the First Five-Year Plan in 1954 and completed in 1959 at a total cost of Rs. 330 lakhs. This is intended to assure continuous and regulated supply to the Periyar Scheme ayacut besides irrigating an additional extent of 3,000 acres in Madurai alone. Ramanathapuram also is benefited by this scheme to some extent. The modernisation of Vaigai canals will further improve the system of distribution.

9. Other schemes.—In addition to these two major projects the district is benefited from other schemes also. Most of them are ancient works but have proved useful till this day. Mention must be made of the Chittanai dam across Vaigai and the Nilaiyur channel that takes off from it, the Aiyampallee anaicut across Palar; the Kottai dam across Varattar and the Attur dam over Kodaganar.

10. Other minor streams serving the district are Gundar and Kamandalanadi rising in Andipatti and Varushnad ranges. After flowing in a north easterly direction they enter Ramanathapuram district, which they benefit most. The Shanmughanadi, the Nallathangai, the Naganji and the Kodaganar rising in the Palani hills are also minor streams with uncertain flow depending as they are on the north-east monsoon. The Kudirayar rising in the Palani hills and forming a tributary of Amarvathi irrigates a substantial area of wet lands in Reltayambadi estate.

11. Tanks.—Tanks also play a useful role as sources of irrigation in this region. There are over 2,800 tanks in the district, among which as many as 466 have ayacuts extending over 100 acres. These tanks are found mostly in the upland regions and fed by irregular streams. There are also a few rainfed tanks, besides those serving as storage tanks in the Periyar Project area. The total net area irrigated under tanks in the district is 154,458 acres.

12. Wells.—The district has a large number of wells which are found mostly in Dindigul, Palani and Tirumangalam taluks. The Tirumangalam taluk 'Theppams' which are really big wells have powerful springs at shorter depth than in ordinary wells and the water is taken to the ayacut through channels or led by channels to small tanks and then to fields. They supply for four months in a normal year. In Palani taluk the wells are larger in size than elsewhere in the district, but Dindigul has the maximum number of wells. Important crops raised under the wells are cotton, tobacco and sugarcane. Even paddy is raised in the ayacut under wells. The Grow More Food Campaign and the well subsidy schemes have enlarged the role of wells irrigation in the district. A substantial extent of 178,127 acres in the district receives irrigation under wells fitted with electric pumpsets which represents over 36 per cent of the net area irrigated in the district.

13. Other Sources.—Apart from these there are a few spring channels that irrigate over 8,000 acres in the district.

The percentage of gross area irrigated to gross area cropped is higher than the percentage of net area irrigated to net area sown. The former is 41 per cent while the latter is only 35.5 per cent in the district. This is due to the extensive acreage that receives irrigation facilities for the second crop. This increase has been mostly due to the completion of the Vaigai Project. The acreage irrigated more than once totals now to 181,170 acres. Thus the execution of irrigation projects has considerably improved agricultural production in the district, though the district is yet to go a long way on the road to self sufficiency in food crops.

14. 1. (d) Climate and Rainfall.—Four distinct seasons could be noticed in the region. They are (1) the dry season (January-March), (2) the hot season (April-May), (3) South-West monsoon season and (4) the North-East monsoon season. Rainfall during the dry season varies from 520 mms. at Palani to 164.3 mms. at Kodaikanal. February and March are the driest months of the year.

15. Rainfall during the south-west monsoon period is heavy in the eastern and southern taluks. Variation in rainfall during this season is considerable. The Cumbum Valley and the Palni receive the lowest rainfall during this season. The Cumbum records heavy rainfall. It is during the retreating monsoon period that the district records the maximum rainfall.

16. Based on rainfall data, the district could be divided into three rainfall regions (viz.) the hilly regions comprising the entire Kodaikanal taluk, the eastern region consisting of Tirumanagalam, Nilakottai, Madurai and Melur Taluks and the eastern part of Dindigul taluk and finally the Cumbum region comprising of Palni taluk, the western part of Dindigul and Periyakulam taluks. In the hilly regions the rainfall is unformly distributed, though the maximum rainfall occurs during October and November. The eastern region receives the maximum rainfall during the retreating monsoon and a considerable amount of rainfall during south-west monsoon period also. The most conspicuous feature of the Palani-Cumbum region is the low amount of rainfall during the South-west monsoon. Palani, Dindigul and Nilakottai taluks are drier than the other taluks.

17. 1. (e) *Agriculture*.—In spite of the occurrence of fairly fertile soils of the alluvial type in scattered areas like Nilakottai, Melur, Madurai and to a certain extent in Cumbum valley, agriculture in the district is acutely limited due to the presence of numerous hills and hillocks. Out of the total geographical area of 3,116,045 acres only, 1,390,747 acres are being sown. This forms only 44.6 per cent of the total extent of the district. However measures like the improvement of irrigation facilities and reclamation of waste and fallow lands, tend to increase the cultivable area in the District.

18. The fairly good rainfall in the region and the presence of Vaigai and Siruliar rivers have contributed not a little to the progress of agriculture in the district. Especially after the introduction of the Periyar Scheme, by which consistent supply is assured to the region, much progress has been recorded in this sector in the district. Further the agricultural practices in the district are of a fairly good quality and the attempts of the Agricultural Department in improving cultivation have been rewarding.

19. Paddy is raised over an extent of 369,457 acres in the district. It is not only the staple food crop of the region but also the principle food of the people. Madurai, Melur, Nilakottai, Periyakulam and Tirumangalam taluks are found to have the most favourable conditions for the cultivation of paddy and these taluks account for over 84 per cent of the total area under paddy in the district.

20. Cho'lam is the next most important crop among millets. It is the largest yielder among coarse grains and occupies the maximum area under dry crops. Cumbu is raised mostly in Dindigul, Tirumangalam and Palani Taluks.

21. Dindigul, Tirumangalam, Periyakulam and Nilakottai are chief areas of Groundnut production which is raised over 222,034 acres in the district.

22. Cotton is cultivated only in limited areas in this district as the black loamy soils suitable to this crop are available only in small areas around Tirumangalam, Periyakulam and Dindigul, where chillies also are cultivated.

23. Sugar-cane is grown in the district either in rotation with paddy in wet lands or as an independent crop in irrigated garden lands.

24. Madurai has the largest acreage under fruits in the State. It has 35,069 acres under these crops, the important varieties of fruits cultivated being bananas, mangoes, oranges and grapes. The district occupies an important position also in the production of vegetables. Dindigul, Periyakulam, Kodaikanal, Palni and Nilakottai taluks are chief areas noted for the cultivation of fruits, flowers and vegetables.

25. 1. (f) *Earlier History*.—The Tamil epics like Silappathikaram bear testimony to the hoary part of Madurai steeped in Dravidian culture. It was the cradle of Tamil literature nurtured by the three Sangams. There was commercial intercourse with overseas countries through the port of Korukkai; pearl fishing off the gulf of Mannar and handloom weaving made the country prosperous.

26. At the turning of the Christian Era, Madurai country was under Pandyas. Their ruler Nedunchezhan, defeated the combined forces of the Cheras and Cholas at Tala' Yamangalam in Thanjavur and established his unquestioned supremacy over

the south. After him, the power of Pandyas decayed and an age of complete darkness followed. Kalabhira, people of Buddhist faith, overpowered the Tamil kings in combination with the jains and threatened to annihilate Hinduism. But by 6th century A. D. Pandyan power was revived and under Harikesari Maravarman (1670-710) they challenged the Pallava power.

27. This later Pandyan glory lasted only a few more generations. During the time of Sri Mara, the coalition of the Cholas, the Rattas and the Gangas under Pallava ruler Nandivarman III gave the Pandyas intermittent trouble. Sri Mara was defeated by the allies and was surrounded by enemies. The Pandyas held their own for a time but when weak kings came to power, the kingdom was ruined and during the time of Maravarman Rajasimha II (900-920) the cholas overpowered him. The Pandyan prince fled for life.

28. For a period, Madurai was under the sway of Cholas. Pandyan power did not exist except as a vassal of Chola empire. But soon after in the time of Vikrama Pandya, they once again established their position when their kingdom extended over Madurai, Tirunelveli and Ramanathapuram. Maravarma Sundara Pandya even drove the Chola King into exile and annexed Chola and Hoysala Kingdoms. But internal dissention soon broke out resulting in a civil war between Vira Pandya and Sundara Pandya. The Sultan of Delhi was tempted to interfere and a Mohammadan army under Malik Kafur was despatched. He defeated the Hoysalas enroute and entered Madurai. The rival princes had to flee. All these events led to the eventual establishment of Madurai Sultanate which, however, had rather a short lease of life.

29. Though the Hoysalas attempted to overthrow the Mohammadan power it was left to Vijayanagar to accomplish this Act in 1377-78. This marked the beginning of Nayak rule over Madurai. The Nayaks who were Governors of Vijayanagar in Madurai, gradually started asserting their power taking advantage of the confusion that gripped Vijayanagar over the issue of succession. Krishnappa established the Nayak dynasty of Madurai after his famous father Viswanatha who was an able Governor under Vijayanagar. Tirumalai Nayak was, however, the most illustrious of his line and was great alike in war and diplomacy. He came to power at a time when dissension prevailed among the other powers of the south and began a policy of strengthening his frontier fortresses. His period was noted for his wars with Travancore, Mysore and Vijayanagar. It was during his time that foreign missionaries gained foothold in Madurai. After him, his son ruled well but gradual decay set in, and Nayak reign began losing its glory. The short period of Mangammal's reign as regent was however notable, for she ruled at a time when Aurangzeb at Delhi was seeking all round expansion, but she preserved her territory intact, buying peace from him. After an interregnum of Vijayaraja Chokkanatha, Minakshi followed him. During her period Chanda Saheb, the Nawab of Carnatic, took Madurai and Thanjavur. When the Nayaks appealed to the Marathas for help, they marched against Chanda Saheb, took Madurai and appointed Murari Rao of Gooty as their Governor at Madurai.

30. Soon Madurai found itself entangled in the politics of Carnatic. Nizam-ul-mulk defeated Mhrari Rao in 1742 and drove the Marathas out of Madurai. He installed Anwar-Ud-din as the Sultan of Madurai. The succession rift for Nizam's position got Madurai also entangled in more trouble and brought the intervention of foreign powers. Further the Sultan could not collect the revenue and repay the loans due to the British East India Company on war reparations. The Madurai country was leased out to Yusuf Khan for an annual rental of five lakhs of rupees. But Yusuf Khan was betrayed and put to death by the Nawab. After him, the revenue administration changed many hands, while the control of military administration was taken over by the East India Company. The invasion by the Mysore army was a sufficient cause for the company to take over the whole of Madurai country. Dindigul region had already come into their possession as a result of the IIIrd Mysore War. In 1772 Mr. Leod was appointed Collector of Dindigul. The Nawab formally ceded Madurai along with his other territories to the Company in 1801. Since then Madurai remained under British administration till the country attained independence in 1947.

II. REVENUE ADMINISTRATION.

31. *I. Under the First Pandya Kings.*—The King derived his income mostly from land revenue, customs and transit duties. One-sixth was the share he was entitled to by the sastras, but there is nothing to show if he did not take more. Next to land revenue, the prosperous foreign trade of the country and the numerous inland transit duties brought in a considerable amount of customs revenue. Besides this, he also derived income from his right to treasure troves, fines and booty captured in war. It is also seen that the local affairs of the Kingdom were managed by manrams or sabhas elected by the people in a system of democracy and that every town or village had its manram which met often and decided all matters of public interest. It rendered civil and criminal justice, and provided the watch and ward. It managed public lands, raised taxes, constructed irrigation works and corresponded with the King's officers on all matters affecting larger public interests. The King's officers never interfered with the local.

32. *II. Under the second Pandya Kings.*—During the supremacy of the Muslim Sultanate from 1334 to 1378, the Pandyan Princes did not altogether disappear from the field but continued to govern parts of Madurai, Tirunelveli, Ramanathapuram, Thanjavur and Pudukkottai countries. Land still continued to be the main stay of public revenue. The king levied land assessment, made grant of land, rent free or partially rent free brahmins, temples, matams and charitable institutions and collected the land revenue through his own officers. Though it is not clear what proportion of the gross or net produce he took as revenue, it is known that the assessment was based on a survey and that different dry rates and wet rates prevailed consistent with the yield and that the construction and maintenance of major irrigation works was undertaken by the State. The king also levied profession tax, house tax, transit duties and customs.

33. *III. Under the Nayak Rulers.*—The Chief source of revenue of the Nayaks, as of the Pandyan Kings, was land. It is not known how much land revenue was claimed and realised by the rulers, as there is difference of opinion if it was half of the gross produce, or of the net produce. There is, however, nothing to show that the rent was oppressive but on the other hand there is evidence to show that agriculture was encouraged, that large tracts of waste and forest lands were systematically brought under cultivation and that the crown lands which formed no small part of the cultivated lands of the country were rich and fertile. The assessment was fixed on the village as a whole and the ryots shared its incidence among themselves. The existence of Mirasi tenure, Karay villages and Palayams evidence the tenures that prevailed during the period.

34. Next to land revenue came the tribute by the palayakars besides various profession taxes, import and export duties, transit duties, receipts from fines and royalties from the pearl and chank fisheries. Nelson calculated that the receipt from all sources of revenue amounted to not less than Rs. 1,60,00,000 while later historians are apt to put it at Rs. 95,00,000. A large part of the revenue was a saving to the ruling Nayaks in as much as their expenditure over the administration was very little, because the Palayakars maintained the army, the civil as well as military officers were paid mostly in maniams and the villages bore all the expenses connected with their administration. No wonder, therefore, that large surpluses of revenue accumulated which were set apart for contingencies like wars and famines, and partly sent over magnificent buildings like the Tirumalanaicken palace and the Mangammal Choultry. The Nayak rulers however did nothing for the encouragement of trade, but they allowed the foreign trade gradually to slip into the hands of the European powers, the Portuguese and the Dutch.

35. *IV. Under the British.*—The British acquired the Madurai district piecemeal. They obtained the Dindigul country by conquest from Mysore in 1790 and they secured the Madurai country by the assumption of its revenues from the Nawab of Arcot in 1790 and by its subsequent cession by treaty in 1801. The revenue administration of both these countries, which at present constitute the district, was conducted on some-what different

(1) "Studies in Tamil Literature and History" by V. R. Ramachandra Dikshitar, 1936.

(2) A History of South India by Thiru K. A. Nilakanda Sastri of 1929.

(3) "Land tenures in the Madras Presidency" by Thiru Sundararaja Iyengar.

lines owing to the peculiar condition prevailing in each, till 1885 when these differences were eliminated and uniformity was secured by the introduction of the modern system of survey and settlement.

36. When the Dindigul country was acquired by the British it consisted of four estates or Palafams, namely, Idaiyankottai, Kombai, Mambarai and Sandaiyur, which were in the possession of their owners; four estates namely Eriyodu, Madur, Palani (apparently including Ayakkudi and Rettaiambadi) and Sukkaupatti, which had been sequestered in 1785-86 by Saiyad Sahib, the Mysore Governor; and some inconsiderable extent of Government land in which were included four more estates, namely, Davadanapatti, Gudalur, Cumbum and Vadakarai which had been resumed many years before. Shortly after the acquisition fourteen estates, namely, Ambaturai, Ammayanayakanur, Bodinayakanur, Makkalapuram, Erasakkanayakanur, Gantamanayakanur, Kannivadi, Marunuthu, Nilakkottai, Palliyappanaikanoor (Kuvakkapatti), Tavasimadai, Tevaram, Tottiyankottai and Virupakshi, all of which had been resumed by Tipu Sultan in 1788 on account of the arrears of tribute due by them and had been temporarily attached by him to the province of Sankaridrug (in the Salem District), were restored to their former owners and re-annexed to the Dindigul country. The Dindigul country thus comprised not less than twenty six estates making up roughly the present Dindigul, Palani and Periyakulam taluks and the western portion of the Nilakkottai Taluk. It would appear that the Mysore Government used to collect a Peshkush from the four estates which were in the possession of their owners and to lease out all the other estates as well as the Government lands to renters or farmers of revenue.

37. Soon after the conquest, General Meadows, who was at the time commanding in the South, placed one Venkatappa Nayaka in charge of the district pending the arrival of an English Collector; but when in September, 1790, Mr. Mcleod took charge of the district as "Collector at Dindigul" he found that Venkatappa had made hay while the sun shone and run away with all revenue accounts. This was a great handicap, but greater than this were the difficulties he had to face on account of the turbulence of the Palayakars and the oppression of the renters. During the four years of his tenure of office he was constantly harassed by these difficulties.

38. *The system of land revenue adopted by Mcleod.*—Every year he assessed the peshkush due from the various estates theoretically with reference to established usage and the estimate of the outturn of crops furnished by the Palayakars or their vakils; but actually, since Venkatappa had made off with all such accounts and with it the basis for countercheck of the accounts was lost, it is obvious that the peshkush was regulated more by "lhiranery and rhanle" than by precedent or equity. He leased out the Government lands (which were divided into six taluks of Tadikkombu, Periyakulam, Vattilagundu, Andipatti, Uthampalayam and Cumbum) annually either to renters or to village headmen. He farmed out the villages to renters either singly or in groups on tenders. The renters, however, freely levied exactions and resorted to oppression; and in collusion with the Government servants, they easily rendered ineffectual all attempts on the part of the oppressed to seek redress for their grievances. They also defaulted to pay the Government's rent. The village headmen who undertook collection in some villages promised on behalf of the ryots at large that a certain amount of land would be cultivated and that the assessment fixed thereon would be punctually paid. The assessment was payable in kind or money according as the land cultivated was nanjai or punjai. The produce of nanja fields was reaped and threshed in the presence of Government officials and, after setting off a certain portion for swatantrams (fees due to village officers and others), the remainder was equally divided between the Government and the ryots. A money rent was paid for punja lands at the rate of so much per kuli of land cultivated.

39. None of these systems had any fair chance of success amidst the constant commotions into which the country was thrown in those days. In June 1791 troops were called in to maintain the Collector's authority. In November of the same year, Coimbatore and the surrounding tracts of the north fell into the hands of the Mysore forces. In February, 1792 the Palani and Idaiyankottai palayakars began plundering the country. In the meantime, the Raja of Travancore prevented the Collector from taking possession of Cumbum and Gudalur though these tracts (which had once been palayams but had been confiscated

by Hyder Ali in 1755) undoubtedly belonged to the Dindigul district. And the Kallars who had quarrelled with the Madurai ruler committed depredation. The palayagars took advantage of this confusion and withheld payment of their dues and the renters followed their example.

40. Towards the end of 1793, the Board of Revenue directed the Collector to lease the villages for three or five years to their headmen instead of to strangers. These orders were carried out only partially as the headmen of villages which were exposed to the attacks of the kallars of Anaiyur declined to take up the leases.

41. On the whole Mr. Mcleod's administration proved a complete failure. The district had been reduced to disorder and its revenue brought to a low ebb. The Palayagars, the Kallars and the renters exhibited with impunity open contumacy to the Government. Inams and swatantrams were misappropriated. Large balances of revenue had been allowed to accumulate, and remissions had been freely given on the plea that tanks were out of order. The customs had been mismanaged and the revenue accounts had been falsified and rendered untrustworthy. He was therefore, replaced by Mr. Wrangham who was asked to reduce the palayagars to submission, and to induce the leading ryots to rent their villages for a term of five years. Before, however, he could do anything, he was transferred and Mr. George Wynch was appointed in his place. Mr. Wynch who was in office for one and a half years could hardly effect any improvement. The district witnessed even worse confusion than before. The Palani and the Ayakkudi Palayagars defied openly. The former insisted upon the retention of Ayakkudi under him and refused to pay the peshkush, while the other palayagars refused to attend before the Collector when summoned. The Palayagar of Sandaiyur laid claim to the palayam of Devadanapatti, the owner of which had lately died, and refused to pay his arrears. The Virupakshi palayagar laid claim to the Kannivadi estate and declined to receive the Collector's sanad and pay his customary present. The Travancore manager committed excesses in Cumbum and Gudalur. Mr. Wynch himself was stopped on the boundaries of Bodinayakanur and his escort was fired upon. The Vadagarai palayagar joined Bodinayakanur, the Virupakshi Palayagar opposed the Collector's march and the Kombai Palayagar began to stir up disturbance in the Cumbum valley. In June 1795 (1) the Government were compelled to issue a proclamation to all the palayagars requiring them under pain of immediate punishment to abstain forthwith from arming themselves and ordering them to obey the Collector's orders. This had a good effect, but only temporarily. Events soon became worse and the Government appointed in June 1796 a Commission consisting of Mr. William Harrington and Captain William Macleod to take charge of the district and to investigate the causes of the disorders. They submitted a report in August 1796 and immediately afterwards handed over the charge of the district to a new Collector, Mr. Thomas Bowyer Hurdis.

42. The commissioner who analysed in detail the cause of the disorders soon found that the Amildars and Karnams had colluded in fabricating accounts which enabled the Karnams to misappropriate the revenue of many lands, describing them falsely as inams. The dispossessed palayagars had gone about with armed peons intimidating the Karnams to write down all the best lands as their inams, and compelling the ryots to pay their dues to them instead of to the Government. The customs revenue had been defrauded by unauthorised exemptions granted to individuals. The renters had invariably given false returns in order to keep the authorities in ignorance of the real value of their lands. Numerous alienations of lands had been made by the renters, especially by Appaji Pillai, one of the renters, and by his father Kumara Pillai. The tanks had been allowed to go to ruin by the renters and the ryots had been oppressed and persuaded to migrate from Government lands to palayam lands. The peshkush collected from the palayagars had been far too light. The kaval system by which the palayagars had been made responsible for guarding the country from robbers, had actually enabled them to roam about with large bands of armed peons, causing disturbances everywhere, and exercising an undue influence over the ryots. The ill-defined boundaries of the palayams had given rise to constant disputes and enabled the palayagars to effect inroads into Government lands. Frauds had been extensively perpetrated by the intrigues of the dubashes (interpreters) of the Collector's office in collusion with the vakils of the palayagars. The pradhanis

(1) General report of the Board of Revenue, dated 10th February 1795. 31st August 1795 and 30th June, 1795. Madurai District Manual by J. H. Nelson—1868, Part IV—pp. 6-9.

(ministers) of the Palayagars had wormed themselves into the confidence of their masters by ministering to their vices and pleasures and became all in all in the palayams. The sowkars and bankers had lent money at usurious rates of interest to the palayagars and steadily impoverished them. To add to the confusion, the circulation of several kinds of coins had enabled the money changers to exploit all people by charging exorbitant rates for exchanging them into Kali Chakrams, the recognised currency (1) of the district.

43. In order to remedy these evils the Commissioner made several recommendations. All unauthorised alienations made, whether before or after the British occupation, should be resumed. The exemptions from payment of customs should be prohibited. Appaji Pillai and Kumara Pillai who had been put in confinement should be permanently banished from the district. The leases of all the renters should be resumed and the lands put under amani management. The peshkush of the palayagars should be raised by 14 to 28 per cent, a settlement should be made with each palayagar for ten years, and every palayam should be surveyed within this period. The fortified places in the palayams should all be destroyed and broad roads should be constructed through the palayams to facilitate the movement of troops of which a large body should be posted at Dindigul. Deterrent action should be taken against such of the palayagars as showed any symptoms of revolt by summarily dispossessing them of their palayams. The kaval duties of the palayagars should be taken away and their kaval fees abolished. The limits of each palayam should be clearly specified in the new leases to be granted. The Government lands unauthorisedly annexed should be resumed. The dubash and vakil system should be discontinued and the palayagars should personally appear when required by the Collector. The pradhanis should be dismissed whenever their actions were found to be injurious to the people and the Government. The peshkush of the palayagars should be collected in suitable instalments so as to prevent them from falling into the clutches of the sowkars. The Kali fanam should be recognised as the standard currency and tables of rates of exchange should be prepared for all other coins in terms of the Kali fanam.

44. On receipt of this report of the Commissioners through the Board of Revenue, the Government sent suitable instructions to Mr. Hurdis. He was to make enquiries into the alienations made subsequent to the capture of Dindigul, and await specific sanction of the Government for their resumption. He was to banish Kumara Pillai and Appaji Pillai. He was to leave every inamdar who was actual legal possession of his inam at the time of British conquest free in the possession of his inam and to grant life pensions to such of them as might be ejected upon this principle. He was to evict all relictant renters not only on the ground of their having failed to pay their kists regularly but also on the ground of their having neglected to give pattas to their ryots, of their having made unauthorised alienations of revenue, and of their having allowed the tanks to go to ruin. He was to make a three year settlement with the Palayagars as there were not sufficient data available to conclude a ten year settlement with them. He was to survey all palayams, form roads through them and post a sufficient number of troops at Dindigul to maintain authority over them. As it was imprudent to deprive the palayagars of their kaval fees all at once without having ready a large body of regular troops to check their disturbances, he was to exercise only a close supervision over their conduct and set right causes by tact, energy and firmness. He was to resume only such of the annexations of Government lands made by the palayagars as could be clearly proved to have been unauthorised annexations. He was to declare the Palni palayam forfeited on account of the gross misconduct of the palayagar, but he was not to dispossess any other palayagar without specific orders. Finally, he was to do away with the vikils of the palayagars and introduce the new currency suggested by the Commissioners.

45. Mr. Hurdis could only gradually carry out these reforms when he was in the district from 1796 to 1803. He was fully engaged till 1799 in putting down the rebellious palayagars who had all become angry and disaffected and continued to create disturbances. Some of them had been ousted from their ancestral estates and were consequently wild with grief and indignation. Others had found themselves deprived of the independence and power which they formerly enjoyed. They would not tamely submit to the new Government. A rebellion in Ramanathapuram in 1797 by Marudhu brothers gave them the opportunity to revolt and assert their independence. The more daring and rebellious of them raised disturbances in every quarter. They, however, showed no unity, each one

(1) Madurai District Manual by J. H. Nelson, Part IV—pp. 1826.

acting independently in his own interest, and Mr. Hurdis was, therefore, able to subdue them one by one. Such of them as still remained disaffected lost their heart at the fall of Seringapatam on the death of Tippu Sultan in 1799. Thereafter, Mr. Hurdis was enabled to take up the important task of systematically surveying and assessing the lands. This work he completed in 1803 before he left the district and thereby laid the foundation for the prosperity of the district.

46. When Mr. Hurdis was making his survey and settlement he received instructions to send up proposals for a permanent settlement. This he did in his famous report which he submitted to the Board of Revenue in 1803, and pending orders upon his report he introduced a triennial settlement on progressive rents which were so arranged that by the third year they would reach the figures at which the permanent settlement was proposed to be concluded. The survey and settlement were carried out not only in the Government lands but in twelve of the twenty six estates which had come under Government management by forfeiture for rebellion, by escheat in default of heirs or by sequestration for arrears of revenue.

47. In regard to the inams, those that were granted for religious purposes, such as Devadayam and Brahmadayam inams, were confirmed to their owners; but those granted for sibbandi (called Wulliga inams) and those given by the heads of Villages or Amildars or renters to dancing girls, poets, musicians, etc., were resumed. So also were resumed all lands usurped or alienated by the palayagars.

48. Mr. Hurdis considered that by 1804-1805 (fasli 1214) when the whole of the district would have come under the new settlement, the revenue would amount to 1,13,315 star pagodas, a very large proportion of which will be accounted for by the increase in the area in occupation brought about by the survey which had disclosed an enormous extent of concealed cultivation. He found that in the thirteen of the forty estates where the new rates had already been introduced, those rates had been cheerfully agreed to by the ryots and collection was made regularly without any difficulty. Encouraged by this result, he believed that it was possible to count upon a great future increase in the wealth of the country from the extension of cultivation. Only some thirty-four per cent of the whole cultivable area was actually under tillage then and though the waste land was unavoidably very unequally divided among the different estates (some containing much and others hardly any), and though the ryots and capital were both lacking at the moment, there was a great scope for extension of cultivation under settled Government. In October 1801 the Government generally approved the proposals for permanent settlement made by Mr. Hurdis but on the recommendation of the Board of Revenue, reduced the total amount of the peshkush from 1,31,315 star pagodas, the amount proposed by Mr. Hurdis, to 1,09,189 pagodas.

49. In December, 1803 Mr. Hurdis was succeeded by Mr. George Parish. Mr. Parish's charge included not only the Dindigul country but also the Madurai country, the latter having come into the possession of the British from 1801 and administered by Mr. Hurdis. He was styled as the Collector of Madurai and he held the post till 1812. It was given to Mr. Parish to introduce the permanent settlement. All lands in the Dindigul country, with the exception of 14 palayams which remained in the hands of their owners and a few hill villages which had always remained under the direct Government management, were formed into 40 estates of varying sizes. Thirty-one of these estates were sold by public auction; eight of them which had been carved out of six sequestered palayams were returned to their former owners; and the last one which remained unsold was retained in the Collector's hands.

50. This permanent settlement however proved an utter failure. Within a couple of years almost all estates had to be attached for arrears of peshkush and, as no body came forward to purchase them again, they had to be taken back by the Government. It proved that the very principles upon which Mr. Hurdis had made the permanent settlement were defective. He had taken the anticipated revenue of one particular year, namely, fasli 1214, and deducted 10 per cent out of it to arrive at the peshkush, while in other tracts it was usually fixed at two third of net average collection. In calculating this anticipated revenue he had taken too much credit for the future profits, that may arise from the cultivation of waste lands. And, although the Board of Revenue and the

Government had reduced the amount made by it of the peshkush from that proposed by Mr. Hurdis, the assessment had still remained on half too high. The estates had been purchased mostly by speculators who knew little or nothing of the powers which they possessed under the Regulations for realising their rents. And on the top of this all, a succession of bad seasons had come and completed the catastrophe of the.

51. Most of these circumstances were pointed out by Mr. Hodgson, a Member of the Board of Revenue, who was constituted as the Thanjavur Commission and sent out to investigate the cause of the crop wet failure of the permanent settlement in the south and remedies. He saw no prospect for the successful re-introduction of a permanent settlement. He had already recommended the 'village system' for Thanjavur, Tirunelveli and Coimbatore districts and his recommendation had been accepted by the Board of Revenue and the Government. He now recommended the same system for Dindigul. At that system, he said, had been customary in the district prior to the survey and settlement and that system allowed the cultivators to settle among themselves what rent each was to pay for his field without any Government interference. The Board of Revenue and the Government having accepted this recommendation, Mr. Parish was asked to conclude triennial leases with the head inhabitants (principal ryots) of the villages.

52. While the triennial leases were running, there began a great controversy between the Government and the Court of Directors of the East India Company. The Court of Directors quashed the whole scheme as they had, due to experience gained by this time, lost all faith in permanency in any form of land revenue administration. They had become convinced that the ryotwari system alone was the proper system to be introduced in all temporarily settled districts, impressed as they were by that system introduced by Mr. Munro in the Ceded Districts. The Court of Directors ordered that in all temporarily settled districts, the ryotwari system should be introduced; and that, where the village system had already been adopted, the lease should be declared terminable at the expiration of the period for which they had been granted. In the Dindigul Country the moment the triennial leases (which had also been failures) expired in 1812, a ryotwari settlement was accordingly formed by a new Collector, Mr. Rous Peter, on the basis of the survey and settlement originally made by Mr. Hurdis. The ryotwari settlement so concluded continued, in essentials, unchanged till the introduction of the modern system of survey and settlement in 1885. Mr. Rous Peter pointed out that Mr. Hurdis's classification of lands, especially dry lands, was defective and proposed to reclassify the lands and to reduce the assessment which had been pitched high. This was agreed to by the Board of Revenue and the Government. Even these reductions were soon found to be insufficient. In 1831, Mr. Viveash, who had succeeded Mr. Rous Peter as Collector, carried out another reduction after another reclassification of lands with the help of the village headmen, the karnams and the ryots. In 1854, Mr. Parker, who was then the Collector, proposed the abolition of a tax known as "Vanpayir" which was levied on the cultivation of certain specially valuable kinds of produce, such as betel, plantains, turmeric, chillies and brinjals, when grown on wet lands or garden lands. This tax varied from taluk to taluk and violated the accepted principle that the land, and not the crop grown on it, should be taxed. He also suggested the abolition of a similar tax on tobacco collected in certain parts of the district; and the Board of Revenue accepted these proposals too.

53. So much for the history of the land revenue administration of the Government lands in the Dindigul part of the district till about 1885. We may now turn to the history of the Government lands in the Madurai part of the district till 1885.

54. As has already been stated, the Madurai country came into hands of the British in 1790 when its revenues were assumed from the Nawab of Arcot. In that year Mr. Macleod was appointed as the Collector not only of the Dindigul country but also of the Madurai Country. At first his responsibilities were limited, receiving the real from Muttu Irulappa Pillai, the renter to whom the country had been leased, and to watching the Government interests. He had however, no easy time. The Kallars, exasperated by the tyrannical and extortionate conduct of the renter, committed a series of outrages, and it became necessary for him to station large bodies of troops at Anaiyur and

Melur, the strong-holds of the kallars. In 1791, under the orders of the Government, he removed the renter and leased out the country in a number of small farms to several individuals. During the interregnum from 1794 to 1801, the Collector's authority seems to have been withdrawn from Madurai and the management of the country left in the hands of the Nawab's-Amildar. In July, 1801, the country having been formally ceded by treaty, Mr. Hurdis was made Collector of Dindigul as well as Madurai. His first act was to set a commandant named Nattam Khan to watch the Kallars and to organise taluk establishments. His next act was to collect the assessments which had customarily been collected without making any sweeping changes. There were twelve kinds of land tenures. First there was the Sirkar or ordinary Government land, divided into wet, dry and betel lands. The wet lands were divided into atukalpasanam and manavaripat and assessed at different rates of waram. The revenue on dry lands was collected in money and was either assessed on the area cultivated or in a lump sum on each village as a whole on "Kattukuttagai" without reference to the area tilled. There is no information as to the rate on which the betel lands were assessed.

55. Secondly, there were the Hafta Devasthanam lands or lands of the Seven Temples. These were the lands granted for the keep of the temples of Sri Meenakshi, Ralla Alagar, Kudal Alagar and the deities at Tirupparankunram, Tenkarai, Tiruvada-gam and Kuruvithurai. Possibly, these were grants by Tirumala Nayaka as evidenced from the earlier history. Some of them seem to have been usurped during the troublous times following the disruption of the Vijayanagar Empire; and the rest seem to have been seized by Chanda Saheb when he obtained possession of the Madurai Kingdom. It is said that, during his occupation, the idols from the Meenakshi temple were removed by its trustees to Manamadurai in the Sivaganga Zamindari where they remained for about two years, the expenses on their customary worship being met by the Sethupati of Ramanathapuram. After the capture of Chanda Saheb Murari Rao seems to have got the idols back to Madurai and restored also to the Meenakshi temple a part, if not, all, of the usurped lands. Subsequently much of the property of the Sri Meenakshi and other temples seems to have again lost, but, when Yusuf Khan became Governor of Madurai, he is stated to have recovered these hafta devasthanam lands and to have made in the first year of his rule a grant of 12,000 chakrams for the support of the seven temples, and in the succeeding years, an allotment of 6,000 chakrams every year. When Mr. Hurdis took charge of the district he found that the hafta devasthanam lands yielded to the Government a revenue of Rs. 50,292 and he proposed to the Board of Revenue that these lands should be retained in the hands of the Government and that in lieu thereof, an annual permanent allowance of 12,000 chakrams should be made to the seven temples. The Board of Revenue ordered him to restore the lands to the temple, but, for some reason or other, this order was not carried out.

56. Thirdly there was the "sibbundi poruppu land" (i.e.) the land in the occupation of the men or the 'sibbandis' of the Sri Meenakshi and other temples. Yusuf Khan is said to have imposed on this land a poruppu, or a fixed tribute, which in Mr. Hurdis's time amounted to 5,506 chakrams. This tribute was excluded by Mr. Hurdis from his revenue demand. The nine other types of land were the jivitham lands, the poruppu villages, the church maniams, the chatram lands, the araikattalai lands, the araikattalai villages, the ardhamaniam lands, the palayams and the inams. The jivitham lands were those which were held by military peons for subsistence. Holding that these peons were no longer required, Mr. Hurdis resumed these lands. The poruppu villages seem to have been those which were originally granted free to the Brahmins but subsequently assessed with a quit rent or poruppu by later rulers. The church maniams seem to have included in a general way all lands held by the temples or their priests on favourable assessment. The chatram lands were those that were granted for the maintenance of certain chatrams or rest-houses, for travellers. They had mostly been misappropriated by the trustees. The araikattalai lands were those that were granted to the temples by individuals in support of certain religious acts for the propitiation of the soul of the departed grantor. These also had mostly been misappropriated. The araikattalai villages are said to have been those villages which had been granted rent-free to individuals in order that they might transfer them to the temples and thus obtain credit for a religious act. Several of them, had, however, not been so transferred and paid only a quit-rent having been purchased and held by individuals. Mr. Hurdis proposed that these grants should be resumed unless they could be

proved to have been made by Tirumala Nayaka. The ardhamaniam lands were those which had been granted on half the assessment. Finally there were the palayams and the inams granted on favourable terms for the usual multiplicity of reasons.

57. Under the instructions of the Board of Revenue Mr. Hurdis began to survey and settle the Madurai portion of the district just as he had done with the Dindigul portion. But the work was far less carefully done. The survey was done by unskilled men and that too in only a portion of the area, namely, the area under cultivation in 1802. The settlement was also made on lines different from Dindigul. No provision was made in it for assessing double crop wet land as in the case of Dindigul, with the result that fields sufficiently well watered to raise two crops paid only single assessment if only one crop was raised. Nor was any provision made in it for classifying garden land, as in the case of Dindigul, and imposing upon such land a proper assessment. However, as in Dindigul, the revenues of Madurai included a number of money taxes known generally as swaradayam and the land customs. Mr. Hurdis seems to have made the settlement with individual ryots, which continued till 1807, when triennial leases were made with the principal ryots of the villages. On the expiry of the triennial leases, by 1814 the ryotwari system was again restored to, chiefly because of the disorganised and improverished State of the country. Mr. Hurdis's survey and settlement continued to be the basis of settlement until 1885 when the modern system of survey and settlement was introduced. The only changes that were made during this period were the reductions in the assessments of a few villages for some years. Between 1815 and 1821, Mr. Rous Peter on several occasions granted unauthorised reductions in the assessment of some 52 villages in the then existing taluks of Madakkulam, Sholavandan, Melur and Tirumangalam, Mr. Viveash continued these reductions but in 1843 the Board of Revenue saw no reason for their continuance and ordered them to be abolished.

58. *First Ryotwari Settlement.*—As early as 1855, it had come to be realised that a proper settlement could be made only on the basis of a detailed survey and classification of soils. Settlement based on such surveys and classification of soils, came thereafter to be introduced in one district after another. The survey of Madurai district was begun in 1872, but, owing to delays caused by the Great Famine and other circumstances, it was unduly prolonged to be completed only in 1884. All the then existing six taluks, Dindigul, Madurai, Melur, Palni, Periyakulam and Tirumangalam were surveyed and the survey revealed an increase of 9.3 per cent in the extent of cultivated area in the case of wet lands and 7.5 per cent in the case of dry lands. The settlement was commenced in

1881 and introduced in 1886. Mr. Wilson the Director of Revenue Settlement submitted a scheme report which was approved by the Government. The Chief features of the settlement are as follows:—

59. *Classification of soils.*—The soil of the districts was divided into two main groups, namely, the regar, or the black cotton soil, and the red ferruginous. The regar was further divided into three classes, black clay, black loam and black sand, while the red ferruginous was divided into two classes, red loam and red sand. Each of these classes was sub-divided into five sorts, the best, the good, the ordinary, the inferior and the worst. By merging soils of equal productive value, 8 tarams were obtained for wet lands and 8 tarams for dry lands. The money rates per acre arrived at on the basis of crop out-turns for wet and dry lands are given below:—

Wet.	Dry.
RS.	RS.
8.3	2.0
7.8	1.8
6.8	1.4
5.8	1.00
4.8	0.12
3.8	0.8
2.8	0.6
2.0	0.4

60. *Classification of irrigation sources.*—For the purposes of wet assessment the irrigation sources were divided into four classes.

The first class included irrigation from permanent anicuts or head sluices in the main rivers and tanks directly fed by channels led therefrom.

The second group included (a) irrigation channels led directly from the main rivers but not connected with permanent anicuts or head sluices; and

(b) Irrigation from permanent anicuts on the minor rivers and from spring channels and rain-fed tanks capable of irrigating for six months and upwards.

The third group comprised (a) irrigation from channels led direct from the minor rivers but not connected with permanent anicuts and from tanks directly fed by such channels; and (b) irrigation from spring channels and rain-fed tanks capable of irrigation for more than three but less than six months.

The fourth group consisted of irrigation from rain fed tanks and from hill and jungle streams not included in the first three groups.

61. As the Periyar Project was then under contemplation it was declared that such of the lands in the second, third or fourth groups as might be affected by the scheme would, after its completion, be classed under the first group. It was then assumed that a first class source in Madurai District would compare with only a second class source in the adjoining districts of Coimbatore, Tirunelveli and Tiruchirappalli and money rates were worked out keeping this essential difference in view.

62. Wet lands growing two crops in the Periyakulam taluk were compulsorily registered as double crop lands at $1\frac{1}{2}$ times the single crop rate. In the Dindigul, Melur, Madurai and Tirumangalam taluks, a uniform system of compounding for second crop at one-third, one-fourth and one-fifth was adopted for the different classes of sources while in the Palni taluk, composition of second crop charge under the first group sources was permitted at one-third or one-fourth and under the second group at one-fourth. The minimum charge for composition was fixed at Re. 1. A remission of Re. 1 per acre for the first crop and 8 annas for the second crop was made in the case of lands irrigated by balling. All dry lands were placed in a single dry group, Manavari classification of dry land was not adopted at this settlement.

63. It may be stated here that two minor taxes which were being levied from early days were abolished at the time of the settlement. These were the "pilluvari" or the grass tax; a light assessment collected in the Palani and Dindigul taluks on pasture land, and the "adappuvari", or quit-rent on houses built outside the village site, levied in two hamlets.

64. This settlement revealed that less than one per cent of the total wet area of the district was charged the highest rate i.e., Rs. 8-8-0 and only two per cent was charged the next highest rate, i.e., Rs. 7-8-0 while 59 per cent was assessed at either Rs. 4-8-0 or Rs. 3-8-0. In the case of dry lands less than 30 acres was charged the highest dry rate, i.e., Rs. 2 and only 5 per cent the next highest rate, i.e., Rs. 1-8-0 while 64 per cent was assessed at either Rs. 1-4-0 or Re. 1. It had long been recognised that the old wet rates were too low and that the old dry rates were too high. As a means of moderation, therefore, the dry lands were treated with special leniency and the wet rates were enhanced. Finally the total assessment on the dry lands was reduced by Rs. 90,254 and that on wet lands was increased by Rs. 48,306.

the hill villages were farmed to renters who lived on the plains and only occasionally visited their farms. The villagers repeatedly represented the intolerable exactions of these renters and of the mannadis or headmen of hill villages who were also made renters in some cases. As a result of this, in 1837, Karnams were appointed in each village to enquire into the modes of taxation in vogue and the methods of the renters and in 1847 the renting system was formally abandoned in favour of the ryotwari system and the land was taxed as elsewhere according as it was dry or wet. At the time of the settlement of 1893 it was found that of the total occupied area, 4 per cent was dry and 15 per cent was wet in the Upper Palnis, the rest being forest land, and 78 per cent dry and 3 per cent wet in the lower Palnis. The old rates of assessment had varied from Rs. 3-9-9 (for plantains) to Re. 0-5-9 paise on dry land and from Rs. 3-9-9 (for plantains) to Rs. 1-4-8 on wet land. The new rates based on soil classification ranged from Rs. 2 to 0-4-0 in the case of dry lands and from Rs. 5-8-0 to Rs. 2, (Rs. 5-8-0, Rs. 4-8-0, Rs. 3-8-0, Rs. 2-8-0, Rs. 2) in the case of wet lands. Class V soil was absent. All irrigation sources were placed in the IV Class as they were solely due to ryots efforts. The survey disclosed 38 per cent increase in the extent of dry lands and 25 per cent in wet lands. The settlement increased the assessment by 25 per cent in the case of dry lands and 148 per cent in the case of wet lands. In calculating the assessment rates, the same standard grains and the same commutation prices were taken as for the plains.

66. *Resettlement.*—On the expiry of the 30 year period fixed for the settlement in the various taluks, proposals for resettlement were taken up. The Ramanathapuram and the Sivaganga zamindaris had been transferred to the new Ramanathapuram district in 1910. A reorganisation of some of the taluks in the Madurai district had been made, and the new taluk of Nilakottai had been formed out of portions of the old taluks of Dindigul and Madurai. By this time, the Periyar system having been completed, it had become necessary to reclassify the lands affected by it. It was therefore decided to deal with the non-Periyar tract and the Periyar tract separately. A revision survey was taken up in the taluks of Palni, Periyakulam, Dindigul and part of Nilakottai and resurvey was done in the other taluks and in the remaining part of the Nilakottai taluk covered by the Periyar Project. The resettlement was based on the Scheme reports submitted by Mr G. T. Boag, the Special Settlement Officer, in 1914 for the non-Periyar tracts and in 1917 for the Periyar tracts. The re-settlement notification was approved by the Government in G.O. No. 710, Revenue, dated 28th March 1916 for the non-Periyar tract and in G.O. No. 1413, Revenue, dated 15th April 1918 for the Periyar tract.

67. Dealing with the non-Periyar tracts first, i.e. all lands except those in the taluks of Periyakulam, Nilakottai, Madurai and Melur as were commanded by the Periyar System, the resettlement was based mainly on the rise in the prices of staple foodgrains. No general reclassification of the soils was made as the old classification appeared to have been fair. Alterations were made only where absolutely necessary, as for example, in lands classified and assigned by the Revenue Department since the original settlement and in lands left unclassified at the original settlement. All irrigation sources other than those connected with the Periyar system were reclassified with reference to capacity as the second, third, fourth and fifth classes the first class being confined to lands lying entirely in the Periyar tract. The second class comprised river fed sources other than those supplied by the Periyar which ordinarily afforded a supply for 8 months and upwards. The third class consisted of all sources, river-fed or rain-fed, which ordinarily afforded a supply for less than 8 months but for not less than 5 months, while those affording supply for less than 5 months but not less than 3 months were placed in the fourth class. The fifth class (newly introduced) comprised all other sources.

68. The assessment based on revised commutation rates was raised by 25 per cent in the case of wet lands and by 16 to 40 per cent in the case of dry lands. The revised rates worked out as follows :—

Wet.	Dry
Rs. A.	Rs. A.
10 10	2 12
9 6	2 0
8 2	2 8

Wet.		Dry.	
Rs.	A.	Rs.	A.
6	14	1	2
5	10	0	14
4	6	0	8
3	2	0	6
2	8	0	4
2	6		

69. In the case of wet lands, the charge for second crop on land registered as single crop was fixed at half the single crop assessment. Option was, however, given to compound the charge for two crops at the following rates; at one and one-third times in the case of lands under second class sources; at one and one-fourth times in the case of lands under third class sources; at one and one-fifth times in the case of lands under fourth class sources and at one and one-sixth times in the case of lands under fifth class sources. When irrigation under the third, fourth and fifth classes was supplemented from substantial private wells, the above rates of composition were reduced by one half. Lands charged at compounded rates were not entitled to separate remission of the second crop charge and the full compounded rates collected even if only one wet crop was raised. Fields registered as dry which had been regularly cultivated with wet crops for five years which could be transferred to wet without prejudice to the ayacut already registered as wet, as well as fields registered as dry from which water could not be excluded, were transferred to wet. Similarly fields registered as wet which had not been cultivated with wet crops for five years or which it was inadvisable to retain as registered wet lands were, if owner consented, transferred to dry. The baling remission of one rupee an acre for the first crop was continued. For the second crop the remission was fixed at one-fourth of the second crop charge, subject to a maximum of 0-50 paise an acre.

70. Manavari lands (rain fed lands) when irrigated by recognized sources were retained as wet, the soil classification being revised when necessary; in other cases manavari lands were treated as dry and assessed at special rates not exceeding the highest dry rate. Lands irrigated solely from wells situated in occupied land were not charged for the use of the well water. Lands irrigated from doruvu wells, that is, wells constructed on the banks of rivers and streams and drawing their supply therefrom, were registered as dry but charged water rate at one-fourth of the rate usually charged for water supplied to a wet crop, if the water was raised by a single lift, and at one-eighth, if the water was raised by a double lift. The rate was declared not to depend on the crop grown and no charge was made for the cultivation of second crop under doruvu wells. Lands situated in the water-spread of a Government irrigation source which were held on patta and which were shown in the revenue accounts as wet were classified as dry and assessed at a special rate not exceeding the highest dry rate of the district unless such lands were irrigated from and included in the ayacut of a source other than the tank in the bed of which they were situated. Tank bed lands which were held on patta and shown in the revenue accounts as dry were assessed in a similar manner. The assessment so fixed was levied in all seasons whether the lands were cultivated or not. The assessment on special rate lands, i.e. lands under ruined tanks and small rain fed tanks was revised in the same proportion as the average assessment of the dry lands of the village in which the special rate lands lay.

71. Coming to the Periyar tracts, the resettlement was introduced in 19 villages of the Periyakulam taluk, 33 villages of the Nilakottai taluk, 70 villages of the Madurai taluk and 40 villages of the Melur taluk, all of which were commanded by the Periyar irrigation system. Here a reclassification of the soils was made because the old classification, based as it was partly on the nature of the soils and partly on the nature of the facilities for irrigation, had become unsuitable, and because a number of dry lands had been converted into wet and some wet lands had deteriorated in quality owing to seepage or other causes. The irrigation sources connected with the Periyar system were classified as (i) first class if they consisted of well supplied

channels and tanks connected with the Periyar system and (ii) second class if they consisted of channels and tanks less well supplied. Exceptionally poor sources, if any, were placed in a still lower class. The fact that at the original settlement of Madurai the first class sources were equated to second class sources in the adjoining districts was kept in view and this was sought to be rectified in the context of the superior irrigation facilities afforded by the Periyar Project which had come to get established by then. Considering also the higher price of paddy then prevailing and the relative superiority of irrigation facilities in the Periyar tract, the Periyar wet rates were made slightly higher than those in the non-Periyar tracts in the case of lands under 1st class irrigation. The following rates were fixed :—

Rs. 11-14, Rs. 10-10, Rs. 8-2, Rs. 6-14
Rs. 6-4, Rs. 5-00, Rs. 3-12.

In respect of lands coming under second and third class irrigation sources under Periyar, the same rates were adopted as in the non-Periyar tracts.

They were:

Rs. 10-10, Rs. 9-6, Rs. 8-2, Rs. 6-14
Rs. 5-10, Rs. 4-6, Rs. 3-2, Rs. 2-8.

72. In the Periyar affected villages in the Periakulam taluk in which all the Periyar fed irrigation sources were placed in the first class, lands on which two crops were regularly grown and which possessed an assured supply for a second crop, were registered as double crop lands. In the remaining 3 taluks the registration of lands as double crop lands was confined to lands in that portion of the tract called the double crop area on which two wet crops had been regularly grown for five years or so, provided they formed a compact block and could be served with water economically. Lands registered as double crop lands were charged one and a half times the single crop assessment and were made eligible for the remission of the difference in double crop charge if the water supply was insufficient for two crops in a year. The charge for second crop raised on single crop land was fixed at half the single crop assessment.

73. No general reclassification of the soils was however made in the case of dry lands. These lands were assessed at the same rates as were fixed in the non-Periyar tract:—

Rs. 2-12, Rs. 2-00, Rs. 1-8, Rs. 1-2
Rs. 0-14, Rs. 0-8, Rs. 0-6, Rs. 0-4.

74. Fields registered as dry which had been regularly under wet cultivation for the term of 3 or more consecutive years and from which it was impossible to exclude water were transferred to wet, provided they could be irrigated economically and without prejudice to other registered wet lands. Dry lands which owing to their level could be irrigated only by cross-bunding the channels, were retained as dry. Dry lands registered at wet which owing to their high level or for any other reason were unfit for wet cultivation were transferred to dry where the owners raised no objection.

75. It may be noted here that there was no ban on wet registry as such in the Periyar Delta unlike in the Cauvery-Mettur Project area but the Periyar ayacut having been heavily loaded to capacity under high duty, wet registry was confined to lands covered by water permits, any extension being confined to "hard cases" which can be covered by permits without detriment to the ayacut.

76. The resurvey and re-settlement of the 16 hill villages of the Kodaikanal taluk were taken up in 1924. The resettlement notification for these villages was approved in G.O. No. 1835, Revenue, dated 6th October 1925. All the villages except Kodaikanal were re-surveyed. No general reclassification of the soils was made. All the irrigation sources placed in the fourth class at the original settlement were now transferred to fifth class. The existing scale of rates in wet lands was left unaltered in spite of rise in prices in view of the peculiar difficulties incidental to cultivation on the slopes of hills. But the actual rate payable on each field was fixed at the average of the total assessment collected on it during the previous five years. No separate second crop

charge or water rate was imposed and the ryots were left at liberty to convert dry lands into wet during the currency of the settlement, without paying additional assessment. No enhancement of rates on dry lands was made in the villages of Kukkal, Mannavanur, Pundi and Pumbarai, but in the remaining villages the rates sanctioned for the rest of the district were introduced, with the modification that in no case was the revised rate to exceed the old rate by more than 18½ per cent. The resulting dry rates were:—

2-6-0	1-12-0	1-7-0	1-2-0
0-14-0	0-8-0	0-6-0	0-4-0

77. The duration of the settlement was declared to be 23 years to coincide with the expiry of the term of resettlement of the Periyar tract. It may be noted here that in the hills of Kodaikanal and lower Palnis only the appropriate taram assessment is levied on occupied and irrespective of whether it is raised to a plantation crop or a non-plantation crop or left waste, whereas in the other areas like the Nilgiris, Shevroys and Anamalais, the hill tracts are classified only as developed and undeveloped and charged fixed rates irrespective of the crop grown, the higher rate being applied whenever an undeveloped land is developed. It has however to be added that sub-paragraph 2 (e) of paragraph 42 of B.S.O. 15 dealing with disposal of land in hill and plantation area of Madurai district provides for levy, in the case of assigned lands, of the rates of Rs. 5 per acre for Cardamom, Rs. 3 for plantation crops such as tea and coffee, and 10 annas for non-plantation crops or undeveloped extents, which will be raised to Rs. 3 per acre when the last category of lands become developed.

78. *Freehold Tenure.*—The Kodaikanal taluk was newly constituted in 1889. Kodaikanal and Adukkam villages comprise an area of 2,069.30 acres. Of this extent Acres 1,538.39 is agricultural land and the rest waste. As an incentive to secure permanent residents in the sparsely populated Kodaikanal hills, lands in this hill area were sold mostly for building purposes in auction at an upset price of Rs. 20 per cent under the Freehold Rules of 1861. The lands were sold as 'Ever Free' from all land revenue, but subject to local taxes. Though the assessment has been fixed for the lands at resettlement in fasli 1355, it is not being collected. The occupiers enjoy full occupancy right with alienable right and there are no intermediaries. This tenure which is prevailing in some other districts also in the State is proposed to be abolished by legislation making provision for patta being issued to the occupier or actual cultivator, other than the tenure holder, if there are any.

Implementation of the Acts XXVI of 1948, 26/63 and 30/63.

79. The estate area in Madurai district accounts for about a third of the total area of the district and lies widely dispersed in all the taluks interspersed with the ryotwari tract.

80. Under the Tamil Nadu Estates (A and C into R) Act, 1948, 35 Zamin estates and 198 Inam estates were notified in G.O. Ms. No. 3157 (Revenue), dated 9th December 1950, 2302 (Revenue), dated 1st September 1951, No. 1671 (Revenue), dated 7th June 1952 and No. 397 (Revenue), dated 30th January 1958 covering an area of 1,612.45 square miles in all. The take over of some of the estates like Gandamania, Kanur, Kannivadi and Bodinaickanur was held up by stay orders of the Courts and the last estate (and also the biggest) was taken over on 2nd July 1957. The estates are located as follows:—

Taluk.	Number of estates.							
Madurai	...	...	...	...	...	...	...	122
Nilakottai	...	...	...	...	...	...	...	27
Palani	...	...	...	...	...	...	...	13
Melur	...	...	...	...	...	...	...	11
Periakulam	...	...	...	...	...	...	...	9
Dindigul	...	...	...	...	...	...	...	4
Tirumangalam	...	...	...	...	...	...	...	47

The estates were settled in Faslis 1370 to 1372. There was no under tenure estate in this district, nor any estate in Kodaikanal taluk.

81. Under Act 26/63, 11 Iruwaram inam estates covering an area of 8.87 square miles were notified in G.O. P. No. 781 (Revenue), dated 12th March 1965 and they were taken over on the notified dated 15th April 1965. The estates were settled in F. 1377.

Under Act 30/63, 11,849 minor inams with an extent of 126.30 square miles vested with the State on and from the appointed day (i.e.), 15th February 1965. They were all settled in F. 1379.

82. *Survey.*—Rettayambadi estate was surveyed by the Salem Survey Party, while the rest of the estate area in the district was surveyed by the Madurai Survey party.

83. *Settlement.*—The perambulation report was prepared by Thiru S. P. Ambrose as A.S.O., Madurai and endorsed by Thiru T. S. Sankaran, I.A.S., Settlement Officer, Party II, Madurai. The then Director of Settlement Thiru K. S. Sivasubrahmayan, I.A.S., offered his remarks. The then Settlement Commissioner Thiru S. Venkateswaran, I.C.S. conducted inspections and enquiries in some of the typical areas in all the taluks of the district before recommending the proposals to the Government. The report was approved by the Government in G.O. Ms. No. 1121 (Revenue), dated 13th April 1959. Settlement field work was done by the Settlement party, Madurai.

84. As some of the hill areas in Periakulam taluk were accessible through Kerala State, permission was granted to the officers and staff to March through that State in doing their work.

85. As mentioned earlier, there were three re-settlement notifications in force in this district on the eve of the coming into force of the E. A. Act 1948. They are:

1. The notification for non-Periyar tract approved in G. O. No. 710, Revenue, dated 28th March 1916 and a supplemental notification in respect of small rainfed tanks approved in G. O. No. 1413, Revenue, dated 19th December 1916.
2. the notification for Periyar tract approved in G. O. No. 1413, Revenue dated 15th April 1918, and
3. the notification for the hill tract of Kodaikanal taluk approved in G. O. No. 1835, Revenue, dated 6th October 1925.

86. The re-settlement notification for Periyar tract is almost similar to the re-settlement notification of the non-periyar tract with the difference that it provides for a separate set of wet rates under first class sources. The rates of assessment set out in the re-settlement notification for non-Periyar tract approved in G.O. No. 710, Revenue, dated 28th March 1916, as amplified by the re-settlement notification for Periyar fed tract approved in G.O. No. 1413, Revenue, dated 15th April 1918 (which provides the rates of assessment for first class sources feeding Periyar irrigated wet lands) was found most suitable for settling the estate villages. Orders were accordingly issued under section 68 of the Abolition Act that the money rates set out in the re-settlement notification for the Periyar tract for first class sources shall be adopted in conjunction with the rates set out in the re-settlement notification for the non-Periyar tract in the district. The notification prevailing in Kodaikanal taluk was found unsuitable for any of the estate areas. The notification under section 22 of the Estates Abolition Act embodying these provisions was approved in G.O. Ms. No. 1194, Revenue, dated 27th February 1960. This notification also applied to Sap'ur, Sandayur and Peraiyur zamins located in Tirumangalam taluk, portions of which were also lying in Sattur and Srivilliputhur taluks of Ramanathapuram district. But, however, the enclaves of Sivaganga estate lying in Melur taluk were settled under the notification applicable to that estate which in turn, broadly incorporated the rates and principles applicable in the re-settlement notification prevailing in Sattur and Srivilliputhur taluks of Ramanathapuram district.

87. The settlement notification under Act 26/63 was approved in G.O. Ms. 914, Revenue, dated 29th April 1968 while for the Minor Inams taken over under Act 30 of 1963, the notification was approved in G.O. Ms. No. 653, Revenue, dated 21st March 1967. These two later notifications also followed the rates contained in the re-settlement notifications and adopted the principles followed while effecting ryotwari settlement of the estate villages settled under the Estate Abolition Act, 1948.

88. The salient features of the settlement effected are given below :—

1. Except in the hill areas, soil classification was done under the five sort system. The need for adopting class—VI (red clay) was obviated and doubtful cases of red clay soils bordering on class VI were placed under Class VII.
2. Periyar fed tanks (including those benefited by percolation) were placed in Classes I and II and the Settlement Officer had discretion to place exceptionally poor sources in class III. The non-Periyar sources were classified in II, III, IV, or Vth. Class as per capacity. Non-Periyar sources benefited by drainage from Periyar ayacuts were to be suitably classified. The effect of Vaigai Reservoir Project on any ayacut was to be ignored.
3. The wet lands in Tirumangalam taluk which will receive water from the Vaigai Project for a summer crop only, were assessed with reference to the classification appropriate to the tank under the non-Periyar sources ignoring the effect of the project, but were subject to the levy of additional water charge for taking Periyar water.
4. The Theppams or shallow wells in Tirumangalam which normally supplied water by tapping natural copious springs and led by channels capable of affording continuous supply for about 4 months in a year were placed under class V as applicable to ayacuts under poramboke wells.
5. Other spring sources unconnected with river systems were classified on merits.
6. No land deserved to be registered under Manavari and consequently provision therefor was not made in the settlement notification.
7. Lands liable to submersion in the foreshore of tanks and granted patta were charged a special rate which was one term higher than the appropriate rate of dry assessment.
8. All dry lands were placed in a single dry group as in the ryotwari areas, the need for adopting group II not arising in any case.
9. The Inam villages served by the Periyar system were already surveyed by about the year 1920 and their soils classified for purposes of fixation of national assessment for levy of land cess. The Settlement Commissioner found that the soil classification in these villages was underestimated and very inaccurate and it therefore needed reclassification at the estate settlement. By the same token, the classification adopted for the irrigation sources in those villages also needed to be checked up, particularly with reference to the improvements made since then.
10. In the Periyar delta dry lands granted water permits were registered as wet if they were commandable. Uncommanded lands as well as "hard cases" were registered as dry.
11. Lands in Periyakulam taluk on which two crops were regularly grown under Periyar fed sources possessing an assured supply for two wet crops were registered as double crop. Similarly in the tract known as the "double crop area" located in Nilakottai, Madurai, and Melur taluks lands lying in compact blocks and growing 2 wet crops for 5 years or so were registered as double crop if the sources could afford assured supply for 2 crops. The usual provision was made for composition of second crop charge on single crop wet lands in non-Periyar tract.
12. Madurai district abounds in forests and nearly of half it is comprised in the estate areas. The Settlement Commissioner made intensive inspections of the hill areas in the estate villages of Kottagudi, Narasingapuram, Sirumalai and Manalur as well as the ryotwari tracts of Pannaikadu and Naranathevanpatti to find out how far the re settlement rates based on soil classification prevailing in the Kodaikanal hills will be suitable to similar plantations in the estate areas. He found soil that classification would be un-realistic in most cases and not in line with the modern views on assessment of plantation crops and will constitute a departure from the practice followed in the Nilgiris and the Shevaroyis which abounded in plantations. He came to the conclusion that a flat rate of Rs. 2 per acre for plantation crops and Re. 0.87 for non-plantation crops or undeveloped lands would be equitable, the description of plantation crops being adopted to include plantains and silk cotton which were grown under plantation conditions and yielded as much or even more than a coffee plantation. He also viewed that no separate rate need be provided for paddy raised in a small extent and that paddy lands may also be assessed at the rates applicable to developed lands. In this respect a departure was made from the re-settlement rates prevailing in Kodaikanal hills based on soil classification and provision was made in this regard in the notification relating to the estate areas.
13. During the settlement of hill villages it was found that the survey extent of occupied lands on hills was far in excess of the extent shown in pattas. Enquiry under Section 11 of the Act was therefore taken up in advance of the final settlement inquiry to decide on the bonafides of the claims for the extent under occupation in each case, with a view to registering as forest all land for which private claims is not successfully established. In fact, the claims to forest land was the most engaging aspect of settlement in Madurai district.
14. Kuduval is a special feature noticed in Thevaram and Bodirakkur estates. They are large topes which serve as wind breakers. They occupy such large extents as 400 acres in Pottipuram and 193 acres in Silamalai villages. In these and 5 other villages, which are vulnerable to ravages of sand-laden winds of high velocity rushing through a gap in Cardamom hills, it was found necessary to protect the village site from being sandcast and hence topes clustered with different species of trees were raised on the west and south west of those villages. The villagers claimed to have raised the topes on their own initiative on their lands and later handed them over to the landlords for the maintenance. The landlords employed watchmen and also sold the right to wind fallen trees. On the eve of the estate settlement, however, the landlords assigned portions of these Kuduvals on patta, and the assignees lost no time in cutting the trees down. In view of the public importance of these Kuduvals as wind shields, efforts were taken at settlement to preserve them as poramboke by disposing of claims to patta for the Kuduvals, either by the landlords or the assignees, strictly in accordance with the legal provisions.

TIRUNELVELI DISTRICT.

TIRUNELVELI DISTRICT.

I. Introduction.

1. Tirunelveli district, which covers an extent of 4,407 sq. miles in the south-eastern extremity of Tamil Nadu, ranks eighth in population in the State.

According to 1971 Census.

(a) Rural Population	...	...	...	...	...	...	21,71,019
Urban Population	...	...	...	...	...	...	10,29,496
Total Population	...	...	...	...	...	...	3,200,515

(b)*Rivers.*

1. Thambaraparani.
2. Varahanadhi.
3. Ghatana Nadhi.
4. Pachaiyar.
5. Chittar.
6. Uppodai.
7. Vaippar.
8. Malattar.

(c) Irrigation schemes.

1. Completed in 1st plan period :—Manimuthar Reservoir.

2. In Progress.

Major Scheme.—Chittar-Pattanamkal Scheme to serve Tirunelveli and Kanyakumari districts.

Medium Schemes.—

Ramaadhi
Tha Gatananadhi
Karuppanadhi

Electrification.—

4665 Towns and Villages
1291 Harijan Colonies

Cattle.—

White Cattle	...	...	...	...	...	...	...	5,98,766
Black Cattle	...	...	...	...	...	...	...	2,12,445
Sheep Cattle	...	...	...	...	...	...	...	7,86,456
Goat	...	...	...	...	...	...	...	3,21,655
Pigs	...	...	...	...	...	...	...	28,023
Total poultries	...	...	...	...	...	...	...	9,31,398

II. Physical Features:

2. Tirunelveli district which is roughly triangular in shape, lies between 8°.05' and 9°.30' of the northern latitude and 77°.05' and 78°.25' of the eastern longitude. But for Kanyakumari district, this is the southern most district in this State. The district is bounded by Ramanathapuram district on the north and the Travancore region of Kerala State and Kanyakumari district on the west. To the south and east of it lies the Gulf of Mannar.

3. In general, the appearance of Tirunelveli cannot be said to be picturesque except at the foot of the western mountains and along the river valley where alone the country is wild and beautiful. The north-eastern portion of the district is level plain of black cotton soil; the south-eastern portion being a mere stretch of sand. The fertilising water of the Tambaraparani river enriches its beautiful valley, and supports the ancient culture in this riverine tract. The Chittar basin is another fertile region. The chief food crop cultivated in the river valley is paddy and three-fourths of the ayacut consists of compounded double crop wet lands. The characteristic feature of this undulating country is its "Theris" or sand dunes punctuated by waterpools known as "Tharuvais" which are harnessed to irrigation. Subsoil water is tapped in a big way around the Tiruchendur region for irrigation. The district gets its name from the town "Tirunelveli" which, from the times at least of the Nayaks, formed the headquarters of this part of the country. Sathur and Srivilliputhur taluks were transferred to Ramanathapuram district in the year 1910. The Shenkotta taluk of Quilon district was added to this district under the States Reorganisation Act, 1956 (Act XXVII of 1956).

4. Though, like other districts, its economy is mainly based on agriculture, it is to a great extent sustained by the traditional household industries prevalent in the district. The fine mats of Pattamadai are world famous. The palmyra fibre which is exported earns foreign exchange. Pearl and chank fisheries and salt industries flourish in the coastal belt of this district. The district has shown much progress in industrialisation in the recent past. The India Cements at Talayuthu and Dharangadhara Chemicals at Sahupuram near Arumuganeri in the private sector, and the South Indian Co-operative Spinning Mills at Pettai are some of the important landmarks in the Industrial development of the District. A deep seaport is coming up at Tuticorin to facilitate the industrial development of the hinterland.

5. The other notable feature that goes to make this country fascinating is its ancient temples. Nelliappar temple at Tirunelveli and Sri Subramanyaswamy Temple at Tiruchendur are important places of pilgrimage. Alwarthirunagari is the birth place of Nammalwar, the foremost of all Vaishnavite Saints and the ancient temple here is a place of worship to Vaishnavites. Sankaranainarkoil, Srivilliputhur, Nanguneri and Thirukurundi are also important places of pilgrimage with celebrated temples. There is a temple at Krishnapuram about ten miles from Tirunelveli which has some wonderful collection of sculptures.

6. Courtallam in the Western Ghats in Tirunelveli is the spa of the south. The famous water-falls here provide a good health resort in addition to being a place of tourist interest.

III. Political History:

7. Tirunelveli has a dominant place in the recent political history of the State. Veera Pandiya Kattabomman of Panchalamkurichi challenged the British authority and was subject to cruel reprisals. Sri Subramania Siva the valiant freedom fighter, hailed from this part of the country. The Tamil Poet, Sri Subramania Bharathi, spent a part of his life at Ettaiyapuram where a Bharathi Mandapam has been raised in his memory. Sri V. O. Chidambaram Pillai, a native of Ottapidaram, started a Swadesi Steam Navigation Company in 1906 with its headquarters at Tuticorin, as a challenge to the monopoly enjoyed by British commercial navigators. The immortal Vanchi Iyer made Maniyachi junction an important land mark in freedom struggle by shooting at the then Collector Mr. Ashe.

8. The ancient history of Tirunelveli is bound up with that of the Pandyas who ruled Madurai region comprising the southern portion of the Peninsula up to the early part of the 16th century. Even before the Pandyas, a prehistoric race is believed to have existed in this land, as brought to light by the curios of relics unearthed at Srivaikuntam and in several other places in this district.

9. The writings of Megasthenes, the Greek Ambassador, and other foreign travellers, show that the Pandyan kingdom was in a very prosperous condition even in B.C. 269; Korkai, a port known to the early Greeks near the mouth of Tambaraparani, was the earliest Pandian Capital in Tirunelveli. This was later engulfed by sea. It was then a

centre for seafaring trade, especially in pearls and horses. During 1063 A.D., this country was conquered by Rajendra Chola and was held under the sway of the Cholas for a short period. After the Cholas, it passed into the hands of Mohammedans who governed it for the Emperor at Delhi till 1365, when it went again to the Pandyas. Aided by the Kings of Vijayanagar, who were then at the zenith of their glory, Parakrama Pandya Deva started a new line after the Mohammedan interregnum. The kings of Vijayanagar exercised supreme authority over the Pandyas, but without much interference. But shortly thereafter (by 1520) the Pandyan dynasty was subverted by the Nayaks of Vijayanagar.

10. The Nayaks ruled Tirunelveli from Madurai during the 16th, 17th and the early years of the 18th centuries. It was by them that the extensive and admirably conceived system of irrigation found in Tirunelveli was established. Nagama Nayak and his son Viswanatha Nayak were the actual conquerors. Viswanatha Nayak ruled the Madurai Kingdom from 1559 A.D. to 1563 A.D. The famous Mangammal who ruled over Madurai from 1689 to 1704 A.D. held the Kingdom for the Vijayanagar kings. Nayak rule descended by posterity for fifteen generations. The later Poligars, or the feudal chiefs of the south, owe to this dynasty the establishment and foundation of their power. The last of the Nayaks died in 1731 A.D. and shortly after that the kingdom fell into the hands of the Mohammedans from the North whose power lasted from 1736 A.D. to 1805 A.D.

11. *Mohammedan Rule.*—After the fall of the Nayaks the country passed into the hands of the Nawab of Carnatic in 1736 A.D., when the country was conquered by the Nawab of Carnatic. Mohammed Ali and Chanda Saheb were rival claimants for the Carnatic territory to which Tirunelveli and Madurai then belonged. The cause of Mohammed Ali was espoused by the English, while Chanda Saheb had the support of the French. This gave rise to a series of conflicts in the Carnatic in locations between Coleroon and the extreme south of the Peninsula, which gave the British an opportunity for their ascendancy. However, the preoccupation of the English with Tipu gave the Poligars of the South an opportunity to rise in rebellion against the Nawab and to create disturbances.

12. *Poligars.*—At the time, there were thirty-two Poligars in Tirunelveli each of whom had a strong fort and a body of armed retainers. They were mostly local chiefs under the Vijayanagar dynasty of south India. After its downfall the chieftains having no proper central power to check them, vied with each other in asserting their independence. Though they were under the acknowledged suzerainty of the Nawab, many of them evaded payment of tribute. During the latter half of the eighteenth century, they were in a state of constant rebellion against the authority of the Nawab who was supported by the English.

13. *English Intervention.*—To suppress the Poligars the English fought several wars, one in 1755 in which Colonel Heron led the army and another in 1783 by Colonel Fullarton. Throughout the latter half of the 18th Century the East India Company was persistently at war with the Poligars on behalf of the Nawab at Tirunelveli and Madurai. The fall of Tipu's regime with the capture of Srirangapatnam by the British in 1799 and the treaty that followed enabled the English to divert a large part of their army to suppress the revolt of the Poligars in the South.

14. *The most rebellious of the Poligars was Kattabomma Nayakan of Panjalamkurichi.* He, with a spirit of independence, stood steadfast against foreign domination. The principal Poligars who took Kattabomma Nayak's side against the English were those of Nagalapuram, Goliarpatti, Elayerampannai, Kadaigudi and Kulathur and also Pulidevar, the Poligar of Avudayapuram. The strongest supporter of the English was the Poligar of Ettaiyapuram, followed by the Poligars of Uttumalai, Chokkampatti, ThalavanKottai, Maniyachi and Melmandai. Panjalamkurichi was attacked by Major Bannerman in 1799, in which Kattabomma gave stiff resistance. He first escaped without being captured. But he was caught by Tondaiman, Raja of Pudukottai and was handed over to the English who hanged him in Kaitar.

15. Consequently, the Poligar of Panjalamkurichi and his supporters were dispossessed of their estates which were distributed among the Poligars who supported the English. The two brothers of the late Pongar of Panjalamkurichi who were kept in jail organised a second revolt and fought the English with Marudu brothers of Sivaganga in Kalaiyarkoil in 1801. They were also caught and hanged.

16. By this time the Nawab had become quite powerless and he had handed over the management of the country to the English even by 1781, but little or no progress was made towards administrative reorganisation until the fall of Srirangapatnam in 1799. At the fall of Srirangapatnam, the British accused the Nawab, Mohammed Ali and his son with treasonable correspondence with Tippu Sultan and assumed the entire Governmental rights after making pecuniary provision for the family of the Nawab, by the treaty of 1801. In the year 1802 the whole management of the revenues of Tirunelveli was made over by the Nawab to the English by another treaty. The history of the district as administered by the East India Company dates from that year.

17. Before the occupation of Tirunelveli by the British, the Portuguese occupied in 1532. Tuticorin, the most important sea port town, and other minor ports of Tunnaikayal, Vembar and Manapad. After the decline of the Portuguese power in Tirunelveli, the Dutch occupied Tuticorin in 1658. The Dutch power declined in 1736 A.D. After the British took over this territory in 1801, they consolidated their power and the region became so emaciated that any echo was scarcely felt when the north reverberated with the sepoy mutiny around the year 1857. The patriotic fervour that was rekindled in the earlier part of this century, however, brought forth warm response from the martyrs of this region. The British regime eventually ended by 1947 on India attaining independence.

IV. Land Revenue Administration.

18. As to the way in which the old native Government managed their revenues, and the rates at which they assessed the lands under their direct superintendence, we have, unfortunately, no information.

19. Some important details are however available of the revenue administration of the district during the period 1739-1800 when it was, nominally at least, under the control of the Nawab of Arcot. Dry land contributed a very small proportion of the revenue and was comparatively little accounted for. The usual procedure was to hand over such lands to the ryots of the village for a lumpsum called KATTUKUTHAGAI, leaving it to them to apportion the amount amongst themselves according to the extent of each man's cultivation. In regard to wet lands, which were the object of chief interest to the Government, the practice in almost every year, from 1739 to 1800, had been to divide the produce between the Sirkar and the cultivators. The apparent exception to this rule was the period 1760 to 1763, when, under the management of Muhammad Yusuf Khan, the assessment was collected in money according to current prices. As, however, this method consisted simply in handing over to the cultivators to sell the Sirkar's share of the crop at harvest, it could scarcely be called a cash rent.

20. Another peculiar feature of revenue system of this district was the levy of Palmyrah tax separately from the land, which system survived upto the last resettlement. The details of this tax are given elsewhere below.

21. The leading principle throughout the period was, however, to raise revenue by any means that greed and ingenuity could devise. In 1739 the villainous device was invented of using a smaller measuring-rod than in previous years; in 1745 the demand, which had been in the case of the best fields at the rate of seven KOTTAIS for a seed-cess, was invested and added to the demand on wet lands; in 1758 a still smaller rod was used, but the YAVANA was increased and a new impost, "the channel cess" created; in 1764 the YAVANA was doubled and the NUZZER invested. For six years, 1770-75, the Sirkar's share was fixed at 60 per cent of the produce and, to offset the increase, the YAVANA was temporarily abolished. During part of this time the sirkar

grain was thrust on the ryots at a rate of commutation which exceeded the current selling price and, by way of consolation to the people, a slightly longer measuring-rod was used.

22. The earliest interference of the civil officers of the East India Company in the Revenue administration of the district occurred in 1781, when, by treaty with the Nawab, the revenues of the Carnatic were assigned to the Company and "Receivers of Assigned Revenue" were appointed and sent to the district. The Nawab's rentiers still continued during 1781-82; and though nominally subordinate to the "Receivers", these "ministers of public exaction" paid scant heed to the orders of their superiors.

23. Under Mr. Irwin's management, in 1783 and 1784, when the company took over the administration temporarily from the Nawab, the district was divided into groups of villages, or "mittas", which were leased to renters. Mr. Torin followed the same plan in 1790 and 1791 when the country was formally assumed by the company. From 1793 to 1799 the country was under AMANI; and in 1800 the Nawab rented the district for three years to seven renters, whose lease was cut short by the unforeseen change of Government which occurred in 1801. During the sixty-one preceding years the land revenue collected from the district had varied between sixteen and thirty lakhs of rupees.

24. In 1800, the year before Tinnevely passed to the company, Major Macaulay, who was commanding Palamcottah, was surprised to receive reports of scarcity of grain. On enquiry it was found that the villages around Palamcottah had been mortgaged by the Nawab to an European adventurer and that he and six of his companions were holding up the grain of the whole district. The country was swarming with dubashes and "CONOCOPOLIES", gangs of "badge-peons" and guards or sepoys; and numbers of defaulters had been thrown into prison by these tyrants. Macaulay gave four of the principal offenders the option of going to jail or to Madras; and they chose the latter. Government, to whom Macaulay reported his action, entirely approved his efforts "to frustrate the machinations of interested and unprincipled individuals who fatten on the spoils of an artificial famine, in the extorted wealth of the people and in the wreck of public prosperity".

25. When Mr. Lushington took charge as the first Collector of the district in August 1801, the KAR crop was on the ground; and though anxious to form a village settlement, he decided with a view to collecting all possible information with regard to outturn and prices, to keep the crop under amani. Thus in fact he revived the method that had been followed from 1793 to 1799. The Pisanam crop was dealt with in the same way. In regard to the dry lands, money collections were made in accordance with the numberless rates and measurements which had long existed. Their treatment was from the outset different from that of the wet lands and the demand was supposed to approximate to one-third of the gross produce.

26. Mr. Lushington found that in the accounts the dry lands were roughly divided into four classes, known, in descending order of fertility, as KARISAL, VEPPAL, POTTAL and SEVVAL, and were assessed at different rates accordingly. He adopted both the recorded classification and rates and made the ryots apportion the assessment amongst themselves according to the quality of the land each man cultivated. In the next year the rates were increased to five in number, but by and large they were somewhat reduced; a survey was put in hand, and the ryots of one village were told off to classify the lands of the next. Most of the ryots, as might have been expected, did the work in their own homes and classed the best lands in the lowest tarams. In 1804 the Collector had to start the work once again. The rates were once more raised and, on the completion of the survey, were finally fixed in 1808 at figures which thereafter remained unaltered. They varied between Rs. 2-5-0 and As 10 an acre. To those rates were added a number of miscellaneous charges, professional taxes and village dues of all kinds, so that the original rates became unrecognizable. One redeeming feature was that "YAVANA" was abolished in 1807.

27. Reviewing the Tinnevely land-revenue system in 1827, Government observed : "No good system of revenue management appears to have been established in Tinnevely. The system, such as it was, is calculated to keep the Collector in ignorance of the state of the district and seems to have had in a great measure that effect. There are no detailed accounts or even abstracts in his Cutchery that can be depended upon. The Karnams execute many of the duties which properly belong to the Collector and the Tahsildars. They distribute the assessment; they assess ryots as they please by entering their lands under a class of higher or lower rate of assessment. Orders regarding money settlement have been entirely misunderstood. The orders to fix money rent upon the average produce and prices of a number of years have been interpreted to mean that, after ascertaining the average of any village, the whole of the lands of the village, whether good or bad, are to be assessed at the same rate instead of being assessed according to the relative produce."

28. The Board issued orders for the classification of the wet lands, and Mr. Drury, who became Collector in 1828, adopted a system which his predecessor, Mr. Kindersley, had initiated in the previous year. The wet lands were divided into KANNARS, or blocks; accounts were prepared which showed the fields in consecutive order, the extent of each, and the standard of its productivity in terms of KOTTAIS. By 1835 one hundred and forty-six villages in the Taluks of Tinnevely, Tenkasi, Ambasamudram and Sankaranainarkoil, assessment still remained with the mirasidars. The AMANI system had, by 1839 at least, disappeared altogether. Between 1842 and 1844 an experimental survey and settlement more or less according to the modern system, was carried out by Mr. E.B. Thomas, the Collector in four villages; a commutation rate of Rs. 2-4-0 for a KOTTAI was adopted, the settlement was apparently popular, and its adoption actually resulted in a slight increase of revenue. It was felt, however, that the rates adopted were too low; and in the light of subsequent events it is satisfying that the scheme was not extended. This opportunity was taken to anticipate some of the reforms which were adopted in the subsequent settlement of the district.

29. In spite of all the patchwork that had been attempted during the course of several years the revenue system remained most unsatisfactory. There were too many wet rates in force for KAR AND PISANAM together; the average of the wet assessment was higher than in any other district in the Presidency, and, under the best irrigation sources, wet lands paid twice as much as the average wet rate prevailing in Coimbatore, the district next most highly assessed. As late as 1855 it was calculated that one-third of the cultivable wet land was permanently waste, some because the rates made cultivation unremunerative, and some because it ought never to have been classed as wet at all. In the river valley, a second crop on double-crop lands often paid as much as 80 per cent of the first crop charge; and in the case of lands registered as single crop the assessment due on a second crop varied according to the caprice of local custom. As a result of the arrangement by which the ryots themselves apportioned the assessment, gross irregularities disfigured the accounts; the poor man's land was at a disadvantage with that of the rich, and scarcely a trace of the ryotwari system was to be found. The OLUNGU prices, was not proof against the effect of sudden rise of prices in the market, and during the period of high prices which set in with 1853, the system actually raised the assessment to an almost impossible figure. There were no less than 146 OLUNGU rates in force in the various parts of the district; and, as the market price of grain was not fixed until the end of April towards the close of the fasli, the ryot never knew what the demand against him would be until he was called upon to pay it.

30. During the first fifty years of the nineteenth century, that is, through the periods of AMANI management, triennial lease, decennial lease and finally the OLUNGU settlement, the land revenue derived from ryotwari lands, though subject to fluctuation, had averaged about Rs. 17 lakhs. From 1843 onwards the price of grain had shown a marked upward tendency, but the increase was not sufficient to deprive the ryots of the benefit of the OLUNGU principle. In 1853 prices went up with a bound and in that year were nearly double what they had been ten years before. By 1857 they had advanced by another 40 per cent, and they again increased by nearly 25 per cent in the following

year. The demand now stood at the alarming and unprecedented figure of Rs. 28 lakhs. The olungu system was clearly doomed and in the next year (1859-60) it was abandoned in favour of a new settlement, called the MOTTAFASAL. It started under favourable conditions. By the new system (which had already been tried in Tanjore) the OLUNGU standard price was adopted as the unalterable commutation rate. Although the price of grain actually fell in 1859-60 by over 30 per cent, the result of the adoption of the fixed standard price was saving in that year to the ryots of Rs. 5 lakhs as compared with what they would have had to pay under the old system.

31. In the case of lands irrigated by private wells the old practice had been to levy assessment according to the nature of the crop grown. In 1841 it was felt that this amounted to taxing improvements and orders were consequently passed that lands irrigated by privately-owned wells should pay only PUNJAI rates. In actual application, however, the order was taken to mean that wells sunk after the year (fasli 1251) in which the new rule came into force should have the benefit of the concession; lands under "old" wells continued to pay at the old varying rates.

32. The NANJAI-MEL-PUNJAI was, in theory, the assessment levied on lands classed as "wet" but fit to produce only "dry" crops, such as ragi, onions and senna, it was in practice often confused with the charges levied, under the names BAGAYAT or VANPAYAR, on certain crops grown on wet lands, such as betel, sugar-cane, tobacco, turmeric and plantains. A crop classed in one village as VANPAYAR was registered in another as NANJAI-MEL-PUNJAI. Under the AMANI system it had been impossible with most of these crops to divide the produce; consequently money-rents, differing from village to village, had been usually demanded, and those rents survived under subsequent systems, subject to the salutary rule that, if the NANJAI rates were higher, that should be paid. The tax on betel gardens was a specially vexatious one. In addition to the assessment the cultivator had to pay a transit duty before he might pluck a single leaf; and it was calculated that the average taxation, including assessment and duty, to which this species of produce was subject, amounted to Rs. 40 an acre. In 1842 the rule was introduced that all NANJAI-MEL-PUNJAI lands, if irrigated, should pay ordinary wet assessment, and in 1855 eight specified kinds of cultivation, which fell properly under the class of VANPAYAR or BAGAYAT, were declared liable to two full WET rates.

33. The charges known as PATTAM and PORUPPU were in the nature of favourable "quit-rents" imposed on lands granted, or believed to have been granted, subject to certain conditions in regard to reclamation.

34. A vexatious charge which from the earliest times had been levied in certain villages as an additional cess on the wet and dry lands was DESAKAVAL tax. It represented the fees formerly levied by the Poligars on the lands of the Sirgar villages on the pretext of "WATCHING FEES". Some villages paid it and some were exempt, and the rates at which it was calculated appear to have been numberless. Proposals to abolish the tax were sent up from time to time, but it came to be finally abolished at the settlement of the year 1874-1878.

35. A curious additional impost on the land was the tax known as NILAVARI which was levied on dry and wet lands alike; and from the accounts preserved of the method by which it was assessed, it seems unlikely that even the large sums, varying between one and two lakhs of rupees, which were annually credited to this head, represented the whole of the collections made under the pretext of this tax. NILAVARI included, fees paid to the village servants; charges incurred by the villagers in buying limes when the headman went out to receive persons in authority; presents given to the huzur accountants at the time of Jamabandi; travelling allowances for village headmen; fees paid by the MAHAJANAMS to the taluk office gumastas in order that they might be given their proper titles in the accounts; fees to shroffs; fees to "Sastris, poets, musicians, jugglers, and tumblers" for the services or performances they gave when high officials came to the village; and a host of other payment's. The tax was abolished in 1857. By 1859, therefore, the revenue system had been purged of many of its worse vices.

36. Attention was now paid to streamlining the village accounts with a view to the determination of the amount due by each ryot both on wet and dry lands, and two important accounts, described as the A and B registers—the precursors of the modern settlement register—were put in hand. The B register was the important one. It exhibited the total extent of land in the occupation of each ryot, not only that which he had cultivated in the last preceding fasli, but also that which though fallow, had been at any known period in his occupation. The register was completed in 1864; and from that year onwards each ryot was responsible for the assessment on the extent of land entered in his name and received a patta showing the demand against him. The individual fields had, in most villages, not been surveyed, and, even where this had been roughly attempted, there was no notation by which they could be specified; consequently the entry made against each ryot's name was the total assessment due on his entire holding. In the case of wet lands this sum was calculated at the commutation rate, either with reference to the standard MELVARAM rate of the village, or, if the village had been classified, according to the "block rate"; in the case of the dry lands the taram rates were adopted.

37. Another factor that inhibited the growth of cultivation was the mirasi tenure that got abolished at this juncture. The mirasdars claimed right on lands including waste in the village and the cultivator was treated only as Purakudi. This tended to restrict assignment of waste land in a large scale as mirasdars demanded Swamibogam on waste lands brought under the plough. This claim did not stand the test in the Court of Law. Due to the sustained effort of the Government to grant patta to the actual cultivators this claim met with a natural death.

38. *Palmyrah tax*.—From the days of the Nawab, and probably from a much earlier period, all palmyras had been assessed separately from the land, and the Government had full right to the timber of the trees. Under the Nawab these trees were leased out over large tracts for a lump sum to the "head inhabitants" who were left to collect the amounts from the "inferior ryots". Mr. Lushington had the palmyras counted, classed and assessed at so much a hundred, and there seems little reason to doubt that many of the curious rates which were found to prevail at the time of the resettlement actually dated from those early times. There were cases where the trees were enjoyed by persons, other than the landowner. The tax varied according to sex and age of the trees and from village to village. The "Palmyra tax" formed from the beginning of the Company's rule an important item of the revenue (among "ready money collections") contributing over a lakh of rupees annually. Besides the palmyras, 38 kinds of other trees were also taxed and brought in a further revenue of about Rs. 27,000. Unauthorised cutting of the trees invited penalty.

39. From 1851, the only trees besides the palmyrah which were taxed the coconut, illuppai, tamarind and mango. Mr. Puckle had remitted the charge for fruit-trees growing on patta land, except for such as were owned by others than the land pattadars. For these and for fruit trees on poramboke lands and assessed wastes he fixed a scale of charges and issued "other item" pattas. At the resettlement, patta issued for fruit-trees standing on patta land were cancelled; for trees of these four kinds standing on poramboke and assessed waste land, the old system of "other item" pattas was continued.

40. Thiru Sundararaja Iyengar refers to the tree tax in his book "Land Tenures in Madras Presidency" as follows:—

"RIGHT TO TREES".

"The pattadar is absolutely entitled to the trees standing on his holding, and is not separately charged therefor. Separate pattas are not now issued for trees, except for palmyras in the Tinnevely District, and where such pattas have been issued, they are to be cancelled, and the tree pattadar left to make his own arrangements with the land pattadar if the two happen to be different. The interest of the tree pattadar is an interest in land, and he has no more than a mere right of access to the fruits of trees. He has an interest during the continuance of the patta in the tree itself, and in all that is necessary for the growth of the tree including the soil on which it stands. But his interest in the soil is a limited one and is in the nature of an easement. It extends to a right of access to the trees for taking their produce and for manuring and watering them when occasion requires and subsists only so long as the trees exist. Except to this limited extent, he has no absolute right either to the soil on which trees stand or the interspace between them, nor can he demand a patta therefor as of right. He has got only a right to the usufruct of trees. He has no right to the trees if they fall, and their value is to be recovered from him if he fells, or otherwise destroys them. His interest is liable to be cancelled, if the land is at any time given on demand on the tree pattadar for revenue in respect of the trees, and the land pattadar has no right to interfere with the tree pattadar's possession, when it is not shown that Government resumed possession of the trees or made any grant of them to the land pattadar".

41. *INAMS*.—The preparation of a register in 1814 under the orders of Mr. Cotton represents the earliest methodical attempt to deal with the inams of the district and it provided the basic account for the Inam Settlement of 1863 and the following years, besides the statements prepared at the successive Jambandis of later years. The land mains are generally of the same kind as elsewhere and need no description.

42. The so-called DITTAM was a deduction of a fixed extent, and the IVU of a percentage, from the annual cultivation of the village, the proportionate revenue demand on which was paid over, in cash to the inamholder. Most of these inams were enjoyed by village-servants. The PATTAM lands were wet lands which paid a low assessment in grain; the "Poruppu" were lands, both wet and dry, which paid a low assessment in money in proportion to the extent of the actual cultivation of the village. Similar remissions were the chaturbogam a deduction from the assessment allowed to the PANGU-VALIS or Mirasidars, and the MAHAJANA SHORTRIYAM, a similar, though smaller, allowance. According to tradition, these concessions were originally conferred by the Madurai Nayakkan rulers on the numerous Brahman settlers whom they introduced from the north. The ARDHAMANIYAMS paid half the full assessment; KATTU-KUTHAGAI lands were grants made subject to a fixed favourable assessment.

43. All these inams were settled on the same principles as elsewhere. Inams paid by deduction from the village beriz, with the exception of those rare cases in which they were commuted into land inams, were not dealt with at the Inam Settlement

44. An important item of land revenue which from the earliest times was collected and managed by Government officers, was that connected with the temples of the district. The fund was derived from two main sources:—

(i) THE DEVASTHANAM, consisting of DASDIC and of MANIYAM revenues; and (ii) the TIRUPPANI. Under the old Hindu Government, lands had been set apart for the support of a number of Hindu temples and, fifty years before the assumption of the district by the English, the Nawab took possession of these lands and substituted for the income derived from them an allowance in money similar to mohini allowances in Thanjavur district. In Mr. Lushington's time (fasli 1211) this fund amounted to Rs. 1,79,691. The practice continued of deducting this amount annually from the land revenue collections and apportioning it among the temples.

45. The MANIYAM revenues, derived from lands, the assessment due on which had been alienated in favour of temples, were also collected by the district officers and disbursed by them to the various institutions. An annual income of about Rs. 26,000 was derived from this source.

46. The Tiruppani, which yielded a yearly income of about Rs. 21,000 was derived mainly from a payment known as PORPICHAI, "Alms from the heap," a deduction made from the gross produce of wet lands before the division was effected between the ryot and Government. A similar payment levied in the case of dry lands only and known as KHETWARI also contributed to the fund. The proceeds of DEVASTHANAM and TIRUPPANI were spent on the maintenance of 350 temples scattered throughout the district.

47. Besides these resources the temples held land under the designation of SARVAMANIYAM AND KATTU KUTHAGAI, either free of assessment or on favourable tenures; many of the institutions also possessed ordinary ryotwari lands.

48. From the earliest times the control of the district authorities extended to all details connected with the temples; the collection of their revenues, the management of their lands, the regulation of their daily expenses and periodical festivals, the maintenance of their fabric-in fact, to every item of receipt and expenditure. At first the TIRUPPANI was collected by Tahsildars and disbursed by them at pleasure; but from 1806 this fund, like all other branches of temple revenue, was paid into the treasury and entered in the district accounts. Of the temples thus managed by Government, the majority received support from the DEVASTHANAM fund, a few had lands only, a few only TIRUPPANI; others had combinations of two or more of these sources of revenue.

49. In about the year, 1840, Government resolved to withdraw itself from the management of the temples, a decision which, it appears, was received with general dissatisfaction. According to the Collector's report, the people asserted that "the relinquishment of Government control would be speedily followed by the destruction of the institutions themselves...". In 1841, the 350 temples then under Government management were divided into two classes, "village temples" and "district temples". The former were handed over to village committees; of the latter, which numbered nine altogether, seven were handed over to trustees and two, the Nanguneri and Tirukkurungudi temples, to Jeers.

50. The question then arose as to what should be done with the temple lands and with the surplus lying in the Government treasury to the credit of the DEVASTHANAM and TIRUPPANI. In 1843 a lakh of rupees was spent from the DEVASTHANAM fund on the construction of roads in the black-cotton country; and in 1845, under the orders of the Government of India, the Madras Government disposed of the remaining surplus funds by transferring them to the general education fund of the Presidency. The management of the lands belonging to the temple was handed over to their committees or trustees in 1849. The payment of the TASDIC allowances continued, the annual amount being fixed, in 1846 at Rs. 1,81,368. With regard to the "Porpichai" and KHETWARI payments, which constituted the bulk of the TIRUPPANI, some difficulty was felt. The payments were, in theory at least, of a purely voluntary character, and by compelling ryots to continue them Government placed itself, it deemed, in a false position. It was ultimately decided (in 1860) that the collection of these fees on the part of Government should cease entirely and that any trustees who were willing to do so might receive good cultivable waste land in compensation; otherwise they might themselves collect the old contributions from the ryots.

51. In 1864 two district committees, one for Saivite and the other for Vaishnavite temples, were created; and, with the exception of the Nanguneri and Tirukkurungudi temples, which still continued under the control of their jeers, those temples which until 1841 had been under Government management were handed over to the newly formed bodies.

52. About 1865 a suggestion was made that the TADIC allowances should be converted into assignments of land revenue. The matter was left for consideration at the settlement of the district; little progress was made, however, and the matter continued under correspondence for years. Title-deeds conveying inams with a total annual revenue of about Rs. 14,000 had, by 1895, been issued in the place of tasdic allowances; of these inams some were again commuted into tasdic allowances, with the result that at the present day a very small fraction, less than 7 per cent of the original tasdic allowance, is now enjoyed in the form of land revenue assignment.

IV. (A) SETTLEMENT

53. In 1861 Government decided that the district should be surveyed with a view to its settlement on the latest ryotwari principles. Demarcation began in 1862, and in 1866 Mr. R. K. Puckle, a veteran, was appointed to the district as Collector and Settlement Officer. The progressive measures taken already to abolish all vexatious taxes and the maintenance of correct revenue accounts had already infused confidence in the ryots. After perambulation of the district, Mr. Puckle wrote in the year 1867.

"It is little more than twenty years ago that ordinary land was hardly worth holding. The market prices were low, the crop was often sold before it was reaped, and small land-holders frequently left their lands and fled the country to avoid debts which they knew they could not meet. Only the best irrigated and garden lands had a marketable price and they were not worth generally more than Rs. 100 an acre.

"Now, the worst irrigated lands are worth as much as the best were twenty years ago and the best are now worth upwards of Rs. 1,000 an acre. In fact, land is so valuable that there is literally no waste in some taluks, all being held on patta. The increased value of land has led to improved cultivation. Some taluks have been improved, and prices in neighbouring districts have consequently been raised. The gradual abatement of taxation and restrictive enactments, the abolition of fluctuating changes on the land and the stricter supervision of native subordinates have all tended to a certain degree to increase the value of land."

54. For the purposes of his settlement, Mr. Puckle dealt with tracts of country, not with taluks, and divided the district into its four natural divisions; (1) the NIRAKAMBAM, a stretch of country comprising the tract (at that time 345 villages) irrigated by the Tambraparni and its affluents and running in narrow strips through the five taluks of Tinnevely, Tenkasi, Ambasamudram, Tenkarai (Srivaikuntam) and Nanguneri; (2) the KADARAMBAM, a region not so irrigated, extending from the north to the south of the district and containing 409 villages; (3) the sandy tract of country generally referred to in the settlement records as the "Palmyra forest", in which Palmyras largely take the place of cultivation. This region, extending from the mouth of the Nambiyar eastwards for about forty miles with an average breadth of ten miles from north to south comprised 68 villages lying in the south-west of Nanguneri and the south of Tenkarai (now Tiruchendur); (4) the plain of black-cotton soil (the modern Koilpatti and north Srivaikuntam and Sattur) comprising 188 villages.

55. Mr. Puckle's first scheme, embodied in an exhaustive report which he sent up in 1868, covered the first-named of these four tracts. For the calculation of his money rates for wet lands Mr. Puckle had adopted as commutation rate the average of the selling prices of paddy during the previous 98 years; the Government took exception to this and sent the scheme back for revision on this point. In all other essentials the proposals were accepted and warmly approved. Less than a month later Mr. Puckle sent in his revised scheme, suggesting two alternative commutation rates, one based according to the instructions of Government on the prices of twenty years (1846-1865) immediately preceding the beginning of settlement operations, and the other deducted from the prices of the years 1844-1863. Mr. Puckle preferred the second alternative, as the prices of 1864 and 1865 had been exceptional and their inclusion raised the rates to a dangerously high figure. The Board and Government agreed with Mr. Puckle, and his proposals were finally accepted without further modification. Soils were placed in 5 classes, regar clay, regar loam, regar sand, red loam and red sand; wet lands were placed in 4 groups and arranged in 10 tarams ranging from Rs. 12.00 to Rs. 2.00 per acre. Second crop was compounded at 2/3 for the first 2 tarams, 1/3 for the 3rd taram, 1/3 for the 4th taram and 1/4 for the others. The charge for an occasional second crop on single crop wet land was 1/4th the wet assessment. Lands fed by Kannadiyan and Palayam channels taking off Tambaraparni were placed in the first group and those in the Theri villages placed in the fourth group, while the other lands were arranged in the second and third groups, according to the quality of irrigation. All dry lands were placed in one group and assessed in 7 tarams between Rs. 2.8 to As. 0.4 per acre. Richer red loam was deliberately put as IV-1 soil to invite a higher rate. The ayacut under old wells (i.e. those constructed before 1841-Fasli 1251) called "Olaperi lands" were treated as per accounts as improved dry lands and charged special rates of Rs. 5 or Rs. 3/8 per acre, only to be abolished later in 1883, whereas a specially low rate of Re. 0.3 per acre was levied for loose red sand (VII-6) met with in the "Teri" tract which was classified as "worse than worst red sand". A special feature of this settlement was that dry lands received comparatively less attention in soil classification and the higher tarams were scarcely used as the bulk of the revenue on dry lands was raised by means of the palmyrah tax and consolidated with the land assessment. Mr. Puckle had also dispensed with calculation of standard crop outturn and prices for dry lands as he did for wet lands. The sum total of the settlement assessment was that it was the highest in the state, but Mr. Puckle could not be accused for it, as he had to contend with the highly strung presettlement rates while attempting to bring in equitability without much sacrifice of revenue.

56. In 1874 Mr. Puckle was appointed to act as Director of Settlement but he retained the general supervision of the settlement work of the district, the immediate charge of the work being left with Mr. A. T. Arundel, who, as additional Sub-Collector, had been conducting the settlement of the Ambasamudram taluk, and with T. Venkatachari a "Special Assistant," who had been engaged in the Settlement of Tenkarai (Sri Vaikundam and Tiruchendur). Mr. Puckle's tenure was interrupted by his promotion to the Board of Revenue in the same year, but he reverted to the post of Director of Settlement in 1876 and continued to supervise the Tinnevely settlement until its close in 1878. He is hailed as the greatest benefactor of the district, not only for his pioneering settlement work, but also for the other ameliorative measures which he undertook with the full co-operation of the people.

57. From 1843 onwards the subject of the Tinnevely tree tax was continually before Government but no change was made in the old system. Mr. Puckle was the first to take the matter seriously in hand. He divided palmyras, for revenue purposes, into two classes; (i) SASVATHAM and (ii) "other item" trees.

58. Palmyras enjoyed by the owner of a survey field, in which there were not also trees belonging to other persons, were declared to be SASVATHAM, and in respect of these the landowner was given complete ownership on payment of a tax in addition to the land assessment. This tax, which was based on the figures recorded in the existing accounts, was consolidated in the patta with the land assessment and was unalterable during the currency of the settlement; the pattadar might cut and sell his trees or plant new ones without incurring any further charge. In this way Government parted with its right to the timber of nearly six million trees, including seedlings.

59. "Other item" trees included all trees for which separate pattas were issued, viz. (1) trees which stood on patta land and would have been Sasvatham but for the fact that one or more persons other than the land pattadar also possessed trees on the same survey-field; (2) trees standing on patta land and enjoyed not by the land pattadar but by some one else; (3) trees standing on poromboke land and enjoyed by a ryot who had a tree patta for them; and (4) trees which were similarly held on patta and stood on unoccupied assessed land. All these four kinds of "other item" trees were at the settlement divided in the accounts into five "botanical" classes; PARUVAM, a female tree which has been tapped; KAY, a female tree which has not been tapped; OLAIVETTU, a tree of either sex which has hitherto served no purpose but to provide leaves; VADALI, a young tree not more than six feet high. In all these "other item" trees Government continued to have the full right to the timber, and anyone who cut a tree without permission was liable to a penalty. They were taxed at an anna for a paruvam tree, six pies each for kai and kattu trees and three pies for a Olaivettu tree while Vidalis were not included in the patta and not charged. These trees, numbering six million, were recounted and reclassified periodically and it presented a formidable task to the revenue staff. A redeeming feature, however, was that the tree ownership had progressively merged with the land owners over a period of years so that at the re-settlement, the number of trees that had to be dealt with had reduced to 1/3 that number.

60. Advantage was taken of the settlement to abolish certain old-fashioned remissions known generally as CHATTURBAGAM (amounting in all over half a lakh of rupees annually) granted without consideration to certain privileged classes, mostly Brahmins. A village cess of one anna in the rupee of assessment was levied; and this, added to the fixed deductions which had customarily been made from the revenues under the heads DUPATI MANIAM, STALAM KAVAI and Karnams' salaries, was formed into a fund which paid for the new village establishments. Lands held in common enjoyment were in numerous villages divided amongst the shareholders; 38,000 transfers of patta were effected; many new fishery-pattas were issued, and, where such a patta stood in the names of numerous shareholders, some absentees, some dead and forgotten, each of whom was still shown to possess a petty fraction, a new deed was issued in the name of the village temple or the Sasta on the tank bund, the remaining shares being left to apportion the proceeds among themselves; grazing grounds aggregating 10,000 acres were provided in numerous villages, and in the Tenkasi taluk a strip of the lower ghats was set apart for a similar purpose, as "cattle exercise ground". A number of small rain-fed tanks (particularly in the Tinnevely and Nanguneri taluks), the maintenance of which by Government was disproportionately expensive, were handed over with their ayacuts on special acreage rates to the pattadars for private maintenance.

IV. (b) Resettlement:

61. The period for which Mr. Puckle's Settlement was to be in force was declared to be thirty years; and in fasli 1313 (1903-1904) the two taluks of Tinnevely and Tenkasi became due for a resettlement and other taluks followed in that order. A resurvey of the district was found necessary and was put in hand in 1904. Mr. D. T. Chadwick was appointed to the district as Settlement Officer, and in 1905 he sent up his proposals for the resettlement of the three taluks of Tinnevely, Tenkasi and Ambasamudram.

62. The result of the enquiries made in all parts of the district was to show that the economic history of the district during the preceding thirty years had been one of marked progress. The settlement had been followed by a striking increase of cultivation in all the taluks ranging from 14 to 55 per cent.

63. For wet lands it was decided to limit the actual enhancement of the rates to 12½%. The difficulties confronted in applying this general increase to individual fields were got over by suitable adjustment in classification of irrigation sources, chiefly based on the percentage of the ayacut regularly cultivated with a second crop and finally the following rates were adopted; with the exception that in the third taram under single crop wet lands, the rate adopted in Nanguneri and 4 other northern taluks was Rs. 10-4-0 instead of Rs. 11-8-0.

	First Class.		Second Class.		Third Class.		Fourth Class.	
	Single.	Double.	Single.	Double.	Single.	Double.	Single.	Double.
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
	RS. A.	RS. A.	RS. A.	RS. A.	RS. A.	RS. A.	RS. A.	RS. A.
IV-I & VII-A	15 0	22 8	13 2	17 8	11 8	14 6	8 8	10 4
IV-2, VII-I	13 2	19 12	11 8	15 4	8 8	10 10	6 12	8 2
III-1, IV-3, V-1, VII-2, VIII-1.	10 2	15 4	8 8	11 6	6 12	8 8	5 0	6 0
III-2, IV-4, V-2, VII-3, VIII-2.	7 8	11 4	6 12	9 0	5 0	6 4	4 0	4 12
III-3, IV-5, V-3, VII-4, VIII-3.	5 10	8 8	5 0	6 10	4 0	5 0	3 6	4 0
III-4, V-4, VII-5, VIII-4.	4 4	6 6	4 0	3 4	3 6	4 4	2 12	3 4
II, 1-5, V-5, VIII-5	3 6	5 0	3 6	4 8	2 12	3 8	2 4	2 10

64. For dry lands the highest two tarams which specially related to "olapperi" or permanently improved lands and the last 3 tarams were left undisturbed, whereas the other intermediate 5 tarams were enhanced by 12½% as for wet lands. All dry lands were placed under a single dry group.

65. The comparative old settlement and resettlement dry rates are given below, though in practice the first 2 tarams were not applied at all. The anomaly of having to classify superior red loam in the valleys as IV-I soil to arrive at the appropriate money rate was corrected by introducing a special sort under red loam VII-A.

Settlement.	Resettlement.
RS. A.	RS. A.
5-0	5-0
3-8	3-8
2-8	2-13
1-8	1-11
1-0	1-2
0-12	0-13
0-8	0-9
0-6	0-6
0-4	0-4
0-3	0-3

66. Many important changes were made in palmyrah tax at the resettlement. The old classification of trees according to age and sex was given up. All palmyrahs, whether on patta lands, porambokes or assessed wastes were counted and divided into two classes: (1) "Smooth" trees; that is, those which had been prepared for tapping, the evidence of this fact being that the bark had been smoothed; and (2) "rough" trees; those which had not been so treated. VADALIS were ignored. The district was divided up into "groups" according to the general quality and value of the palmyras

which each contained, and a uniform scale of rates (as shown in the table below) was imposed on all palmyras, on whatever kind of land they stood:—

Taluk's.	Rate per tree.	
	Smooth trees.	Rough trees.
	(2)	(3)
(1)	PIES.	PIES.
First group—33 villages in the "palmyra forest" of Tiruchendur	8	3
Second group—36 villages in Nanguneri, 56 villages in Srivaikuntam, and 37 villages in Tiruchendur.	6	3
Third group—Tenkasi, Ambasamudram, Tinnevely, Kollpatti, Sankaranainarkoil, 47 villages of Nanguneri, 16 villages of Srivaikuntam.	4	2

67. In respect of all palmyras standing on patta lands Government waived their right to the timber. To meet the problem of "mixed holdings", that is, holdings in which there were trees held on patta by a person other than the land pattadar, it was decided that separate tree pattas for "other item" trees on occupied land should no longer be issued and that such trees, as well as any SASVATHAM trees which might exist in a survey field, should be entered in patta of the landholder only. The assessment fixed on all trees found at the resettlement to exist on patta lands was consolidated with the land assessment and declared unalterable during the currency of the settlement. All "other items" palmyras standing on occupied land became SASVATHAM trees, the policy started by Mr. Puckle thus being driven to its logical conclusion.

68. In the case of trees standing on assessed waste land, pattas exhibiting a consolidated assessment both for the land and the trees were, as a rule, issued to the tree pattadars. If the trees were confined to a portion of the assessed waste field, a sub-division was made, and, where tree holdings were intermixed, joint pattas were given. With regard to palmyras on poramboke lands, and on assessed waste lands which for some reason or other were not given on patta, Government retained their right to the timber; and for these trees alone the issue of tree pattas was continued. They were to be recounted every third year.

69. In order to induce the ryots to effect by mutual arrangement a transfer of rights and to terminate the system of "mixed holdings", special officers were appointed at the resettlement to act as mediators under the supervision and guidance of the Settlement Officer. In regard to no less than two-and-a-quarter millions of trees, which stood on patta lands, and had been held on "other item" patta, agreements between the pattadars of land and trees were, by the exertions of these officers effected and recorded. As a rule the land pattadar bought the palmyras from the tree pattadars; in other cases the tree pattadar bought the land; in a few instances joint pattas were issued in the names of the pattadar of the land and the former pattadar of the trees; in some case with the land pattadar's consent, the portion of land containing the "other item" trees was subdivided off and assigned to the tree pattadar; sometimes the tree pattadar, after paying for the Government share of the timber, was allowed to cut and remove his trees; in fact, compromises of every kind were effected, with the object of securing a consummation, for which the ryots as a body were no less eager than the revenue officers. The result attained was perhaps the most remarkable achievement of the resettlement, and was largely due to the personal exertions and influence of Mr. Chadwick, the Settlement Officer.

70. Mr. Chadwick's resettlement, though not strictly conforming to acknowledged principles, can be considered to be a pioneer effort to rationalise the land tax structure in the district and as a continuation of the steps taken by Mr. Puckle in that direction earlier. The innumerable rates that prevailed earlier due to the consolidation of palmyrah tax with land tax were brought down to an absolute minimum, and a method was introduced into the deviations that existed from the accepted canons of ryotwari settlement.

71. The second resettlement which was due in the year 1935 was taken up by Mr. S. K. Chettur, I.C.S., but even before he could make any progress, he had to abandon the work as the Government decided by then to dispense with resettlements once for all and the Tirunelveli ryots were saved of the incidence of a still higher rate of tax that might have resulted if the second resettlement had come through.

72. The anomalous and vexatious palmyrah tax which was unique to this district was the subject matter of public agitation which caught the attention of the Government who ordered, as a first step, in G.O. Ms. No. 2191, Revenue, dated 12th August 1949, that the palmyrah tax on trees standing on wet lands be abolished with effect from Fasli 1359. The palmyrah tax on dry land was also later given up as per G.O. Ms. No. 334, dated 13th February 1954 by applying a new set of taram rates to the land assessed to palmyrah tax by adding 0.2.0 per acre to the existing taram rates, with the exception that where the existing resettlement tax, including palmyrah tax was less, that will alone be collectable. The chequered history of this palmyrah tax in the history of about 2 centuries in Tirunelveli District thus came to an end.

Implementation of the Provisions of Act XXVI of 1948, 26/63 and 30/63.

73. (1) *Settlement of Estates and Minor Inams.*—Under the Tamil Nadu Estates (Abolition and Conversion into Ryotwari) Act, 1948, 71 Zamin Estates, 5 Under Tenure estates and 112 Inam estate covering 1,398 square miles, were notified and taken over on various dates. All the estates have been settled.

74. Eighty-five whole inam villages covering an area of 75.19 square miles were subsequently notified and taken over under Act 26/63. They have been settled in faslis 1379 and 1380.

75. Six hundred and seventy-seven minor inams covering an area of 101.12 square miles have vested on and from the appointed day (i.e.) 16th February 1965 under Act 30/63, out of which 675 minor inams have been settled during faslis 1379 and 1380, with the exception of two minor inams covering an extent of 0.25 square mile which are covered by stay orders of High Court and their settlement is held over.

76. The estate area in this district forms a sizeable part of the total area of the district representing nearly 35 per cent of the area, Ettayapuram Zamin in Kollpatti taluk, Sivagiri Estate in Sankarankoil taluk and Uthumalai Estate in Tenkasi taluk being notable among them. Forty seven other villages lying in Sathur and Srivilliputhur taluks of Ramanathapuram district and forming part of Ettayapuram, Sivagiri and Athangarai Zamin estates were also settled along with this tract. Except for a block of about 700 square miles around Ettayapuram in Kollpatti taluk, the estate area in other tracts lies interspersed within the ryotwari tract.

77. The following are the resettlement notifications prevailing in this district, though there is generally no variation in the rates adopted, except for the 3rd wet taram which is lower in 5 taluks.

1. The Resettlement notifications of the taluks of Ambasamudram, Tenkasi and Tirunelveli approved in G.O. No. 304, Revenue, dated 31st January 1908 and G.O. No. 1071, Revenue, dated 10th July 1908.

2. The Resettlement notifications for the taluks of Tiruchendur and Srivaikuntam approved in P.O. No. 2149, Revenue, dated 5th August 1909 and G.O. No. 2711, Revenue, dated 2nd October 1909.

3. The Resettlement notification for the taluk Nanguneri approved in G.O. No. 2753, Revenue, dated 9th August 1910 and

4. The Resettlement notification of the taluks of Kollpatti and Sankarankoil approved in G.O. No. 785, Revenue, dated 18th March 1911.

78. It was around 1911 that a reorganisation of the Taluks was made under Sir William Myer's Scheme and consequently Sathur and Srivilliputhur Taluks were transferred to Ramanathapuram district.

79. Anjengo and Thangaseri villages of Malabar district were transferred later in the year 1927 only to be retransferred to the Travancore-Cochin State in 1950.

80. Shencottah taluk of Travancore State was later added in the year 1956 on the State's reorganisation and constituted as a separate taluk and it has been settled under the Transferred Territory Ryotwari Settlement Act.

81. *Perambulation*.—Thiru S. Bhupathy, B.A., Assistant Settlement Officer, Tirunelveli prepared the perambulation report, under the supervision of the Settlement Officer, Madurai, Thiru K. Vaidyanathan, I.A.S., who had inspected the villages in typical areas, viz., the black cotton area and coastal area of Koilpatti taluk, the red sand teri area and palmyrah land of Srivaikuntam taluk, the rich paddy lands under Tambaraparani system in Ambasamudram taluk, the Chittar irrigation system in Tenkasi taluk and the poor dry soils near Tirunelveli. They received valuable guidance in their work from the then Collector of Tirunelveli district Thiru R. V. Raman, I.A.S.

82. Thiru S. P. Ambrose, I.A.S., who had, in the meanwhile, assumed charge as Settlement Officer, Settlement Party I, Madurai offered his remarks on the perambulation report. Thiru K. S. Sivasubrahmanyam, I.A.S., the then Director of Settlements inspected some tracts and offered his views. Thiru S. Venkateswaran, I.C.S., the then Commissioner of Settlement of Estates, who had intimate knowledge of the district, also inspected the district and endorsed the proposals which were approved in G.O. Ms. No. 2075, Revenue, dated 6th June 1958. A settlement notification embodying the principles approved by Government was issued in G.O. Ms. No. 505, Revenue, dated 18th February 1959 and the same principles and rates were adopted in the settlement notifications issued later for whole inam villages and minor inams.

83. In effecting the ryotwari settlement of the estates taken over under the three Acts, the rates of assessment notified in G.O. 785 (Revenue), dated 18th March 1911 have been adopted as they were considered to be more representative of the tract under Settlement. A significant departure was made by providing for manavari classification of dry lands capable of raising wet crops, but not commanded by an irrigation source, the appropriate assessment being one taram higher than the corresponding dry assessment. The soils were classified into three series as Regar. Red ferruginous and Arenaceous; (The last one was added at this settlement to accommodate the soils occurring in the coastal tracts of this area. At the last resettlement only two series were adopted). The regar series was sub-divided into clay, loam and sand, while the red ferruginous and arenaceous series were sub-divided into loam and sand. Five sorts were adopted under each class, except the arenaceous series which was accommodated into three sorts. The additional sort VII-A was retained for the fertile soil in the villages at the foot of the hills, but sort VIII-6 was scrapped as not warranted on merits.

84. The classification of irrigation sources generally followed the principles adopted at the last re-settlement, but made more distinctive (viz):—

(i) All the irrigation sources comprising (1) The Tambarabarani Delta system, (2) The Chittar system and (3) all the irrigation sources in the villages of Kunakudi, Vallam, Sumaritherthapuram, Minnadisery and Sillarippuravu in Tenkasi taluk, which are served by hill streams emanating from Courtallam and Shencottah hills, which assigned four classes according to their nature and capacity of supply in accordance with the following principles laid down in the resettlement notification of Tirunelveli district:—

First class sources comprised riverfed sources, 85 per cent of the area under which is regularly cultivated with two wet crops.

Second class sources comprised river-fed sources, 50 per cent to 85 per cent of the area under which is regularly cultivated with two irrigated crops, one of which is a wet crop.

Third class sources comprised all river-fed sources, less than 50 per cent of the area under which is cultivated with two irrigated crops, and all rain-fed sources affording more than five months' supply; and

Fourth class sources comprised rainfed and other sources affording less than five months' supply.

Drainage sources were placed one class lower than the main sources;

(ii) All the other sources in the district were arranged in five classes according to their capacity and nature of supply as detailed below:—

First class sources usually comprised river-fed sources affording supply throughout the year.

Second class sources usually comprised river-fed sources affording supply throughout the year.

Third class sources usually comprised all sources river-fed or rain-fed, which ordinarily afford supply for less than eight months but not less than five months.

Fourth class sources usually comprised all sources river-fed or rain-fed, which ordinarily afford supply for less than five months but not less than three months. All lands fed by the theri springs were placed in the IV Class.

Fifth class sources usually comprised all sources affording supply for less than three months.

(iii) Lands benefited by the Thirumanimuthar Reservoir Project were all placed in the first class as in the adjoining ryotwari tract, irrespective of whether they were situated in the Tambarabarani delta or were served through tanks. The classification of dry lands was, however, retained as such, subject to levy of appropriate water charge.

85. Registration of wet lands as single crop or double crop followed the registry in the landholder's accounts, water charge being levied for second crop cultivation of single crop wet lands or for raising irrigated crops on dry lands. No provision was made for composition of second crop charge on wet lands except those in the Chittar river system. The Settlement Officer was empowered to recognise private irrigation sources and to fix the special rate of assessment leviable on the ayacut.

86. 2. *Settlement of Shencottah taluk*.—Shencottah taluk of Tirunelveli district comprises the area that was transferred to this district from the former State of Travancore-Cochin by the States Re-organisation Act, 1956 (Central Act 37 of 1956). A proposal for the ryotwari settlement of this tract under section 57 of the Madras Land Reforms (Fixation of Ceiling on Land) Act, 1961, was considered, but it was dropped as it did not provide a legal basis for doing away with the existing system of land revenue in the Transferred Territory and for imposing the ryotwari system and rates of assessment prevailing in Tamil Nadu. The Travancore-Cochin Land tax Act, 1955 that prevailed was later repealed by the Madras (Transferred Territory) Ryotwari Settlement Act, 1964 (Act 30 of 1964) to enable ryotwari settlement of the tract on par with the rest of the State. By this Act the uniform levy of a basic tax on land, irrespective of whether it was wet or dry, was replaced and the lands were subjected to assessment at different rates for wet and dry and varying with the fertility of the soil, quality of irrigation, advantage of location, etc., and it was effected by a settlement notification issued under section 9 of the Act. The principles and rates of assessment notified for the ex-estate villages in Tirunelveli district in G.O. Ms. No. 505, Revenue, dated 18th February 1959 were adopted in the notification issued in G.O. Ms. No. 297, Revenue, dated 14th February 1966 for effecting ryotwari settlement of Shencottah taluk as well as the newly formed Kanyakumari district. In proposing the notification, certain modifications were effected, keeping chiefly in view the dissimilarities prevailing in Kanyakumari district without any special reference to the Shencottah taluk which was located far away, as a distinct unit and contiguous to the Chittar basin in Tenkasi taluk. It was considered that the wet rates in

Tirunelveli district were considerably high and the rates of composition for double crop lands were rigorous and strict on points of assured supply and grain outturn. Further, the composition of second crop charge in Tirunelveli district had been done compulsorily. The irrigation projects in Kanyakumari district would not stand comparison with the Tambarabarani system in Tirunelveli district. In this background Thiru R. Thirumalai, I.A.S., the then Director of Settlements who proposed the scheme of settlement suggested, and it was endorsed by the Board, that the highest wet taram under the second class source of irrigation in Tirunelveli district might be adopted as the highest wet taram under the first class irrigation source in the Transferred Territory. This view was accepted and necessary provision was made in the settlement notification regarding wet rates and classification of irrigation sources etc. All villages were placed in the first dry group. Dry lands newly converted into wet and known as "Thiruthu" were registered as dry subject to levy of appropriate water cess. All irrigation sources connected with projects were placed in the first class and all other sources were placed in classes 1 to 5 according to the period of supply. "Old wet lands" served by project's and system canals placed in the first class, as also under rainfed tanks, were registered as double crop wet if two wet crops had been raised continuously for atleast a period of 5 years (excluding years of drought) and all other lands were registered as single crop wet. Though the notification provided for the double crop rates under all classes of irrigation sources, it specified that no application for composition of second crop charge on single crop wet lands would be received at the present settlement. The registration of wet ayacut followed registry in the village accounts subject to the usual provision for transfer to dry and subject to the wishes of the owners of the lands and the ayacutdars. Wet lands that depended on subterranean spring were registered as single crop lands and placed in the third, fourth or fifth class in accordance with the period of supply.

87. In respect of special tracts containing plantations and hill areas, provision was made in the notification for levy of assessment, as approved in G. O. 4638, Revenue, dated 19th December 1962, as follows:—

1. For developed areas in hills and plantations in plains the highest dry rate of Rs. 2.81 per acre equalling the soil in plain tract with special sort VII-A.
2. For undeveloped areas in the hills, the rate of Rs. 0.81 per acre which is one of the rates prevailing in the district.
3. Right was reserved for the levy of the higher rate of Rs. 2.81 per acre on lands newly brought under plantation crops during the currency of settlement.

88. The distinct feature of this settlement was, unlike in the ex-estate areas, that the followed registry in the village accounts and was brought upto date, but there was no provision to transfer to poramboke if any patta land was used by the public or for other communal purposes.

KANYAKUMARI DISTRICT.

KANYAKUMARI DISTRICT.

Introduction.

1. Kanyakumari district, triangular in shape and 658 square miles in extent, from the southern tip of Tamil Nadu. This district along with the Shenkottah taluk of Tirunelveli district, came to be transferred from the former Travancore-Cochin State on the State's reorganisation. This district with its four taluks came into existence with effect from 1st November 1956, while Shenkottah taluk was tagged on to Tirunelveli district. Eraniel, a sixth taluk, was merged with Kalkulam taluk at the time of this merger. In fact the western boundary of Tirunelveli district is Kerala and Kanyakumari, the frontier following, with a few important exceptions, the watershed of the western ghats. Above Panangudi, the boundary descends from the crest of Mahendragiri down the eastern slope of the hills and continues southward along the level country till it meets the sea at a point four miles east of Cape Comorin.

2. The southern most tip is the Cape Comorin, the land's end of India. It is in such a place there stands the temple dedicated to virgin Goddess Kanyakumari (or Sri Baghavathi Amman) from whom the district derives its name. A recent addition to the picturesque beauty of this spot is the Vivekananda Memorial erected on a flat rock jutting out of the sea a few hundred yards away from the coast, which is believed to be the seat of penance for a few days by Swami Vivekananda. This place situated 19 kilometres south of Nagercoil town, provides tourist attraction for the grandeur of the sight of the full moon rising in the east while the sun is setting down on the west, in the background of the confluence of the three seas.

3. Nagercoil which is the headquarters of this district is a municipal town located in Agastheeswaram taluk. The town derives its name from the ancient temple dedicated to "Nagaraja" or the serpent King. Legend goes that the inhabitants are the descendants of the fierce Naga Tribe.

4. The district has not lagged behind in arts and culture either. The ancient palace at Eraniel with its woodcarving, is a fine specimen of Kerala architecture. This was originally the seat of royal power of Travancore prior to its transfer to Padmanabhapuram, from which place it later moved to Trivandrum in the middle of the 18th century. The ancient palace of the Maharaja at Padmanabhapuram is another specimen of artistic value besides its archaeological importance. Keralapuram, alias Veerakeralampudur referred to as such in the historical documents, has an ancient temple with several inscriptions and it is believed to be the ancient capital of Wyanad. There is a famous temple dedicated to Badrakali in Mandakkadu near Colachel which attracts a mass of pilgrims during the annual festival, called Mandakkadu Kodai, in March of every year. There is also the rock cut temple with the vestiges of ancient murals at Tirunandikara dedicated to Lord Siva and it is believed to be in existence since prior to the 9th century. Vattakottam, a fort built by king Malthandavarma, is of historical importance. Educationally, this district is most forward. Most of the people here are forward agriculturists, though the district cannot be said to have advanced much in the field of industry.

5. In view of the geographical position of this area and its close cultural relationship with Tamil Nadu, many Tamilians have settled in this tract. This preponderance of Tamilian population was the cause of this tract being separated from Travancore-Cochin State and its merger with Tamil Nadu on the re-organisation of States on linguistic basis on 1st November 1956.

1. The geographical area of Kanyakumari district		1,66,928 hectares or 1,669 sq. K. M.
<i>Population—</i>		
Rural		1,018,144
Urban		204,405
Total		1,222,549

3. Plan Scheme—Irrigation—

Completed: First Five-Year Plan.
Perunchani Reservoir (Kodayar).

Second Five-Year Plan:

Neyyar Project II Stage.
Mambazhathurayar Dam.

Periyakulam Lift Irrigation and Tirunandhikkarai Lift irrigation Scheme.

THIRD FIVE-YEAR PLAN.

Chittar-Pattanamkal Scheme to serve both Tirunelveli and Kanyakumari districts.—

4. Electification of Towns and Villages	2,440
5. Pumps connected with Electricity	743
6. Cattle : White Cattle	1,17,719
Black Cattle	34,418
Sheep	4,621
Goats	44,238
Other Livestock	58
Poultry	5,11,900

6. Physical Features.—This district can be divided into three distinct tracts.

1. The ranges of the western ghats on the north, extending from State border to the west to the Thoivala pass in the east;

2. Vast plains of Nanjil Nad (Agastheeswaram and Thoivala taluks) and the undulating terrains in Kalkulam and Vilavancode taluks; and

3. The sea coast all along the extreme south:

7. In the deep recesses of the hills in the first tract there exist shola forests and grass lands where soft wood and cardamom plantations grow. At the lower elevations and at the foot of the hills are rich plantations of rubber, coconut and tea. In these mountains the rivers, Palayar and Paralayar take their origin in the Mahendragiri in the east and the Kodayar takes off further north in the plateau from where Manimuthar also originates and flows towards Ambasamudram in the opposite direction.

8. In the second tract paddy is the chief crop cultivated as the gently sloping gradient helps the easy natural surface flow of water, but the loose, sandy and red-laterite soils cause considerable seepage and drainage. It was the granary of the erstwhile Travancore State as is Thanjavur for Tamil Nadu. Nanjilnadu derived its name from its Chieftain Nanjai Kuravan, who is believed to have reigned over it in the 13th Century. Cultivation in Vilavancode taluk of dry and garden crops like areca, jack and plaintains is impressive and successful, especially in either margin of Kulithurai river. Barring the ribbon of this river margin, the southern portion of Vilavancode is all dry and infertile and the people are consequently poor. But the rich catches of sea fish and vegetable growing, mostly tapioca, have a good place in their economy.

9. In the third tract, where soil is sandy, cultivation has extended right up to the seashore in the taluks of Agastheeswaram and Kalkulam. Where the soil is fertile, coconut, mango, and cashew are grown, coconut especially all along the A.V.M. canal and mango and cashew in the uplands. A narrow belt all along the northern border of the district in Thoivala taluk also is dry where cumbu, cholam, tobacco and chillies are grown.

10. Of the four taluks, Kalkulam and Vilavancode taluks constitute a mountainous division with the spurs from the western ghats running into it. At Muthukuzhivayal in the mountain range of Kalkulam taluk, there is a plateau of about 10 miles length and six miles in width at an elevation of 4,400 feet. There are some isolated rocks of various heights, the more important among them being Vellimalai and Chingankadai in Kalkulam taluk and Maruthuvamalai in Agastheeswaram taluk. The sea coast is fairly fertile and flat. The coastal belt coupled with the hills, dales and plains, affords ample facility for the growing of various commercial and non-commercial crops making agriculture the main stay of the people.

11. *Rainfall.*—The rainfall is indeed lopsious, the annual average being 57.88", the bounty being evenly spread between both the south-west and north-east monsoons. The south-west monsoon yields the highest fall in the western parts of the district, while the north-east monsoon has its fall in the eastern and southern parts of the district. Generally the overall rainfall is the highest for a year in Vilavancode being at an average of 79 inches to 80 inches at Pechiparai and Kaliel reducing gradually to 62 inches in Thuckalay 40 inches in Nagercoil and 38 inches in Aramboly and 34 inches in Kottaram (near the Cape). Such sharp variations in the total amount of annual rainfall does not leave much impact in this small tract where the irrigation system-intensively developed-carries the surpluses of the higher up region down to the remotest parts, where subsoil water is intensively tapped for augmenting irrigation.

12. *Communication.*—This hinterland has not had the benefit of a railway line so far. A broadguage line is now being laid connecting Tirunelveli-Trivandrum (via) Nagercoil with a branch line to Kanyakumari and the initial work of this scheme is already in progress. The entire tract is however covered by an excellent net work of roads connecting almost all the interior villages, with subsidiary and feeder roads linking the main highways. The rapid strides which road development has taken is the story of just a century, before which pack animals, treading the long winding and narrow foot-paths, through the undulating country, and porters were the common sight. The district now boasts of a national Highway from Madras to Cape Comorin and another dustless road from Trivandrum to the Cape touching Nagercoil. The ancient sea port at Colachel handles all bulk cargo, and its efficiency has so far eclipsed the need for a railway system to augment transport.

13. *Commerce and Industries.*—In the field of industry there is much scope for speedy advancement. There is a spinning mill—Nagammal Mills at Nagercoil town near Parvathipuram. There is a Government owned Coir factory at Ethomozhi and a Government owned fruit farm at Cape Comorin. There is also a renowned Co-operative stone dressing unit at Mylady. The India Rare Earth Factory at Manavalakurichi which processes ilmenite and monozite is of strategic importance, being connected with the production of raw materials for development of atomic energy.

14. The mineral sand in some of the coastal areas of this district, containing Monazite, ilmenite, zircon, rutile, garnet and silliminite is used for various industrial and chemical purposes. Thick sand stones called "Calcareous" are available near Kanyakumari. Stones containing iron ore are also found near Eravipudur and Marungoor. These provide good raw material for potential industries.

15. *Irrigation.*—The Kodayar irrigation project is the chief source of irrigation in this district besides the other secondary sources (viz.), (1) The systems depending on or benefited by and connected with the Kodayar system, i.e., (a) Palayar system, (b) Valliar system, (c) Tiruparappu, R.B., and L.B., Channels; (d) Sembaikulam system and (2) Alathurayar system. Paralayar, which rises on the mountains north of Mahendragiri hills in Thoivala taluk, passes through a wild tract and enters the plains at Tiruvattar in Kalkulam taluk where it is joined by the river Kodayar. The combined river thence flows through hilly tracts of Kalkulam and Vilavancode to empty into the sea at Thengampattinam. The river Kodayar has been dammed at Pechiparai and the Paralayar at Perunchani. Improvements to these dams were taken up as plan projects and completed under the First Five-Year Plan. The Kodayar Project is a

ancient one expanded and improved from time to time. The Padmanabhapuram; Puthanar channel is an important work in this scheme. The Ananthanar (West Bank) channel, Thiruvithancode main channel, E. K. Kal, Eraniel channel, Aruvikkarai left bank and right bank canals, the Thuvaiyar are but some of the extensions of the Kodayar irrigation project. These not only provide stability of irrigation for an established ayacut of 23,000 acres but also afford supply for an additional ayacut of about 50,000 to 60,000 acres. Water is let for irrigation from 20th May of every year till the 15th February and as such the irrigation period is a little over 8 months. Kodayar is harnessed to power production also at two points to augment the Madras grid. The tail end lands, particularly under the Kodayar project, have constantly been subject to strain in supply and frequent failure as the water has to traverse long distances and through porous soil, entailing considerable seepage and difficulty. Agastheeswaram and Thovala, which are called Nanjil Nadu have good river-fed and rainfed tanks and Kalkulam only less, but has more of channel irrigation from Kodayar. Vilavancode is almost exclusively rainfed. The tankfed lands in Thovala and Agastheeswaram depend mainly on local rains and supply from Palayar, indeed more on the latter, and only less so on the Kodayar project water which could be claimed only at times of drought. The bed of the Palayar river which irrigates the wet lands in these two taluks and feeds the tanks, is deep and the river is in torrents and it drains off the water quickly. In dry months, it affords only inadequate supply. Of the riverfed tanks mention may be made of those big tanks in Suchindram and Parakka. Besides these projects and systems connected thereto there are some smaller tanks also, spring and spring ponds which augment the irrigation potential in this district. Such minor streams as Puttanar and Ananthanar in Agastheeswaram, Kuzhithurai river and Valliyar in Kalkulam also serve the irrigation needs of this district. A considerable extent is also cultivated with two wet crops with the aid of sub soil springs near the coastal area, tapped by innumerable wells fitted with pumpsets.

16. *Soils*.—By and large this district has only red-ferruginous soil. Some regar soil is however found in the Palayar basin and the Kodayar fed lands. In the coastal area stray patches of sparkling white sands and grey sandy soils exist in wet lands. The soil is clearly red sand in the southern portion of Kalkulam taluk and in Vilavancode.

17. *Agriculture*.—Paddy is extensively cultivated in the district. In the tract comprising the taluks of Tovala and Agastheeswaram, commonly known as Nanjanad, where the irrigation system is elaborate and copious, two crops are usually raised. The Pisanum is the most important crop reared from September to March. The Kar crop more precarious and less productive is sown in March or April and reaped in August or September. Among other cereals, cholam, especially the white variety is grown in the southern taluks joining Tinnevely, where the soil is black loam.

18. Ragi, samai and occasionally tenai are grown in dry lands and also in compounds in open places between trees. Cumbuu is very sparsely grown in the southern taluks and varagu is rare. Wheat is grown to a small extent only on the Cardamom hills. Maize is not common, but is occasionally found in parts adjoining Tinnevely.

19. Blackgram and greengram grow luxuriantly in soils containing lime found in the outlying taluks of tovala and Agastheeswaram. Horsegram is cultivated only in small quantities in open spaces on the hill tops and also in the interspaces between trees in compounds. As only the poorer soils are earmarked for it, it hardly meets the local demand.

20. The pride of the district is, however, the plantation crops such as tea, coffee, rubber, arecanut and cardamom grown on the plateaus and foots of hills for which the climate and the terrain are ideal.

21. *Political History*.—The history of Kanyakumari district was the history of Travancore State till the territory was transferred to the Tamil Nadu. It is, therefore necessary to give a brief history of this district and how it was closely associated with this state even prior to its merger.

22. Of the early history of the former Travancore State but little is known. Tradition says that it formed part of the ancient kingdom of Mahabali which was eroded by the sea and later retrieved by Lord Parasurama and gifted to the Nambudries. It then assumed the name Kerala. In the early centuries of the Christian Era this country, comprising the whole of the west coast, was ruled by a succession of chiefs at the invitation of the Namboodri landlords and by their common consent they each reigned for 12 years. About the first half of the 9th century A. D. CHERAMAN PERUMAL, the last in the line of the monarchs is said to have divided his country among his descendants and then gone on a pilgrimage to Mecca. During the latter half of the 11th century, the state was conquered by the Cholas, but about a century later the local chieftains recovered their lost possessions. During the middle of the 13th century the south-eastern portion of the State comprising the Nanjilnadu was invaded by the PANDYAS of Madura, who had by then reasserted their independence over the waning cholas. By the beginning of the next century, however, the local chieftains once again regained power and this time Nanjilnadu went into the hands of the Nanjai Kurava chieftain whose descendants lost to the Vellalas and were in turn subdued by Travancore. Achyutha Raja the Hindu King of Vijayanagar, and Sadasiva, his successor, invaded the State in 1534 and 1544. After the battle of Talikota in 1565, in which this dynasty was crushed by the united Muhammadans of Deccan, the State appears to have become a feudatory to the Naik Kings of Madura. At this time, in this confederacy of petty chiefships each unit vied for prominence over the rest. In the first half of the 18th century, however, most of them were subdued by MARTHANDAVARMA, who may justly be called the founder of Travancore. He had his troops strengthened and disciplined in the European pattern by a Flemish Officer named DE LANNOY (whose tomb may yet be seen in the ruined chapel of Udayagiri Port). He strengthened the fortifications of the country, improved its revenue administration, adorned it with palaces and temples, and opened up new vistas of commerce.

23. In all his undertakings, he was ably assisted by his minister RAMA AYYA DALWA and both of them are even now the subject of many a popular anecdote. This minister was also the Commander in chief of the King's army. Foremost among his military exploits was the conquest and annexation of the three principalities of KAYANKULAM AMBALAPUZHA and CHANGANACHERI. The consolidation of the conquered territories, the suppression of internal dissensions and the establishment of peace and order formed his life's work. The organisation of a commercial department for the development of trade, the introduction of an excise system and the preparation, for the first time, of a consolidated statement regulating expenditure from the revenue were prominent among his labours as Minister. His measures and rules are popularly referred to as the "Sattam (rule) of Rama Ayyan Dalawa".

24. Marathanda Varma was succeeded by Rama Varma, who followed in his footsteps. He succeeded in subduing the remaining chiefs and in 1761 constructed the historic Travancore lines, stretching in an almost straight line from the shore of the Cochin backwater opposite the ancient town of Cranganur to the foot of the ghats, to protect his State against the incursions of Haidar Ali, who had about this time usurped the sovereign authority in Mysore. Haidar threatened Travancore twice, in 1766 and in 1776. But on both these occasions his plans were thwarted by the Dutch, who stood between him and the State. In 1778, the Raja granted a free passage through his territories to the British troops sent to attack the French Settlement of MAHE, then much valued by Haider as the base of his military supplies. He had already treated with contempt Haider's proposals to become his vassal, and had openly declared himself the friend of the British, whom he actively assisted in their campaigns against the Muhammadan ruler. In consideration of these services, he was expressly named in the TREATY OF MANGALORE concluded with Tippu the son and successor of Haider, in 1784, as the "friend and ally of the British". Threatened again by Tippu in 1788, the Rajah entered into another agreement with the British, by which he allowed two battalions of sepoys to be stationed on his frontier at his own expense. Just then, Tippu, claiming the forts of Ayakotta and Cranganur, which had been just then purchased by the Raja from the Dutch, invaded Travancore (1789). He was defeated and narrowly escaped being slain in the encounter. But Tippu renewed the attack, and cruelly devastated the northern portion of the country. Hearing that the

British had in consequence declared war against him, he beat a hasty retreat towards Palghat; and on the conclusion of the war, he was compelled to restore all that he had wrested from Travancore. In 1795, the Raja entered into a fresh treaty with the British, by which he engaged to pay an annual subsidy adequate to maintain 3 battalions of sepoys, with European artillery, in return for protection against all aggressors by sea or land. The Raja also bound himself not to enter into any agreement with any European or Indian States without the previous consent of the British Government, nor to grant the former any settlements in his country, and to assist the British, whenever required, with his troops, who would be maintained at their cost. Three years after the conclusion of this treaty the Raja died. He had been ably assisted throughout the latter part of his career by Diwan Raja Kesava Das, who is even now popularly remembered as a great Diwan.

25. The Raja was succeeded by his nephew, Raja Balarama Varma. This prince was a weak ruler and hence intrigues began. On the disbanding of Nayar battalions in 1804, an insurrection was raised to subvert British influence in the councils of the Raja. It was easily suppressed by a subsidiary force from Quilon, and immediate measures were taken to prevent its repetition in future. A treaty was concluded in the following year (1805) by which the Raja was relieved of his old obligation to furnish military aid, but was required instead to pay annually in addition to the former subsidy of 8 lakhs of rupees, a sum adequate to maintain one more native regiment, and to bear an equitable proportion of the expense of a larger force, when necessary. He moreover bound himself to allow the British Government to assume the direct management of the State in case of non-payment; to pay at all times the utmost attention to the advice of the British Government; to hold no communication with any foreign State; and to admit no European foreigner into his service, nor to allow such foreigners to remain within his territories without the previous sanction of the British Government.

26. In 1809, the Diwan Velu Tampi Dalawa, in conjunction with the Chief Minister of the Cochin State, raised an insurrection and attempted to murder the Resident, Major Macaulay. The outbreak was easily suppressed and the Raja was required to defray the expenses incurred. These were but tardily discharged; and the British Government was about to assume the internal administration of the country as the only means of ensuring a satisfactory settlement, when the Raja died in 1810.

27. He was succeeded by Lakshmi Rani, who confided the administration of the State to Col. J. MUNRO, the Resident; and from that date Travancore commenced a fresh career of peace, progress and prosperity with an unflinching loyalty to the British Government. The prosperity of Travancore was due, not in a small measure to the reforms introduced by Col. Munro during his Residency and Dewanship. He reorganised the State administration and centralised it in the Dewan. The administrative unit was a Kelvi (called Paguthi later on) in charge of a Pravarthicar under the general supervision and control of a Tahsildar. These village units continue even today with only the larger and unwieldy units among them being recently split up.

28. The Rani died in 1815 and her sister Parvathi Rani became regent till Rama Varma, Lakshmi Rani's eldest son, attained his majority in 1829. During the reign of 17 years of Rama Varma, a series of administrative reforms were undertaken. He was succeeded by his younger brother Marathanda Varma in 1846. The latter was followed in 1860 by his nephew Rama Varma who received in 1862 from Earl Canning then Governor-General in India, sanad granting to him and his successors the right of adoption on failure of natural heirs. The relationship of the State with the British was on even keels since then and the British Government bestowed the honour of Maharaja on the ruler and decorated many of them in the line with such titles as G.C.I.E.

29. Travancore can be said to be the solitary State in the whole of India which had an unbroken tradition of Government by Hindu dynasties unswayed by the onslaughts of the Muslims or foreigners, like the British. The dispensation of laws was according to Dharmasastras and the peace that prevailed in the country was unparalleled and it was the bed rock of the country's prosperity. On the cession of the State to the Indian Union after India attained independence, it was constituted into a part B State with

Cochin and the Maharajah of Travancore was nominated the Rajpramukh to implement the laws made by the President in this amalgamated State. This arrangement was only short lived as, soon after, the reorganisation of States on linguistic basis brought about the dismemberment of this State and the Rajpramukh relinquished office to be succeeded by a Governor nominated by the President. The Constitutional protection of Royal privileges having since then been withdrawn by an amendment, the members of the erstwhile ruling house of Travancore assumed the status of ordinary citizens of the Indian Union.

30. *Kerala Theory of Ownership of Land.*—It may be appropriate to examine here the nature of right claimed in land by the State of Travancore and contrast it with the theory as developed by the Britishers in the Madras Presidency. Sir F. A. Nicholson writes in the Coimbatore Manual thus:—

"The land in Coimbatore (Part of British India) has always been held to be the property of the State or Commonwealth; this property may be handed over for cultivation to the ryot; or withheld, but once handed over it is the ryot's indefeasible property to use, alienate, or bequeath as he thinks fit, subject only to the payment of the assessment".

31. It is usual to speak of the Government in British India as Virtually the "Great landlord" and as "defacto proprietors" of the land; but the better informed opinion seems to be that laid down in the despatch of the Court of Directors, dated 17th December, 1856:—

"The right of the Government is not a rent which consists of all the surplus produce, after paying the cost of cultivation and the profits of agricultural stocks, but a land revenue only which ought, if possible, to be so lightly assessed as to leave a surplus or rent to the occupier, whether he, in fact, lets the land to others or retains it in his own hands".

32. The Madras Government had proposed in accordance with ancient customary usage to fix the land revenue at a certain share viz., 30 per cent of the gross produce. The Directors pointed out that the proposal to take a proportion of the gross produce was inconsistent with the principle that the right of Government was not even to the whole rent, but only to a share of it. In 1858, again Lord Stanley, the first Secretary of State for India, re-affirmed the same principle. He remarked.

"I am satisfied that it is quite impossible to ascertain with any approach to minute accuracy either the gross or the net produce of each field; but I am at the same time convinced that, if either or both of these objects could be accomplished, the right course would be to take a fixed proportion of the net and not of the gross produce".

33. In Sir Louis Mallet's minute on Indian Land Revenue, he observed:—

"In a return to the House of Commons in 1857, on Indian Land Tenures, signed by Mr. John S. Mill, I find the following general statement:—"Land throughout India is generally private property, subject to the payment of revenue, the mode and system of assessment differing materially in various parts".

34. Lord Salisbury in his powerful minute of 26th April, 1875 observed:—

"The practical difference between the word rent and revenue is very palpable to the cultivator. Under the rent theory his payments are a portion of his gross produce, limited by the condition of his first paying his wages and profits; under the tax theory they are unlimited either way, save by the power or mercy of the Government. It speaks loudly for the character of British rule that the advocates of the ryot call for the application of the tax theory. Under the Mogul they would have welcomed the rent theory as heartily as they would the tax theory now. I agree, therefore, with Sir Louis Mallet in desiring that our present nondescript land dues should tend to the form of revenue rather than that of rent."

35. Mr. H. E. Sullivan, member of the famine commission of 1878 wrote:—

"Still more earnestly do I protest against the process of reasoning by which it is sought to uphold the theory put forward by Mr. Wilson that the land revenue of India is in the nature of rent, and is not raised by taxation. Rent is a payment made by the occupier of a property to the owner for the use of the same, and to establish the above possession it must be shown that the ownership of the soil in India vests in the State. It is there (in the report) stated that the land revenue is, therefore, with more propriety regarded as a rent paid by a tenant, often a highly favoured tenant, to the paramount owner than as a tax paid by the owner to the State."

36. Mr. Sullivan proceeds to controvert this theory very strongly thus:—

"This idea of the Government of India being a vast landlord proprietor and the occupiers of the soil its tenants, was repeatedly brought forward in the course of our discussions, and, although opposed by me to the best of my ability, has found expression here and elsewhere in the Report. I therefore, now place on record my reasons for dissenting from a doctrine for which I believe there is no historical foundation which the action of Government itself goes to disprove and which, if accepted, might lead to most mischievous results."

"That foreign conquerors did by force take such portion as they required may be conceded but it is inaccurate to say that they were entitled to do so. The claim of the State is distinctly limited by Manu, the oldest authority on the subject. He says, the revenue consists of a share of grain and of all other agricultural produce; on grain, it is one-twelfth, one-eighth or one-sixth, according to the soil and the labour necessary to cultivate it. This also may be raised in cases of emergency, even as far as one-fourth. Nowhere there is a word which can be twisted to show that the state has any right of ownership in the soil; all that it is entitled to is a certain fixed share of the produce; and on this ancient right, and on this only, our system of land revenue settlement is based, as were those which we found in existence when the country came under our rule. Coming down from Manu to our own times, let us see if the British Government has ever asserted a general right of ownership in the land. When Railways were first commenced in India one of the concessions made by the State was the provision, free of charge, to the companies of the requisite land. If, as represented in the report, the Government was the "paramount owner", and the agricultural community merely its tenants, all that it had to do was to exercise its rights of ownership and give its tenants notice to quit and handover the land to the Railway Companies. But so unconscious was it of having such rights, that legislation was had recourse to and in 1850, 1857, 1860 and 1870, Acts were passed to enable the Government to acquire land for public purposes, and an elaborate code of procedure was framed to regulate the mode of acquisition and the price to be paid by Government to the owners. And if further evidence be thought necessary to support my view as to the relative positions of the Government and the people of India in regard to the land, I turn to that chapter of our report which treats of tenures, and ask attention to paragraph 3 page 111 where the position of the ryot in the Madras Presidency is described. His proprietary right in the soil is there fully recognised, and it is explained that he is absolutely free to let, mortgage, sell, devise or otherwise alienate his holding; if then the State be not the owner, the people can not be its tenants, nor can the share of the produce of the land which they contribute towards the public necessity be designated rent. It is, therefore, a tax, and as such must be taken into the account in calculating the incidence of taxation."

37. In Travancore, as a contrast however, there was no proprietorship in the land ever claimed by the Sirkar, except of those lands lying outside the domains of the Nambudiri Jenmis and of the Temples, and these lands fell under what was called the Pandara Vagai pattam tenure. But by the proclamation of 1040 M.E. (1864-65) these were enfranchised and became, like Jenmam and other private lands, the property of the Pandara Pattom tenants themselves, who were to look upon them "as private, heritable, saleable and otherwise transferable property" and it was declared:—

"That the aforesaid description of lands, will be resumable by the Sirkar like Jenmam and other private lands, only for purely public purposes, as for instance, for making roads, canals, public buildings and when resumed for such purposes, compensation will be paid by the Sirkar not for improvements only as heretofore, but equal to the full market value of such lands."

38. From the foregoing it would be clear that Travancore Government never claimed landlord's right over peasant properties in the State, but that the Sovereign right of taxing the lands was he only one claimed and maintained for age past.

39. The Travancore theory, from the very early periods of its history, has been in perfect accord with the ultimate view taken in the Madras Presidency as explained above viz. that it is the "Revenue" not "rent" that is raised by the State from the ryot's land. The State is no landlord except in certain cases, such as waste lands and Nayar virtuttis, which are looked upon as the Government's own land and are disposed of to the best advantage.

40. *Land Revenue System.*—The land revenue system in Travancore presented several peculiarities. The tenures were many and varied and bore on their face the impress of ages, the incidence of land tax varying with each tenure. The land tax was collected partly in kind, but the land records were never maintained upto date.

From the Dewan's official Note (September 1897) on the Land Revenue system of Travancore, it is seen that the average incidence of assessment on wet lands in Travancore stood at Rs. 2 an acre, compared to that in Malabar where it was Rs. 2-15-5 and in Tinnevely, where it was still higher being Rs. 9-1-9. The note is extracted below:—

"In Malabar the Government, it is believed, share the gross produce equally with the Jenmi and this represents the assessment. Here only 1/8 of the assessment is levied on Jenmi property. In North Travancore the burden on wet land is generally light while in the southernmost taluks-Tovala and Agasteeswaram, it is comparatively heavy in the case of full assessment bearing lands. (The highest assessment in Nanjanad is Rs. 30 per acre whereas even in the fertile Tambaraparani valley it is only Rs. 20). But this high rate is only apparent for the full assessment bearing tenures form only 8.1 per cent of the total area of the tract. Thus the actual incidence is considerably modified. In the case of these two taluks where the revision of assessment has been completed under the present settlement, the high rates on Pattom land have been reduced so much so that the revenue has resulted in a fall from the *ayacut figure* to the extent of a quarter of a lakh of rupees."

Garden lands.—"The garden area for the whole State is not known as, in the previous settlements, it was not reduced to superficial area. Hence the average rate of revenue on garden land per acre cannot be given. Taking the figures of the settled taluks, the average rate came to Rs. 1-2-9 per acre. In Malabar according to the Madras Manual, the average rate is Re. 19 as 8 ps. and in Tinnevely Re. 0.12.4 The dry area is in excess of the garden lands in most of the interior taluks; hence the average incidence for the whole country must be lower still. As in Malabar the tree tax forms the stable source of land revenue in Travancore. The maximum rate per arecanut tree is 4 chs. while in Malabar it is 5½ chs. and in Cochin 6 chs.; but even this 4 chs. rate is seldom levied in the present settlement. In this context, we have to note that unlike the ryots in the Madras Presidency, the Travancore ryot had nothing to pay outside the land tax. They had no road cess, village service cess, income-tax, municipal tax, etc."

41. *Settlement.*—The Great King Marthanda Varma is credited to have effected a settlement of Travancore during his reign between 1739-1764 A.D. The first settlement of which we have any record, however, is that of 948 M.E. (1772-73 A.D.) which applied to all cultivated areas, both fields and gardens, but it could not lay any pretensions to accuracy as it was but a KETTEZHUTTU or record of what was heard or obtained by personal conference with the holders of land. The next was in 978 M.E. (1802-1803) 30 years later which also comprised both fields and gardens. In this one also no actual measurements were taken but the area and assessment were fixed by local inspection and information. There were two more surveys in 993 M.E. (1818) and 1012 M.E. (1837) confined only to garden lands. The assessment throughout the State, as well as the administration of the revenue, was based on the settlement of 1012 M.E. (1837 A.D.). The records of these surveys did not give with any accuracy the superficial contents of each holding, its exact boundaries or the classification of the soil. The area was given in a rough way in reputed quantities of seed required to sow each field and it was thus only approximate. The process of calculation of Sirkar revenue based on such approximate area was subject to so many variations and deductions under an intricate and effete revenue system that no one clearly knew how to assess the Government demand in particular cases. There were no field or village maps nor sketches of any kind. The revenue accounts were not brought up-to-date recording the transfers effected of properties and as such even the subordinate revenue officials could not know on whom to call for the payment of any arrears due. Much less the ryots would know in these circumstances what the extent and demand of any particular field or holding was, especially in the absence of any patta or receipt given to him. There was inequality of assessment without any reference to soil, facilities of cultivation or the produce grown therein. At last in 1885 after some experiments, a thorough investigation into the existing tenures, holdings and conditions of assessment was made and a veriyable and learned memorandum was drawn up on the subject by the Dewan Mr. V. Ramiengar C.S.I. It was resolved to carry out a careful survey of the whole State and to conduct a revenue settlement. These were inaugurated by a Royal Proclamation, dated M.E. 14th Kumbhum 1061 (24-2-1886).

42. The chief features of this new survey and settlement were then declared to be an accurate measurement, demarcation, mapping out and valuation of properties of every description and registration of titles to properties as the basis of sound revenue administration. This survey and settlement was to extend to the whole area of the State including the waste, uncultivated and unassessed tracts also unlike the previous measurements, which were confined to wet and garden lands in holdings. A uniform standard of land measurement in acres and cents and of grains in Parahs and Idangalis was established. The old varied and complicated tenures were simplified. Garden assessment was made permanent without periodical variations; the system of Naduvukar and the tax in kind from garden lands were also abolished. Many taxes were made uniform throughout the State. Many old cesses were abolished. Periodical revision of assessment on Otti tenures was abolished and all excess above the pattom assessment in any demand was done away with.

43. Opportunity was taken at this settlement to settle the Inams with due regard to their character as personal or hereditary grants or as they were possessed by the original grantees and their heirs or by the strangers.

44. I was further provided that on settlement being made, each landholder should be provided with a patta showing the particulars of his land, the assessment due thereon, the deductions therefrom, the net demand, the kists or instalments and other items; and this settlement was declared permanent for 30 years.

45. This settlement was commenced in 1888 and proceeded taluk by taluk till its completion in the year 1911. It was done essentially on a kind rent basis and commuted later into cash. This settlement had nothing to do with the soil classification or the classification of irrigation sources, to conform to modern principles, and was vitiated by a large number of fundamental deficiencies and defects. In particular, during implementation, close attention was not paid to the special tenurial conditions prevailing such as Inams, Viruthis and Thiruppuvaram charges. This deficiency is highlighted in the Settlement Completion report of Mr. Padmanabha Iyer who completed the settlement work and said :—

"Paragraph 16 of the settlement proclamation lays down that rice lands of the country will be carefully examined and classified with reference to the soil, situation, productiveness, proximity to markets and other considerations and assessed at so much per acre or para of each class. The classification of the soils and the determination of the relative fertility and the actual yield of different kinds directed in such unmistakable terms were not carried out at all. An attempt was made at the experimental stage of the operations to classify the soil according to the rules followed in the Madras Presidency, but it was soon afterwards given up and the work of classification was restricted to the identification of the fields and their subdivisions, where necessary.

A comparison of the classification register forms embodied in volume III of Appendix II and a reference to rule 22 of the classification rules, dated the 2nd February, 1884 and the instruction issued thereunder will testify to the above assertion. As regards the ascertainment of the actual yield of the lands in the various parts of the State, experiments were conducted and the yield estimated only in a very few cases in the villages of Palkulangara and Kadakampalli taken up for experimental operations. The experiments were obviously restricted to the different classes of land existing in those villages, but on the basis of these experiments and with such information as the Ayacut accounts of the villages dealt with afforded a scale of wet rates embracing several additional grades over and above those found in the villages experimented upon were drawn up and applied without any further examination or enquiry throughout the State. It may also be pointed out that the system of assessment that was actually followed did not necessitate not even permit of any such examination or enquiry. For, the point of view which the assessing Officers were enjoined to keep before them was that in no case was the resulting revenue demand payable to Government on any individual property to exceed or fall short of the Munkaram (Pre-settlement assessment) by 10 per cent."

46. He therefore suggested that the first attempt at the next general revision of assessment should be to enforce a rigid adherence to the system of classification of soils and the ascertainment of their relative fertility and actual yield, by a series of cultivation and harvest experiments conducted by responsible officers.

47. The Government view in the matter was expressed in their review of the Settlement Final Report thus :—

"The Government recognise with sorrow that one of the main objects contemplated by Mr. Ramiengar, viz. the equalisation of the assessments with reference to the quality of the soil has been almost wholly lost by the policy unfortunately adopted by the department by a far too rigid adherence to the Munkaram or old assessment in the case of wet lands. Mr. Padmanabha Iyer's remarks on the subject as well as on the need for a careful crop experiment in regard to the wet lands, the classification of the soils, have the concurrence of Government and are noted for consideration at the next general settlement."

48. When resettlement became due, Thiru M. Neelakanta Pillai was appointed as Special Officer in the year 1945 who, in preparing the resettlement scheme report said :—

"The G. O. ordering the preparation of this paper has asked for proposals for the equalisation of assessment i.e. classification of soils, ascertainment of the relative fertility and actual yield by a series of crop experiments or investigations into the yield actually obtained, cost of cultivation etc., of standard staple crops by land holders and the substitution of the system of acreage rates in place of tree tax on garden lands". I gather from this that the intention of Government is that the merits of the existing tarams and their rates of assessment have to be considered and, if they are unsuitable other tarams and rates have to be fixed."

49. He however, held the view that on the whole the tarams fixed at the original settlement were fair and did not call for any wholesale reclassification, though he would like to be reassured of this by field test checks in typical areas. The basis on which the resettlement proposals of Mr. M. Neelakanta Pillai proceeded were also totally different from the principles of land revenue settlement of Tamil Nadu conducted on modern principles. His proposal for resettlement, however, became obsolete with the introduction of a basic tax under the Travancore Basic Land Tax Act, 1951 under which a basic Tax of 0.0-3 pias per cent (or Re. 1.9-0 per acre) was levied on the lands, irrespective of whether it was wet or dry, with an additional Rs. 2 per acre as water charge on old wet lands and Rs. 7 per acre on Thiruthu lands i.e. dry lands brought under wet cultivation under the Kodayar project. This basic tax and water charge were

levied on all lands irrespective of their tenure except the Sripadam, Sripandaravagai and Kandukrishi lands. Occupied natham sites were also subject to this basic atx. This basic tax was later confirmed by section 2 of the Travancore-Cochin Land Tax Act, 1955 (Travancore-Cochin Act 15 of 1955) and declared to be the general revenue settlement of the State. An Agricultural Income Tax was levied on these lands simultaneously and it was also likewise confirmed by the Travancore-Cochin Agricultural Income Tax Act. The conversion to decimal coinage brought the basic tax to 2 naya paise per cent or Rs. 2 per acre.

50. On the eve of the reorganisation of States, the Government of India urged the States concerned to take speedy measures to make uniform all fiscal laws in the States including the transferred territories. When Tamil Nadu came forward with the extension of Agricultural Income Tax to non-plantation areas by the introduction of the Tamil Nadu Agricultural Income Tax (Amendment) Act, 1958 and extended it to Kanyakumari district, in substitution for the Travancore Agricultural Income Tax Act then in force in that district, it was examined if the rationale of a basic land tax will be suitable to the rest of the State and it was finally dropped. In effect, therefore, the dry lands in Kanyakumari district had to bear a heavier burden of the assessment due to the basic tax, while the richer lands growing plantation crops or wet crops were left with a light assessment. This had to be rectified by a ryotwari settlement on modern principles by assigning suitable classification to soils and irrigation sources based on productivity, which indirectly would enable the maintenance of revenue records upto date. In the meanwhile the validity of the Basic Land Tax itself came under fire before the Supreme Court in Moopil Nair (Vs.) the State of Kerala in which it was decided as being unconstitutional as the tax was sought to be levied at a flat rate irrespective of quality of soil and this was got over by enacting afresh the Kerala Land Tax Act, 1961 (Act 13 of 1961) and giving it constitutional protection. A similar measure was needed in the transferred territory also.

51. On the formation of the district on 1st November 1956, the task of the first Collector Thiru R. Thirumalai, I. A. S. was to carry on the interim administration in accordance with the prevailing laws and customs as modified by the Presidential Legislations and progressively achieve integration of administration and unification of laws as prevailing in the other parts of Tamil Nadu. This formidable task was ably achieved by the Collector in three stages by 31st March 1958, according to an approved programme and he carried the remnants of the work with him even after he assumed charge as the Director of Settlements from where he made the proposals for the introduction of ryotwari settlement in Kanyakumari district including the Shengkottah Taluk of Tirunelveli district resulting in the Madras Transferred Territory Ryotwari Settlement Act, 1964 (Act 30/64) and the settlement notification issued under section 9 thereunder in G.O. Ms. No. 297, Revenue, dated 14th February 1966.

52. His proposal was, to speak broadly, to adopt the ryotwari principles prevailing in Tamil Nadu superimposing thereon the money rates prevailing in Tinneveli district as per the last resettlement of the year 1911. He, however, found that the highly strung wet rates for the first class sources under the Tambaraparani Irrigation System would not be sustained in Kanyakumari where the only irrigation system worthwhile mentioning was the Kodayar, with its overstretched ayacut and vulnerability to break down in supply in case of failure of monsoons and that, in fairness a first class source in Kanyakumari district can be equated only to a second class sources in Tirunelveli district, thus adopting corresponding lower rates for the other classes of sources, in that order. He also recalled the circumstances under which Mr. Puckle who did the original settlement of Tirunelveli district had to compromise with the high rates so as to avoid loss in the revenue in the tract which had already been pitched high under the native rulers and especially under the last Nawab of Arcot. That condition singularly contrasted with that prevailing in the transferred territory where only a basic tax was in vogue with a nominal water rate for old wet lands. The provision of the compulsory consolidation of the second crop charge on wet lands was to be retained. He found that the dry rate tables of Tirunelveli district were suitable for adoption for Kanyakumari

with the exception in respect of plantation areas with rich soils for which special rates of Rs. 2.87 for developed and 0.87 for undeveloped lands were suitable.

53. The Tamil Nadu (Transferred Territory) Ryotwari Settlement Act, 1964 (Act 30 of 1964) enacted in consequence provided for the classification of soil and levy of appropriate assessment in the transferred territory of Kanyakumari district and the notification applicable to similar ryotwari tracts in Tamil Nadu. The object of the said Act was to repeal the Travancore-Cochin Act XV of 1955 as in force in those areas and to apply instead the ryotwari system of assessment based on modern principles. It was to take retrospective effect from Fasli 1374 setting off all interim collections upto the introduction of settlement as voluntary payment of tax.

54. The total area for settlement in Kanyakumari district was 452.69 square miles covering 81 villages besides 53.25 square miles comprised in 10 villages in the Shencottah taluk of Tirunelveli district. This leaves out of account the reserve forest area of about 205 square miles.

55. The Board of Revenue submitted proposals for the ryotwari settlement of this area in its B.P. Ms. No. 1373, dated 9th November 1959 based on the report of Thiru R. Thirumalai, I.A.S. This was approved by the Government in G.O. Ms. No. 4152, Revenue, dated 1st November 1962.

56. The rates of assessment and the principles embodied in the resettlement notification contained in G.O. No. 785, Revenue, dated 18th March 1911 and in force in the adjoining Tirunelveli district were intended to be applied with modifications, wherever found necessary. Accordingly the settlement notification under section 9 of the Act was approved by the Government in G.O. No. 297, Revenue, dated 14th February 1966 as subsequently amended as follows:—

1. Government Memorandum No. 41012, T-2/66-3, Revenue, dated 10th October 1966.
2. G.O. Ms. No. 1413, Revenue, dated 14th August 1967.
3. Government Memorandum No. 99034/T-3/67-1, Revenue, dated 30th October 1967.
4. Government Memorandum No. 14976/T-3/67-12, Revenue, dated 14th December 1967.
5. Government Memorandum No. 12685/T-3/68-2, Revenue, dated 2nd January 1969.
6. G.O. Ms. No. 196, Revenue, dated 21st January 1970.

57. By Sub-section (2) of Section 1 of the Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Act, 1963 (Act 30/63), the provisions of this Act have been extended to the transferred territory. The minor inams in the transferred territory that have vested with the State on and from the appointed date, viz., 16th February 1965 have been settled on the same principles by another but similar settlement notification issued.

58. The entire area had already been surveyed in 1880-1888 and as such only a resurvey was involved in the tract, except the hill areas. But as the earlier survey had been done under the simple triangulation system, it had to be redone adopting the diagonal and offset system so as to conform to the maintenance principles prevailing in Tamil Nadu. The resurvey done by the Resurvey party at Nagercoil, commenced on 11th September 1959 and completed on 27th July 1966. This was followed up by ryotwari settlement which was completed in the transferred territory in Faslis 1379 and 1380 but introduced in fasli 1381 as per G.O. Ms. No. 1136, Revenue, dated 7th April 1972 notwithstanding the fact that the Act provided for the introduction of settlement with retrospective effect from Fasli 1374.

59. In the case of Mekkarai village covering an area of 5.94 sq. miles settlement could not be introduced due to stay orders of the Courts, as a dispute arose about its tenure and this question went up to the High Court. Finally the High Court,

directed the Settlement Officer, Madurai to conduct an enquiry about the tenure of the village under section 5 of Madras Act, 31/63 to find out whether it is a minor inam or not. After the Settlement Officer, Madurai held that it was a ryotwari village, follow up action was taken to settle the village under Act 30 of 1964.

60. The salient features of the settlement are given below :

1. The soils met with belong to the 3 classes i.e. VII, VIII and XIII. They are further sorted under the five sort system, but confining to 3 sorts under the last mentioned class.
2. The irrigation sources have been classified into classes I to V depending on the efficiency and duration of the supply of the sources.
3. The highest wet taram under Class II sources in Tirunelveli district has been equated to the highest wet taram under a class I source in the transferred territory. The other wet tarams applicable to Tirunelveli district have been correspondingly stepped down and adopted with suitable modifications.
4. The second crop charge on wet lands supported by irrigation sources with assured water supply has been compulsorily compounded. But Kariparambu lands in which two wet crops are raised benefited by heavy sub soil percolation, and other wet lands benefited by self springs, are registered as single crop wet only with no water charge for the second crop.
5. All the villages have been placed under dry group I.
6. There was no need to adopt Manavari description of dry lands.
7. There was no poramboke or Doravu wells with registered ayacuts.
8. The tank bed lands held on patta and liable to submersion are negligible and as such they have been granted on patta.
9. Plantation areas, both in the hills and the plains, have been classified as developed or undeveloped, as the case may be, and charged at a flat rate of Rs. 6.94 per hectare or Rs. 2 per hectare, respectively.
10. The Tamil Nadu Irrigation Cess Act has been extended to this area with the introduction of settlement in Fasli, 1381. The Travancore-Cochin Irrigation Act, 1956 (Act VII of 1956) which had superseded the Travancore Irrigation Act, 1072 (Act III of 1072) was in force in the tract during the interim period under which a water rate of Rs. 7 per acre was being levied and collected for Thiruthu lands, i.e. dry lands converted as wet lands.
11. These dry lands, newly converted as wet, have been retained as dry in settlement as per the classification adopted in the old settlement register due to the prohibition against such conversion embodied in the settlement notification.
12. The notification contains a residual provision for the reclassification of wet lands if, in future, the sources supporting these lands are substantially improved by Government.

61. The settlement was commenced in September 1965 and completed in 1969-70 by the Assistant Settlement Officers specially appointed for this purpose under the supervision of the Director of Settlement appointed under the Act at Nagercoil. Earlier to this, the then Director of Settlements Thiru V. K. C. Natarajan, I.A.S. and Thiru E. C. P. Prabakar, I.A.S. toured and inspected some of the typical villages in connection with the settlement of the area.

62. *Special Tenures.*—In the transferred territory there existed certain special tenures following the custom peculiar to the erstwhile State of Travancore. The following are the special tenures that were in existence:—

1. Sree Pandaravaka.
2. Thiruppuvaram.
3. Sreepadam.
4. Jenmikaram.

63. A note on these tenures embodying the history of their abolition has already been given. The abolition of these tenures was attended to by the competent officer as part of ryotwari settlement of the transferred territory and the lands covered by these erstwhile tenures have also been brought under settlement.

64. The dues to Sri Padmanabhaswami temple from the lands held under the first two tenures go by the name "Moniyamkaram". A committee was constituted by the Government of Travancore in the year 1952 under the Chairmanship of

It may be noticed that this sort of dual tenure in respect of palmyrah trees existed in the Tirunelveli district and efforts were taken at the settlement and resettlement to consolidate the interests by adopting various methods so that the land tax and the tax on trees standing thereon may be collected from one individual. Similar action was taken by the erstwhile Travancore State which made the Travancore Oodukkoor Settlement Proclamation of 1122 M.E. with a view to merge the dual ownership of the lands and the trees thereon and the apportionment of the share of each person in terms of land plus the trees standing on them and to effect separate registry. The Oodukkoor system, obtained in a large measure in Vilavancode and parts of Kalkulam. The ryots took advantage of this proclamation and consolidated their interests in most cases submitting themselves to the award of the Oodukkoor Settlement Officer. Such stray cases which did not attract the jurisdiction of the Oodukkoor Settlement Officer were compromised between the parties themselves. In cases of disputes, the parties sought remedy in civil courts.

74. While effecting settlement under the Tamil Nadu (Transferred Territory) Act, 1964, based on the patta entries in the Thandaper accounts, it was decided that Oodukkoor by itself being not a tenure, and most of the Oodukkoor holdings having been liquidated by themselves under the earlier legislation, and in no case any claim for dual ownership having been put forth before the settlement authorities, it was thought best to ignore the existence of the tenure if at all it had survived in any stray case.

75. In respect of trees held on Kuthagai pattan tenure and standing on poramboke, the Board decided that their enjoyment can be regulated under the tree tax system; and that where any Government owned tree stood on patta land, the right on the tree can be consolidated with the ownership of land collecting a nominal tree value from the pattadar concerned.

RESETTLEMENT RATES
PREVAILING IN THE VARIOUS DISTRICTS
OF
TAMIL NADU

Thiru A. S. Damodaran Asan, to report on the public demand to abolish this levy. The Asan Committee stated that Thiruppuvaram due to Sree Padmanabhaswami temple, in particular, appeared to have originated in one of the following ways:

- (a) when the rights of the tenants of the Jenmom lands of Sree Padmanabhaswami temple escheated to Government and such lands were transferred to Pandarapattam tenure and assigned to new persons with direction to pay out of the tax levied the dues to which the Sree Padmanabhaswami temple was entitled.
- (b) Interest on money taken by Government from the Sree Padmanabhaswami temple.
- (c) Gifts of portions of revenue from lands acquired by conquest or confiscated by the rulers.

65. As these are grants to religious institutions, the Committee said that no enquiry into the validity and the continuance of this class of Thiruppuvaram was necessary. As Sree Pandaravagai department was a part of the direct administration of the Government of Travancore, and in view of the historical connection between the royal family and the Sree Padmanabhaswami temple, the recovery of arrears of Thiruppuvaram alone was made recoverable under the Revenue Recovery Act, unlike the other Thiruppurvaram cases. The Committee felt that it was inequitable and against the policy of Government to realise the Thiruppuvaram in addition to the basic tax from the holders of Government land and hence Section 8 (present Section 9) of the Land Tax Act required amendment. Government itself will have to pay it direct to Sree Padmanabhaswami temple and there is no question of abolition of Thiruppuvaram payable to the temple, and consequently no question of compensation. On the Government undertaking to pay off Thiruppuvaram from its own funds the land holders, charged with Thiruppuvaram of Sree Padmanabhaswami temple, must be unconditionally relieved of their burden.

66. The Committee made no recommendation as how the Government had to reimburse itself for its undertaking to pay the Thiruppuvaram dues to the temple. The Kerala Special Rights Abolition Bill, 1954 which incorporated the suggestions in the Asan Committee's Report regarding Sree Pandaravagai tenure of lands did not provide for the treatment of Thiruppuvaram. This question has however since come to rest with the abolition of these tenures.

67. *Kandukrishi lands*.—Kandukrishi lands are the homefarm lands of the former Maharaja of Travancore who had ceded all his property to the State. These lands were localised at Settlement and treated as waste pending formal assignment under the Kandukrishi Pattam and Assignment Rules, 1962 approved in G.O. No. 954, Revenue, dated 2nd March 1962.

68. *Poramboke lands*.—Paragraph 3 (1) of the Settlement notification, provided inter alia, for the treatment as poramboke all lands at the disposal of Government which are now used or which may hereafter be used for communal, public or Government purposes. It was found during re-survey that the holdings included portions of lands which were used as pathway, street, tanks, channels, roads, etc. and all such lands were got sub-divided in re-survey. Taking protection under Section 9 (4) of the Tamil Nadu Transferred Territory Ryotwari Settlement Act, 1964, the Settlement Officers had transferred all such lands to poramboke. This fact was brought to the notice of the Board in a revision which came before it. The Board saw the incongruity of transferring to poramboke such lands, held in holdings as a settlement process, especially in the absence of any provision in the relevant Act vesting such lands in the State and in the background of the Travancore Land Laws which did not give to the State proprietary right in the soil of the lands included in holdings under Pandaravaga Pattam. The Board, therefore set aside *suo motu* all such transfers and directed in its B.P. Perm. 383 (S.E.), dated 15th September 1973, to conduct a supplementary ayacuts, which were eventually admitted to patta. Some small tanks irrigation sources and the tank beds and their ayacuts were treated as private of assessment as provided for in the Settlement Notification.

69. *Assignment of vacant lands*.—Provision for assignment of lands was contained in paragraph 62, Chapter 6 of the Travancore Land Revenue Manual, Volume III—Part I (Code of instructions). It provided for the "registry" of Government lands as a rule (i.e.) assignment straightaway, and lease of Government land was to be resorted to only in rare and exceptional cases. This policy was, however, reversed in the year 1942 (*vide* Press communique at pages 409–410 of the fifth supplement to Volume II of the Travancore Land Revenue Manual followed by rules contained in pages 590–592 *ibid*). It was decided that then onwards no more registration of land was to be done, but only leases given for periods ranging from 3 to 7 years, the period of duration of lease being decided in each case depending upon the productivity of the land, the bonafides and the financial resources of the lessees, etc. This was again modified by the Kuthagai-pattam rules issued in 1947 under the Travancore Land Assignment Act, 1097 M.E. This latter Act itself has been superseded by the Travancore-Cochin Government Land Assignment Act (Act XXXIII of 195) though no fresh rules have been framed.

70. The Travancore-Cochin Government constituted a "Land Policy Committee" in the year 1949. The Committee offered its recommendation in the year 1950 as follows:—

"There has been loud and persistent demand by Kuthagapattam holders for permanent assignment of the lands now held by them. The Committee examined this question carefully. They have come to the conclusion that the existing Kuthagapattam rules, as such, do not require any modification or amendment. They recommend a strict adherence to the general policy laid down by Government and which finds clear expression in the various orders relating to Kuthagapattam leases. Permanent assignment of lands not required, or might not be required in the near future, for public purposes should be the general rule. They also recommend that the priority requirements of food production should be kept in view".

71. The Collector of Kanyakumari, Thiru R. Tirumalai, I.A.S., who examined the question reported as follows:—

"Land is scarce in the transferred area, where the density of population and pressure on land is felt very keen. The total extent of waste land available for cultivation and for assignment is practically nil, in the entire district. It is a matter of common experience that in villages, and more so in town or urban areas, the land available for either extension of habitation or for other public purposes is very scarce. There is, therefore, the necessity to secure to Government and to the public, adequate safeguards so that any difficulty in securing land for public purposes or the need for avoidable acquisition may not arise at a later date. This has been particularly noticed where industrial economy has come over to the rural parts. It is therefore necessary, at least in such cases, that restriction should be imposed on assignment of land and only lease can be granted with the right to terminate the lease reserved to the Government. I would therefore submit the following principles in changing the policy of lease:—

- (i) Land at the disposal of Government in and around the town area, within the limit of 5 miles in any municipal area, and 3 miles in major panchayats, and one mile in other panchayat areas and lands near and round about natham sites need not be assigned either for agricultural or any other purpose.
- (ii) All other lands can be assigned permanently subject to the terms and conditions set out in the Board's standing orders and subject to the terms prescribed for each kind of land, and varying with the nature of disposal.
- (iii) When the lands now held on lease are assigned permanently the market value of the lands may be collected subject to the proviso that should there be any improvements done to that by the lessee during the period of lease, the value of such improvements as determined by the Revenue authorities, will be deducted from the present market value. No doubt there may be some hypothetical considerations involved in this. This perhaps cannot be helped.
- (iv) There has been a distinction maintained in B.S.O. 15 between land not specially valuable and land specially valuable. In this district, as stated above, land is valuable as is scarce and the pressure on it is very intense. There is hardly any land left for assignment. In the circumstances, I would consider that all the lands in the district are specially valuable and I would not recommend assignment of any land now held on lease without collection of market value. But if there is any land available for de novo assignment, the Collector has the discretion to specify whether it is specially valuable or not under B.S.O. 15-22g".

72. In the Government Memo. No. 37520/F2/58-5, Revenue, dated 23rd October 1958, these recommendations were accepted and the policy of assignment of land was deferred pending completion of resurvey work in the transferred area.

73. *Oodukkoor Tenure*:—Oodukkoor is a peculiar system of joint ownership of lands and the trees standing thereon in this district. They usually fall under the following categories:—

1. Land and trees held by different persons on different tenures.
2. Land and trees held by the same person, but on different tenures.
3. Trees held by different persons on different tenures and in varying proportions.

MADRAS DISTRICT EXTENDED AREA.
(Including Malligaicheri portion of Ayanavaram Inam Estate lying in Saidapet taluk of Chingleput District.)

TABLE 'A'—DRY AND MANAVARI RATES.

III	IV	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	XIV	Money rates.		
												Dry I Group		Manavari I Group.
												RS.	P.	RS. P.
..	1	..	..	..	..	..	..	..	..	..	..	3	37	4 00
1	2	..	..	1	..	..	..	..	..	..	..	2	75	3 37
2	3	1	1	2	1	1	..	..	..	..	..	2	25	2 75
3	4	2	2	3	2	2	1	2	1	..	..	1	62	2 25
4	5	3	3	4	3	4	3	..	2	1	1	1	25	1 87
5	..	4	4	5	4	5	4	3	3	2	2	0	75	1 50
..	..	5	5	..	5	..	5	..	..	3	3	0	50	1 25
														52 9

TABLE 'B' (MANAIRATES)

Non-revisable manairates for occupied lands used for non-agricultural purposes and all sites of buildings and the appurtenances thereof—

One rupee per annum for the first ground or fraction thereof.

50 naye paise per annum for every additional ground.

For fraction of a ground in excess of the first ground—

	RS.	P.
1/4 ground or less (upto 600 sq. feet)	..	0 12
1/2 ground or less but exceeding 1/4 ground (601 sq. feet to 1,200 sq. feet)	..	0 25
3/4 ground or less but exceeding 1/2 ground (1,201 sq. feet to 1,800 sq. feet)	..	0 37
For fraction exceeding 3/4 ground	..	0 50

MADRAS DISTRICT—cont.

TABLE 'C'

Manai rates for village within the old city limits.

A. *Within the Town walls.*—(1) In the Beach and Bank shall Re. 1-75 per annum per ground.

(2) In Konditope, Cawni rate on the scale in force without the town walls—*Vide B* infra.

(3) In all other parts of the Town Re. 0-78 per Rs. 350 worth of property.

B. *Without the Town walls.*—(1) Building sites not exceeding a Cawni in extent Re. 1 per annum for the first ground (or fraction thereof) Re. 0-50 for every additional ground and Re. 0-12 np for additional quarter ground (or less), Re. 0-25 np for half ground or less, Re. 0-37 np for $\frac{1}{4}$ ground or less and 50 NP. for any fraction exceeding $\frac{1}{4}$ ground.

(2) Building sites exceeding a cawni in extent, cawni rate as shown under (3) below—

(3) Cultivated land and garden land, cawni rate in accordance with the quality of the land on the following scale :—

Per cawni.

	Rs. P.
First Class	10 50
Second Class	8 75
Third Class	7 00
Fourth Class	5 25
Fifth Class	3 50
Sixth Class	2 62
Seventh Class	1 75
Eighth Class	0 87
Ninth Class	0 44

TABLE 'D'

Wet rates Nil.

Resettlement Notification issued in G. O. No. 2836 (Revenue), dated 15th October 1909 following the principles approved in G. O. 2340 (Revenue), dated 14th May 1909.

City ground rent rules issued in G. O. No. 486, Revenue, dated 19th February 1908, Settlement Notification for ex-estate areas issued in G. O. Ms. No. 1766, Revenue, dated 5th April 1960.

Settlement Notification for Minor Inams issued in G. O. Ms. No. 568, Revenue, dated 11th March 1969.

CHINGLEPUT DISTRICT.

(Excluding Malligaicheri forming part of Ayanavaram Inam Estate.)

TABLE—'A' WET RATES.

Class and sort of soil.										Wet money rates.					
III	IV	V	VI	VII	VIII	XII	XIII	XIV	First Class. (10)	Second Class. (11)	Third Class. (12)	Fourth Class. (13)	Fifth Class. (14)		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	RS. P.	RS. P.	RS. P.	RS. P.	RS. P.		
..	1	..	..	..	..	..	..	..	10 00	8 50	7 25	5 75	4 62		
1	2	..	..	1	..	..	..	..	8 50	7 25	5 75	4 62	4 00		
2	3	1	1	2	1	1	..	..	7 25	5 75	4 62	4 00	3 50		
3	4	2	2	3	2	2	1	..	5 75	4 62	4 00	3 50	2 87		
4	5	3	3	4	3	..	2	1	4 62	4 00	3 50	2 87	2 25		
5	..	4	4	5	4	3	..	2	4 00	3 57	2 87	2 25	2 00		
..	..	5	5	..	5	..	3	3	3 50	2 80	2 25	2 00	1 75		
6	6	6	6	6	6	4	4	4	2 87	2 25	2 00	1 75	1 50		

CHINGLEPUT DISTRICT—cont.

II. TRANSFERRED TERRITORY (TIRUTTANI ETC., TALUKS)—cont.

TABLE D—Dry and Manavari Rate.

Class and sort of soil.							
III (1)	IV (2)	V (3)	VI (4)	VII (5)	VIII (6)	Dry first group rate. (7)	Manavari first group rate. (8)
1	1	..	..	..	..	RS.	RS.
2	2	..	..	1	..	2-50	3-12
3	3	1	1	2	1	2-00	2-50
4	4	2	2	3	2	1-50	2-00
5	5	3	3	4	3	1-00	1-50
..	..	4	4	5	4	0-75	1-00
..	..	5	5	..	5	0-50	0-75
..	..	..	..	..	..	0-37	0-50

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NOTE.—Manavari classification applicable only to the villages transferred to Chingleput district and Arkonam taluk of North Arcot district.

1. Resettlement Notification G.O. No. 2016, Revenue, dated 11th July 1914 for Chittoor taluk.

2. Section 22, Notification for ex-estates in Tiruttani and Puthur taluks (Andhra Pradesh), G.O. No. 1292, Revenue, dated 6th June 1955, for Chittoor taluk (Andhra Pradesh) G.O. No. 2135 (Revenue), dated 21st January 1958.

3. Minor Inam Notification (Madras), G.O. Ms. No. 2202, Revenue, dated 21st December 1967.

SOUTH ARCOT DISTRICT AND TIRUVANNAMALAI AND CHENGAM TALUKS OF NORTH ARCOT DISTRICT.

TABLE A—Wet Rates.

Class and sort of soil.								Wet rates.						
								Non-Coleroon sources.						
								Coleroon sources.						
III	IV	V	VII	VIII	XII	XIII	XIV	I Class.	II Class.	III Class.	II Class.	III Class.	IV Class.	V Class.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)
..	1	..	..	..	..	..	..	RS.	RS.	RS.	RS.	RS.	RS.	RS.
1	2	..	1	..	..	..	..	11-69	10-37	9-12	10-69	9-50	8-31	7-12
2	3	1	2	1	1	..	..	10-37	9-12	7-81	9-50	8-31	7-12	5-94
3	4	2	3	2	2	1	..	9-12	7-81	6-50	8-31	7-12	5-94	5-31
4	5	3	4	3	3	2	1	7-81	6-50	5-87	7-12	5-94	5-31	4-75
5	..	4	5	4	..	3	2	6-50	5-87	5-19	5-94	5-31	4-75	4-12
..	..	5	..	5	..	..	3	5-87	5-19	4-56	5-31	4-75	4-12	3-56
..	..	..	..	..	..	..	..	5-19	4-56	3-87	4-75	4-12	3-56	3-00

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CHINGLEPUT DISTRICT—cont.
(Excluding Matigacheri forming part of Ayanavaram Inam Estate)—cont.
TABLE—'B' MANAVARI AND DRY RATES.

Class and sort of soil.					Manavari Rates			Dry Rates.		
III	IV	V	VI	VII	VIII	IX	X	First group.	Second group.	Third group.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(10)	(11)	(12)
..	1	..	..	..	..	..	..	RS. P.	RS. P.	RS. P.
1	2	..	..	1	..	..	..	4 00	3 37	2 75
2	3	1	1	2	1	1	..	3 37	2 75	2 25
3	4	2	2	3	2	2	..	2 75	2 25	1 87
4	5	3	3	4	3	..	2	2 25	1 87	1 50
5	..	4	4	5	4	3	3	1 87	1 50	1 25
..	..	5	5	..	5	..	3	1 25	1 00	0 75
								0 50	0 37	0 25

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Re-settlement Notification.—G. O. No. 2836, Revenue, dated 15th October 1909 { following the principles approved in G. O. No. 2240, Revenue, dated 14th August 1909.

G. O. No. 2561, Revenue, dated 4th August 1910.

G. O. No. 3992, Revenue, dated 15th December 1910.

Section 22 notification for Ex-Kachinad Samasthanam villages in Tiruvallur and Ponneri Taluks.—G. O. Ms. No. 2108 Revenue, dated 21st July 1953.

Section 22 notification for other tracts in Chingleput District.—G. O. Ms. No. 3143, Revenue, dated 28th August 1968.

Minor Inam Notification under section 16.—G. O. Ms. No. 3469, Revenue, dated 17th December 1968.

CHINGLEPUT DISTRICT—cont.

II. TRANSFERRED TERRITORY (TIRUTTANI ETC. TALUKS).—

Territories transferred from Andhra Pradesh to Tiruvallur and Tiruttani taluks (Including Pallipet sub-taluk) of Chingleput district and Arkonam, Wallajah and Gudiyattam in North Arcot district.

C. WET RATES—CLASSIFICATION OF SOURCE.

Class and sort of soil.						First Class.					Second Class.					Third Class.					Fourth Class.					Fifth Class.				
III	IV	V	VI	VII	VIII	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)	(21)	(22)	(23)	(24)	
..	1	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
1	2	..	..	1	..	..	..	..	..	1	..	8-75	8-12	7-50	6-87	6-25	7-50	6-25	5-62	4-69	3-12	2-50	2-50	3-12	3-75	3-12	2-50	2-50	2-50	
2	3	1	1	2	1	1	1	1	1	2	1	7-50	6-87	6-25	5-62	5-00	4-69	3-12	2-50	2-50	2-50	2-50	3-12	3-75	3-12	2-50	2-50	2-50	2-50	
3	4	2	2	3	2	2	2	2	2	3	2	6-56	5-94	5-31	4-69	4-06	3-12	2-50	2-50	2-50	2-50	2-50	3-12	3-75	3-12	2-50	2-50	2-50	2-50	
4	5	3	3	4	3	3	3	3	3	4	3	5-62	5-00	4-37	3-75	3-12	2-50	2-50	2-50	2-50	2-50	2-50	3-12	3-75	3-12	2-50	2-50	2-50	2-50	
5	..	4	4	5	4	4	4	4	4	5	4	4-69	4-06	3-75	3-12	2-50	2-50	2-50	2-50	2-50	2-50	2-50	3-12	3-75	3-12	2-50	2-50	2-50	2-50	
..	..	5	5	..	5	..	5	..	5	..	5	3-75	3-12	3-12	2-50	2-50	2-50	2-50	2-50	2-50	2-50	2-50	3-12	3-75	3-12	2-50	2-50	2-50	2-50	

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NORTH ARCOT DISTRICT—cont.

TABLE C—SPECIAL RATES.

(Applicable to tanks handed over for private maintenance).

Higher rate	4.06
Lower rate	3.12

TABLE-D—SPECIAL RATES.

(Applicable to private irrigation works according as the sources on which they are situated are placed in Class IV or Class V)

Class IV.		Class V.	
Rs.	P.	Rs.	P.
5.62		5.00	
4.69		3.12	
3.12		2.50	

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TABLE 'E'.

Class and sort of soil.				Javadi hill villages.				Javadi Hills and other hill villages.				Javadi hill villages; blocks 9.22 and 57 and Mutakadu village.				Class and sort of soil.				Tennalais in Tiruvannamalai taluk.	
VII		VIII		IV Group.		V Group.		VII		VIII		I Group.		II Group.		VII		VIII		IV Group	
1	..	1.12	0.87	0.87	0.87	1	..	2.25	1.75	1	..	2.25	1.75	1	..	1	1	..	1.37	1.37	
2	2	0.87	0.56	0.56	0.56	2	1	1.75	1.37	2	1	1.75	1.37	2	1	2	2	1	1.12	1.12	
3	3	0.56	0.37	0.37	0.37	3	2	1.37	1.00	3	2	1.37	1.00	3	2	3	2	2	0.81	0.81	
4	4	0.37	0.25	0.25	0.25	4	3	1.00	0.75	4	3	1.00	0.75	4	3	4	3	3	0.56	0.56	
5	5	0.25	0.19	0.19	0.19	5	4	0.75	0.50	5	4	0.75	0.50	5	4	5	4	4	0.37	0.37	
..	..	..	..	..	..	..	5	0.50	0.37	..	5	0.50	0.37	..	5	..	5	5	..	..	

NORTH ARCOT DISTRICT—cont.

Resettlement Notification (for seven taluks of North Arcot District).

G.O. No. 3576, Revenue, dated 5th December 1913.

Javadi Hill villages of Tiruppattur, Vellore and Polur taluks.

G.O. No. 2957, Revenue, dated 29th November 1940.

Section 22 Notification for Ex-estate areas: G.O. No. 3538, Revenue, dated 23rd September 1958.

Section 16 Notification for Minor Inams—G.O. Ms. No. 3305, Revenue, dated 25th January 1966.

SOUTH ARCOT DISTRICT AND TIRUVANNAMALAI AND CHENGAM TALUKS OF NORTH ARCOT DISTRICT—cont.

TABLE B—DRY AND SPECIAL RATES.

TABLE B—DRY AND SPECIAL RATES.																	536
Class and sort of soil.								Dry rates.			Special rates (for submersible lands).						
III	IV	V	VII	VIII	XII	XIII	XIV	I Group.	II Group.	III Group.	I Group.	II Group.	III Group.	I Group.	II Group.	III Group.	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(12)	(13)	(14)	
								RS.	RS.	RS.	RS.	RS.	RS.	RS.	RS.	RS.	
1	..	..	..	..	..	..	..	4.00	3.37	2.81	4.00	4.00	3.87	4.00	4.00	3.87	
2	1	..	..	..	..	..	..	3.37	2.81	2.25	4.00	3.37	2.81	4.00	3.37	2.81	
3	2	..	1	..	..	..	..	2.81	2.25	1.69	3.37	2.81	2.25	3.37	2.81	2.25	
4	3	1	2	1	1	..	..	2.25	1.69	1.37	2.81	2.25	1.69	2.81	2.25	1.69	
5	4	2	3	2	2	1	..	1.69	1.37	1.12	2.25	1.69	1.37	2.25	1.69	1.37	
..	5	3	4	3	3	2	1	1.37	1.12	0.81	1.69	1.37	1.1	1.69	1.37	1.1	
..	..	4	5	4	..	3	2	1.12	0.81	0.56	1.37	1.12	0.81	1.37	1.12	0.81	
..	..	5	..	5	..	..	3	0.81	0.56	0.37	1.12	0.81	0.56	1.12	0.81	0.56	

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TABLE C.

Special rates for lands registered under (i) Private irrigation sources and (ii) sources handed over for private maintenance

Class IV.	Class V.
RS. P.	RS. P.
5-31	4-75
4-12	3-56
3-56	3-00

Resettlement Notification for South Arcot District issued in G.O. No. 1023, Revenue, dated 13th March 1918.

Resettlement Notification for Tiruvannamalai and Chengam taluks of North Arcot district G.O. No. 443, Revenue, dated 24th February 1919.

Section 22 Notification of Ex-estates of South Arcot district G.O. Press. No. 540, Revenue, dated 30th January 1960.

Section 22 Notification of Ex-estates in Tiruvannamalai and Chengam taluks in G.O. No. 3843, Revenue, dated 23rd December 1959.

Section 16 Notification for Minor inams Tiruvannamalai and Chengam taluks in G.O. Ms. No. 3470, Revenue, dated 17th December 1966.

Inam Estates in South Arcot district Section 20 Settlement Notification in G.O. Ms. No. 1707, Revenue, dated 29th September 1967.

Section 16 Notification for Minor inams in South Arcot district G.O. Ms. No. 2546, Revenue, dated 5th August 1966.

NORTH ARCOT DISTRICT.

(Excluding Tirupathur, Tiruvannamalai and Chengam Taluks and villages transferred from Chittoor District under the Pataskar Award.)

TABLE A—WET RATES.

Class and sort of soil.										Dry rates.					Special rates.*				
III	IV	V	VII	VIII	III	IV	V	VII	VIII	Group I.	Group II.	Group I.	Group II.	Group I.	Group II.	Group I.	Group II.	Group I.	Group II.
(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)
..	1	..	..	..	..	1	..	..	..	RS. P.	RS. P.	RS. P.	RS. P.	RS. P.	RS. P.	RS. P.	RS. P.	RS. P.	RS. P.
1	2	..	..	..	..	2	..	..	..	10-00	9-87	8-12	7-50	8-12	7-50	8-12	7-50	8-12	7-50
2	3	1	2	1	..	3	1	2	1	8-75	8-12	7-50	6-25	6-87	6-25	6-87	6-25	6-87	6-25
3	4	2	3	2	2	4	2	3	2	7-50	6-87	6-25	5-31	5-62	5-00	4-69	4-06	5-00	4-06
4	5	3	4	3	3	5	3	4	3	6-56	5-94	5-00	4-37	3-75	3-12	2-50	2-50	3-12	2-50
5	..	4	5	4	4	..	4	5	4	5-62	4-06	3-75	3-12	2-50	2-50	3-12	2-50	3-12	2-50
..	..	5	..	5	..	..	5	..	5	4-69	3-12	2-50	2-50	3-12	2-50	3-12	2-50	3-12	2-50

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TABLE B—DRY AND SPECIAL RATES.

Class and sort of soil.										Dry rates.					Special rates.*				
III	IV	V	VII	VIII	III	IV	V	VII	VIII	Group I.	Group II.	Group I.	Group II.	Group I.	Group II.	Group I.	Group II.	Group I.	Group II.
(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)
1	1	..	..	..	..	1	..	..	..	RS. P.	RS. P.	RS. P.	RS. P.	RS. P.	RS. P.	RS. P.	RS. P.	RS. P.	RS. P.
2	2	..	..	..	..	2	..	..	..	3-50	2-56	2-00	1-56	2-56	2-00	1-56	1-06	0-81	0-50
3	3	1	2	1	1	3	1	2	1	2-56	2-00	1-56	1-06	2-56	2-00	1-56	1-06	0-81	0-50
4	4	2	3	2	2	4	2	3	2	2-00	1-56	1-06	0-81	2-56	2-00	1-56	1-06	0-81	0-50
5	5	3	4	3	3	5	3	4	3	1-56	1-06	0-81	0-50	2-56	2-00	1-56	1-06	0-81	0-50
..	..	4	5	4	4	..	4	5	4	1-06	0-81	0-50	0-37	2-56	2-00	1-56	1-06	0-81	0-50
..	..	5	..	5	5	..	5	..	5	0-81	0-50	0-37	0-37	2-56	2-00	1-56	1-06	0-81	0-50

*NOTE.—Special rates are equivalent to Minavati rates and are applicable to waterspread lands.

SALEM DISTRICT.

Including old ryotwari areas of Harur taluk in Dharmapuri district and Uthangarai Sub-taluk and 28 villages in the Thathayangarpet Firka of Musiri taluk in Tiruchirappalli district.

1 Old ryotwari villages and Minor Inams comprised therein.—

TABLE A-1.—WET RATES (LANDS UNDER CAUVERY CHANNELS AND MANGALAM TANK.)

Class and sort of soil.				Lands under Cauvery Channels I Class				Lands under the Mangalam tank III Class.	
II	III	IV	V	VII	VIII	Taram	Single Crop.	Taram	Double Crop rate.
1	..	..	..	..	..	1	13-94	..	..
2	..	1	..	..	..	2	12-75	5	10-06
..	..	2	..	1	..	4	10-69	8	8-00
..	1	..	1	2	1	6	9-50	10	6-62
..	2	..	2	..	..	8	8-00	..	..
..	..	..	..	..	2	10	6-62	12	4-00
..	..	3	3	3	..	11	5-31	13	3-25
..	3	..	..	3	3	12	4-00	..	..
..	..	..	..	..	..	..	..	..	..

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TABLE A-2.—OTHER WET LANDS.

Class and sort of soil.				II Class.				III Class.				IV Class.				V Class.			
II	III	IV	V	VII	VIII	S.C.	D.C.	S.C.	D.C.	S.C.	D.C.	S.C.	D.C.	S.C.	D.C.	S.C.	D.C.	S.C.	D.C.
..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
2	..	1	..	..	..	10-69	14-25	9-56	12-00	8-19	10-19	7-06	7-94	..	..	..	..	..	..
..	2	..	1	..	..	9-00	13-37	..	11-50	..	9-75	..	..	..	..	..	..	..	..
..	..	2	..	..	..	..	12-81	..	9-50	6-31	7-87	5-06	6-06	..	..	..	..	..	..
..	..	..	..	..	..	..	11-25	7-62	9-12	..	7-56	..	5-56	..	..	..	..	..	..
..	..	..	..	..	..	..	10-81	..	..	..	7-37	..	..	..	..	..	..	..	..

..	..	..	1	2	1	7-62	10-12	6-31	7-87	5-06	3-81	4-12	2-56	3-08	..	..	..	..	..
..	..	..	..	..	..	..	9-50	..	7-56	..	..	..	..	..	..	..	..	..	..
..	..	..	..	..	..	..	9-12	..	..	..	..	..	..	..	..	..	..	..	..
..	2	..	2	..	..	6-31	8-44	5-06	6-31	3-81	4-12	2-56	3-08	..	..	..	..	..	..
..	..	..	..	..	2	5-06	6-75	3-81	4-81	3-12	4-12	2-56	3-08	..	..	..	..	..	..
..	..	..	..	..	..	..	6-31	..	4-56	..	..	..	..	..	..	..	..	..	..
..	..	3	3	3	..	3-81	5-06	3-12	4-12	2-56	3-56	2-60	1-56	..	..	..	..	..	..
..	3	..	..	..	3	3-12	4-12	2-56	3-56	..	..	..	..	..	..	..	..	..	..

S.C.: Single crop rate.
D.C.: Double crop rate.

TABLE A-3.—WET RATES IN EX-ESTATE VILLAGES.

Class and sort of soil.				II Class.				III Class.				IV Class.				V Class.			
II	III	IV	V	VII	VIII	S.C.	D.C.	S.C.	D.C.	S.C.	D.C.	S.C.	D.C.	S.C.	D.C.	S.C.	D.C.	S.C.	D.C.
1	..	..	..	..	..	13-94	10-12	6-31	7-87	5-06	3-81	4-12	2-56	3-08	..	..	..	..	..
2	..	1	..	..	..	12-75	9-50	..	7-56	..	..	..	..	..	..	..	..	..	..
..	..	2	..	..	..	10-60	8-44	5-06	6-31	3-81	4-12	2-56	3-08	..	..	..	..	..	..
..	1	3	1	2	1	9-50	7-87	..	6-06	..	..	..	..	..	..	..	..	..	..
..	2	..	2	3	2	8-00	7-56	..	5-81	..	..	..	..	..	..	..	..	..	..
..	3	4	3	4	3	6-62	6-31	3-12	4-12	2-56	3-56	2-60	1-56	..	..	..	..	..	..
..	4	5	4	5	4	5-31	5-06	..	..	..	..	..	..	..	..	..	..	..	..
..	5	..	5	..	5	4-00	3-81	..	..	..	..	..	..	..	..	..	..	..	..

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SALEM DISTRICT—cont.

TABLE B-1—DRY IN RYOTWARI VILLAGES.

Class and sort of soil.		I Group.		II Group.		III Group.		IV Group.	
III	IV	V	VIII	VII	VIII	I Group.	II Group.	III Group.	IV Group.
..	1	..	..	..	..	3.75	3.12	2.25	1.56
1	2	..	A	1	A	3.12	2.25	1.56	1.25
2	..	1	1	2	1	2.25	1.56	1.25	1.00
..	..	2	2	..	2	1.56	1.25	1.00	0.62
..	3	..	..	..	..	1.25	1.00	0.62	0.50
3	..	3	..	..	..	1.00	0.62	0.50	0.44
..	..	..	3	3	3	0.62	0.50	0.31	0.31

TABLE B-2 DRY RATES (APPLICABLE TO EX-ESTATE VILLAGES.)

III	IV	V	VII	VIII	Group I	Group II	Group III	Group IV OCC	Group V UN-OCC
..	1	..	..	..	RS. P.	RS. P.	RS. P.	RS. P.	RS. P.
1	2	..	1	1	3.75	3.12	2.25	1.56	1.25
2	3	1	2	2	3.12	2.25	1.56	1.25	1.00
3	4	2	3	3	2.25	1.56	1.25	1.00	0.62
4	5	3	4	4	1.56	1.25	1.00	0.62	0.50
..	..	..	..	5	1.25	1.00	0.62	0.50	0.44
..	..	4	5	5	1.00	0.62	0.50	0.44	0.31
..	..	5	5	5	0.62	0.50	0.31	0.31	0.25

Special Rates A.

(Applicable to water spread lands).

III	IV	V	VII	VIII	Group I	Group II	Group III.
..	1	..	..	..	4.00	3.75	3.12
1	2	1	1	1	3.75	3.12	2.25
2	3	2	2	2	3.12	2.25	1.56
3	4	3	3	3	2.25	1.56	1.25
4	5	4	4	4	1.56	1.25	1.00
5	..	5	5	5	1.25	1.00	0.62
..	..	..	..	..	1.00	0.62	0.50

Special Rates—L.

(Applicable to tanks having over for private maintenance)

Higher rate—Rs. 3.12

Lower rate—Rs. 2.25

SPECIAL RATES—C.

(Applicable to private irrigation works)

Class III	Class IV	Class V
(1)	(2)	(3)
5.06	3.81	3.12
3.81	3.12	2.56
3.12	2.56	2.00

SALEM DISTRICT—cont.

TABLE D-1—CHITTERI HILL VILLAGES

Class and sort of soil.		Dry rates.	
VII	VIII	IV Group	Rs. P.
1	A	1 06	
2	1	0 81	
..	2	0 56	
1	3	0 25	

TABLE D-2—SHEVAROYS AND OTHER HILL VILLAGES

KOLLIMALAI HILL VILLAGES		wet rates.	
Class and sort of soil.		VI Class	
VII	VIII	(3)	RS. P.
1	..	3 75	
2	1	3 12	
3	2	2 50	
4	3	2 00	
5	4	1 50	
..	5	1 12	

TABLE D-3—HILL VILLAGES—DRY RATES

Class and sort.		Jarugumalai hills.				Other Hill Villages.			
VII	VIII	IV Group	V Group	VI Group	VI Group	III Group.	IV Group.	V Group.	VI Group.
(1)	(2)	(3)	(4)	(5)	(6)	(8)	(9)	(10)	(11)
1	1	1-12	0-87	..	..	1-56	1-25	1-00	0-56
2	2	0-87	0-56	..	..	1-25	1-00	0-62	0-37
3	3	0-56	0-37	0-56	0-31	1-00	0-62	0-44	0-31
4	4	0-37	0-25	0-37	0-25	0-50	0-44	0-31	0-25
5	5	0-25	0-19	0-31	0-19	0-31	0-31	0-25	0-19

Salem District Resettlement Notification G. O. No. 258, Revenue, dated 1st February 1935.
Settlement Notification relating to Hill villages G.O. 1793, Revenue, dated 17th August 1976.
Section 22 Notification for Ex-estate villages of Salem district G. O. No. 1751, Revenue, dated 1st May 1956.
Two Ex-Inam Estates in Thathayangarpet firka (in dry Group II) Section 22 Settlement Notification issued in G. O. Ms. 4147, Revenue, dated 17th October 1960.
Thathayangarpet Firka Minor Inams Notification G. O. Ms. No. 3306, Revenue, dated 25th November 1966.
Minor Inams in Salem district Section 15 Notification in G. O. Ms. No. 3119, Revenue, dated 28th October 1966.

DHARMAPURI DISTRICT

(Excluding Ryotwari areas in Harur Taluk and Uthangarai Sub-Taluk, Dharmapuri District).

Table A. 1 wet rates ryotwari areas :-

Class and sort.		I Class.		II Class.		III Class.		IV Class.		V Class.	
III	IV	S.C.	D.C.	S.C.	D.C.	S.C.	D.C.	S.C.	D.C.	S.C.	D.C.
(1)	(2)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)
..	1	10-75	14-31	9-50	12-69	8-50	10-62	7-25	8-69	6-25	7-50
..	..	..	..	..	11-87	..	10-19	..	8-19	..	17-00
..	2	9-00	12-00	8-00	10-69	6-75	10-12	5-62	8-44	4-50	5-37
1	3	8-00	10-69	6-75	10-00	..	8-44	..	6-75	..	5-37
2	..	6-75	9-00	5-62	7-50	4-50	8-12	4-50	6-25	3-37	5-06
..	2	..	..	..	7-06	..	5-50	3-37	4-37	2-75	4-37
3	4	5-62	7-50	4-50	6-00	3-37	4-25	2-75	3-75	2-25	3-31
..	3	..	..	..	5-62	..	4-37	..	3-31	..	3-25
4	5	4-50	6-00	3-37	4-50	2-75	3-75	2-25	3-25	1-75	2-25
5	..	3-37	4-50	2-75	3-69	2-25	3-25	1-75	2-75	1-37	1-8
..	5	..	..	..	3-75	..	2-81	..	2-25	..	1-62

Note:-S.C. single cup. D.C. double cup.

DHARMAPURI DISTRICT

(Including Tirupathur Taluk of North Arcot District and Ex-estate areas in Harur Taluk but excluding ryotwari areas of Harur taluk and Uthangarai Sub-taluk).

TABLE A2-WET RATES Ex-estate areas-Single cup rates

Class and sort of soil.		I		II		III		IV		V	
III	IV	S.C.	D.C.	S.C.	D.C.	S.C.	D.C.	S.C.	D.C.	S.C.	D.C.
(1)	(2)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)
..	1	10-75	14-31	9-50	12-69	8-50	10-62	7-25	8-69	6-25	7-50
..	..	..	..	..	11-87	..	10-19	..	8-19	..	17-00
1	3	9-00	12-00	8-00	10-69	6-75	10-12	5-62	8-44	4-50	5-37
2	..	8-00	10-69	6-75	10-00	..	8-44	..	6-75	..	5-37
3	4	6-75	9-00	5-62	7-50	4-50	8-12	4-50	6-25	3-37	5-06
4	5	5-62	7-50	4-50	6-00	3-37	4-25	2-75	3-75	2-25	4-37
5	..	4-50	6-00	3-37	4-50	2-75	3-75	2-25	3-25	1-75	4-37
..	5	3-37	4-50	2-75	3-69	2-25	3-25	1-75	2-75	1-37	5-37
..	..	..	..	..	3-75	..	2-81	..	2-25	..	5-00

TABLE B-DRY AND SPECIAL RATES

Class and sort of soil.		I		II		III		IV		V	
III	IV	S.C.	D.C.	S.C.	D.C.	S.C.	D.C.	S.C.	D.C.	S.C.	D.C.
(1)	(2)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)
..	1	10-75	14-31	9-50	12-69	8-50	10-62	7-25	8-69	6-25	7-50
..	..	..	..	..	11-87	..	10-19	..	8-19	..	17-00
1	3	9-00	12-00	8-00	10-69	6-75	10-12	5-62	8-44	4-50	5-37
2	..	8-00	10-69	6-75	10-00	..	8-44	..	6-75	..	5-37
3	4	6-75	9-00	5-62	7-50	4-50	8-12	4-50	6-25	3-37	5-06
4	5	5-62	7-50	4-50	6-00	3-37	4-25	2-75	3-75	2-25	4-37
5	..	4-50	6-00	3-37	4-50	2-75	3-75	2-25	3-25	1-75	4-37
..	5	3-37	4-50	2-75	3-69	2-25	3-25	1-75	2-75	1-37	5-37
..	..	..	..	..	3-75	..	2-81	..	2-25	..	5-00

TABLE C—SPECIAL RATES.

(Applicable to tanks handed over private maintenance)

	RS. P.
Higher rate	2 75
Lower rate ..	2 25

TABLE D—SPECIAL RATES

(Applicable to private irrigation works according to the sources on which they are situated are placed in Class IV or Class V)

Class IV RS. P.	Class V. RS. P.
4 50	3 37
3 37	2 25
2 25	1 75

II Resettled ryotwari areas in Harur taluk and Uthangarai sub-taluk.

TABLE 'E' WET RATES.

Class and sort of soil.			First class.		Second class.		Third class.		Fourth class.		Fifth class.	
III	IV	V	S.C.	D.C.	S.C.	D.C.	S.C.	D.C.	S.C.	D.C.	S.C.	D.C.
(1)	(2)	(3)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)
..	..	..	RS. P.	RS. P.	RS. P.	RS. P.	RS. P.	RS. P.	RS. P.	RS. P.	RS. P.	RS. P.
1	..	..	13 94	20 87	..	..	..	..	..	..	..	..
..	..	1	12 75	19 12	10 69	14 25	9 56	12 00	8 19	10 19	7 06	7 94
..	..	2	..	..	..	13 37	11 50	..	..	9 75	..	..
..	..	..	..	..	..	12 81	..	..	..	9 31	..	..
..	..	..	10 69	16 00	9 00	12 00	7 62	9 50	6 31	7 87	5 06	6 06
..	..	1	..	..	..	11 25	9 12	9 12	..	7 56	5 56	5 56
..	..	2	..	..	..	10 81	..	..	..	7 37	..	..
..	..	..	9 50	14 25	7 62	10 12	6 31	7 87	5 06	6 31	3 81	4 56
..	..	1	..	..	..	9 50	7 56	7 56	..	6 06	4 31	4 31
..	..	2	..	..	..	9 12	..	..	..	5 81	..	..
..	..	..	8 00	12 00	6 31	8 44	5 06	6 31	3 81	4 81	3 12	3 75
..	..	..	..	..	..	7 56	..	6 06	..	4 31	..	..
..	..	2	..	..	..	..	..	..	..	..	..	..
..	..	..	6 62	9 94	5 06	6 75	3 81	4 81	3 12	4 12	2 56	3 06
..	..	..	..	..	..	6 31	..	4 56	..	3 75	..	..
..	..	..	..	..	..	6 06	..	..	..	3 62	..	..
..	..	3	5 31	8 00	3 81	5 06	3 12	4 12	2 56	3 56	2 00	2 50
..	..	..	..	..	..	4 81	..	..	..	3 06	..	..
..	..	3	4 00	6 00	3 12	4 12	2 56	3 56	2 00	3 00	1 56	2 00
..	..	..	..	..	..	3 62	..	..	..	2 50	..	..

Note—S.C. Single crop rates. D.C. Double crop rates.

II Resettled ryotwari areas in Harur taluk and Uthangarai sub-taluk—cont.

TABLE 'F' DRY RATES.

Class and sort of soil.													
III	IV	V	VII	VIII	I Group.		II Group.		III Group.		IV Group.		
(1)	(2)	(3)	(4)	(5)	RS.	P.	RS.	P.	RS.	P.	RS.	P.	
..	1	..	..	..	3	75	3	12	2	25	1	56	
1	2	..	1	..	3	12	2	25	1	56	1	25	
2	..	1	2	1	2	25	1	56	1	25	1	00	
..	..	2	..	2	1	56	1	25	1	00	0	62	
..	3	..	..	..	1	25	1	00	0	62	0	50	
3	..	3	..	..	1	00	0	62	0	50	0	44	
..	..	..	3	3	0	62	0	50	0	31	0	31	

II. Resettled ryotwari areas of Harur Taluk and Uthangarai Sub-Taluk. G. O. No. 268, dated 1st December 1935,

Resettlement Notification for Dharmapuri District (excluding Uthangarai Sub-Taluk and Harur Taluk) and Tirupathur taluk including Elagiri Hills but excluding 4 villages of Javadi :-

G. O. Press No. 1044, Revenue, dated 22nd April 1938.

Ex-estate villages Tirupathur Taluk-Section 22 Notification G. O. Ms. No. 2157, Revenue, dated 12th June 1958.

Ex-estate villages Dharmapuri District G. o. No. 1751 Revenue dated 1st may 1956,

Minor Inams of Dharmapuri District Section 16 notification G. O. Ms. No. 3213, Revenue dated 15th November 1966.

And G. O. Ms. No. 3120, Revenue, dated 28th October 1966.

Resettlement Notification for Hill Villages G. O. No. 1793, dated 17th August 1936.

THE NILGIRIS WYNAADS.

MONEY RATES.

Class and sort of soil.										Wet.			
III	IV	V	VI	VII	VIII	Old Holdings.		New Holdings.					
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	RS.	P.	RS.	P.		
..	1	..	..	..	..	2 87	3 50						
1	..	..	..	..	..	2 62	3 25						
..	2	..	..	1	..	2 37	2 87						
3	3	..	1	2	..	2 00	2 62						
4	4	1	2	3	1	1 75	2 37						
5	5	2	3	4	2	1 37	2 00						
..	..	3	4	5	3	1 12	1 75						
..	..	4	5	..	4	0 87	1 37						
..	..	5	..	..	5	0 62	1 12						
Estate.													
Dry.													
Old holdings.													
Developed.													
Undeveloped.													
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	RS.	P.	RS.	P.		
I	2 00	2 50	..	..	..	..	..						
II	1 50	2 00	..	..	..	..	..						
III	1 00	1 50	..	..	..	..	..						
IV	0 50	1 00	..	..	..	..	..						
..	..	..	0 03	2 37	3 00	0 03	0 62						

COIMBATORE DISTRICT.

(including Karur taluk of Tiruchirappalli District).

TABLE A—WET RATES.

Class and sort of soil.		V		VII		VIII		Class I.		Class II.		Class III.	
III	IV	(3)	(4)	(5)	(6)	(7)	(8)	RS.	P.	RS.	P.	RS.	P.
..	1	..	..	..	13.75	11.50	9.25	13.75	11.50	9.25	6.87	5.75	4.00
1	2	..	1	..	11.50	9.25	6.87	11.50	9.25	6.87	5.75	4.00	3.50
2	3	1	2	1	9.25	6.87	5.75	9.25	6.87	5.75	4.00	3.50	2.87
3	4	2	3	2	6.87	5.75	4.00	6.87	5.75	4.00	3.50	2.87	2.87
4	5	3	4	3	5.75	4.00	3.50	5.75	4.00	3.50	2.87	2.87	2.87
5	..	4	5	4	4.00	3.50	2.87	4.00	3.50	2.87	2.87	2.87	2.87
..	..	5	..	5	4.00	3.50	2.87	4.00	3.50	2.87	2.87	2.87	2.87

COIMBATORE DISTRICT—cont.
TABLE B—DRY AND SPECIAL RATES.

Class and sort of soil.		V		VII		VIII		Dry rates.		Special rates applicable to water spread lands (equivalent to manuvarti rates).	
III	IV	(3)	(4)	(5)	(6)	(7)	(8)	Coimbatore taluk.	Other taluks.	Coimbatore taluk.	Other taluks.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	Group I.	Group II.	Group I.	Group II.
..	1	..	..	..	2.25	2.25	1.69	RS. P.	RS. P.	RS. P.	RS. P.
2	2	..	1	..	1.69	1.69	1.37	2.25	1.69	2.25	1.69
3	3	1	2	1	1.37	1.37	0.81	1.69	1.37	1.69	1.37
4	4	2	3	2	1.12	1.12	0.56	1.37	1.12	1.37	1.12
5	5	3	4	3	0.81	0.81	0.56	1.12	0.81	1.12	0.81
..	..	4	5	4	0.56	0.56	0.44	0.81	0.56	0.81	0.56
..	..	5	..	5	0.37	0.44	0.31	0.56	0.44	0.56	0.44

NOTE.—The money rates for the avacut of private irrigation works are one taram less than the appropriate wet rate, the last rate under a III Class source being Rs. 2.25.
Ryotwari Resettlement rates notified in G.O. Ms. No. 909, Revenue, dated 23rd March 1910.
For Karur taluk settlement rates for Ex-estate areas notified in G.O. Ms. No. 4147, Revenue, dated 17th October 1960.
For Coimbatore district settlement notification for ex-estate areas G.O. Ms. No. 329, Revenue, dated 8th February 1955.
For Coimbatore district settlement notification for inam estates G.O. Ms. No. 1664, Revenue, dated 21st September 1967.
For Coimbatore district settlement notification for minor inams G.O. Ms. No. 1665, Revenue, dated 21st September 1967.

TIRUCHIRAPPALLI DISTRICT.

(including four villages transferred from Tiruchirappalli taluk to Alangudi taluk but excluding 14 villages of Illuppur firka and Thathaiyargarpet firka of Musiri taluk and Karur taluk).

TABLE 'A'—KADARAMBAM WET.

Wet rates.									
Class and sort of soil.									
III	IV	V	VI	VII	VIII	Class II.	Class III.	Class IV.	Class V.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
..	1	..	..	..	..	rs. p.	rs. p.	rs. p.	rs. p.
1	2	..	..	1	..	9 75	7 75	7 12	6 25
2	3	1	..	..	1	8 25	6 25	5 62	5 00
3	4	2	1	2	1	7 12	5 00	4 37	4 12
4	5	3	2	3	2	5 62	4 12	3 75	3 50
5	..	4	3	4	3	4 37	3 50	3 25	3 00
..	..	5	4	5	4	3 75	3 00	2 37	2 00
..	..	..	5	..	5	3 25	2 00	1 75	1 50
..	..	..	5	..	5	3 00	1 75	1 50	1 00

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TABLE 'B'—NIRARAMBAM WET.

Wet rates.									
Class and sort of soil.									
I	II	III	IV	V	VII	VIII	Class I.	Class II.	Class III.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
..	1	..	..	..	..	..	rs. p.	rs. p.	rs. p.
1	2	..	..	..	..	..	14 25	11 87	10 62
2	3	..	1	..	..	..	11 87	10 62	9 50
3	4	1	..	..	..	..	10 62	9 50	8 25
4	5	2	1	..	1	..	9 50	8 25	7 12
5	..	3	2	1	2	1	8 25	7 12	5 94
..	..	4	3	2	3	2	7 12	5 94	5 25
..	..	5	4	3	4	3	5 94	5 25	4 75
..	..	..	5	4	5	4	5 25	4 75	4 12
..	..	..	..	5	..	5	4 75	4 12	3 50

Tiruchirappalli district—cont.

TABLE C.
KADARAMBAM DRY AND SPECIAL RATES.

Dry rates.									
Class and sort of soil.									
I	II	III	IV	V	VII	VIII	Group I.	Group II.	Group III.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
1	..	..	..	..	..	..	rs. p.	rs. p.	rs. p.
1	2	..	..	..	..	..	3 37	3 06	2 81
2	3	..	..	..	..	..	2 50	2 25	2 00
3	4	1	..	1	..	..	2 25	2 00	1 87
4	5	2	1	2	1A	1	1 87	1 56	1 25
5	..	3	2	3	1	1	1 25	1 00	0 87
..	..	4	3	4	2	2	0 87	0 75	0 62
..	..	5	4	5	3	3	0 62	0 56	0 50
..	..	..	5	..	4	4	0 50	0 44	0 37
..	..	..	..	..	5	5	0 44	0 37	0 31

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TABLE D.
NIRARAMBAM DRY AND SPECIAL RATES.

Dry rates.									
Class and sort of soil.									
I	II	III	IV	V	VII	VIII	Group I.	Group II.	Group III.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
1	2	..	..	..	..	..	rs. p.	rs. p.	rs. p.
1	2	..	..	..	..	..	5 94	5 94	5 94
2	3	1	..	..	..	..	5 94	5 94	5 94
3	4	2	..	..	..	..	4 75	4 75	4 75
4	5	3	1	..	..	..	3 50	3 50	3 50
5	..	4	2	..	..	..	3 00	3 00	3 00
..	..	5	3	1	1	1	2 37	2 37	2 37
..	..	..	4	2	2	2	1 75	1 75	1 75
..	..	..	5	3	3	3	1 50	1 50	1 50
..	..	..	..	4	4	4	1 19	1 19	1 19
..	..	..	..	5	5	5	0 87	0 87	0 87

KOLLIMALAI HILL VILLAGES.

TABLE F.

(for Tanks handed over for private maintenance).

Rese tlement Notification G.O. No. 177, Revenue, dated 29th January 1925.

Section 22 Notification G.O. Ms. No. 4147, Revenue, dated 17th October 1960.

Inam Estates—Section 20 Notification G.O. Ms. No. 914, Revenue, dated 29th April 1968.

Minor Inam—Section 16 Notification G.O. Ms. No. 2676, Revenue, dated 25th August 1966.

include notions transferred to Puduchotai District on its formation, but not including Ramanathapuram Zamin Villages).

TABLE A. WET RATES.

[illegible]

THANJAVUR DISTRICT—cont.

TABLE B.
DRY AND MANAVARI RATES.

i	II	III	IV	V	VII	VIII	XII	XIII	XIV	Dry.				Manavari.			
										Group I.		Group II.		Group I.		Group II.	
										RS.	P.	RS.	P.	RS.	P.	RS.	P.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)
1P	..	..	..	..	..	..	..	..	..	8.25	..	..	..	..	..	..	..
2P	1P	..	..	..	..	..	..	..	..	5.94	..	..	..	..	..	..	..
1	..	..	..	..	..	..	..	..	..	5.94	4.75	..	..	..	..	..	..
2	1	..	..	..	..	..	..	..	..	4.75	3.50	..	..	..	..	..	..
3	2	1	..	..	..	..	..	..	..	3.50	3.00	4.75	3.50	..	..	3.50	3.00
4	3	2	1	..	..	..	..	..	..	3.00	2.37	3.00	2.37	3.50	3.00	3.00	2.37
5	4	3	2	..	1	..	..	..	..	2.37	1.75	3.00	2.37	1.75	1.50	1.75	1.50
..	5	4	3	1	2	1	1	..	..	1.75	1.50	2.37	1.75	1.50	1.50	1.50	1.19
..	..	5	4	2	3	2	2	1	..	1.50	1.19	1.75	1.50	1.50	1.50	1.50	1.19
..	..	..	5	3	4	3	3	2	1	1.19	0.87	1.75	1.50	1.50	1.50	1.50	1.19
..	..	..	..	4	5	4	..	3	2	0.87	0.50	1.75	1.50	1.50	1.50	1.50	1.19
..	..	..	..	5	..	5	..	3	2	0.87	0.50	1.75	1.50	1.50	1.50	1.50	1.19
..	..	..	..	..	..	..	..	..	3	0.50	0.25	0.87	0.50	0.87	0.50	0.87	0.50

Resettlement Notification for Thanjavur District G.O. No. 2219, Revenue, dated 12th December 1922 as amended by G.O. No. 439, Revenue, dated 17th March 1924. G.O. No. 622, Revenue, dated 21st April 1924. G.O. No. 1205, Revenue, dated 7th August 1924.
 Section 22 Settlement Notification for Ex-estate villages upland tract of Pattukkottai, Orathanadu and Arantangi Taluks G.O. Ms. No. 2156, Revenue, dated 12th June 1958.
 Section 22, Notification Ex-estates in other Taluks—G.O. Ms. No. 4580, Revenue, dated 27th December 1958.
 Section 20, Inam Estates in upland tracts—G.O. Ms. No. 3406, Revenue, dated 12th December 1966.
 Section 16 Notification for Minor Inams in uplands tract—G.O. Ms. No. 3591, Revenue, dated 31st December 1966.
 Section 16 Notification for Minor Inams in uplands tract—G.O. Ms. No. 2416, Revenue, dated 20th July 1966.
 Section 16 Notification for Minor Inams in other taluks—G.O. Ms. No. 2529, Revenue, dated 4th August 1966.

(Including the 4 villages of Manapparai sub-taluk (viz.) Kelayur, Sempatti, Suliapatti and Usilampatti but excluding the 14 villages of Iluppur Arka transferred from Tiruchirappalli Taluk.)

PUDUKKOTTAI DISTRICT.

TABLE A. Wet Rates.

Class and sort of soil.						Class I.	Class II.	Class III.	Class IV.	Class V.
III	IV	V	VI	VII	VIII.	(7)	(8)	(9)	(10)	(11)
(1)	(2)	(3)	(4)	(5)	(6)	RS.	RS.	RS.	RS.	RS.
..	1	..	..	..	..	10.62	10.00	9.00	7.50	5.00
..	2	..	..	1	..	9.50	9.50	7.50	6.00	4.00
..	3	1	1	2	1	8.25	7.50	6.00	5.00	3.50
1	4	2	2	3	2	7.12	6.00	5.00	4.00	3.00
2	5	3	3	4	3	5.94	5.00	4.00	3.50	2.50
3	..	4	4	5	4	5.25	4.00	3.50	3.00	2.00
4	..	5	5	..	5	4.75	3.50	3.00	2.50	1.50

TABLE B. Manavari and Dry Rates.

Class and sort of soil.										Manavari.				Dry.			
										I.		II.		III.		IV.	
										(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
III	IV	V	VI	VII	VIII	IX	X	XI	XII	RS.	RS.	RS.	RS.	RS.	RS.	RS.	RS.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	3.00	2.50	2.00	1.50	1.00	0.50	0.25	0.12
1	2	3	4	5	..	..	..	..	..	3.00	2.50	2.00	1.50	1.00	0.50	0.25	0.12
2	3	4	5	..	..	..	..	..	..	2.50	2.00	1.50	1.00	0.50	0.25	0.12	0.06
3	4	5	..	..	..	..	..	..	..	2.00	1.50	1.00	0.50	0.25	0.12	0.06	0.03
4	5	..	..	..	..	..	..	..	..	1.50	1.00	0.50	0.25	0.12	0.06	0.03	0.01
5	..	..	..	..	..	..	..	..	..	1.00	0.50	0.25	0.12	0.06	0.03	0.01	0.00
..	..	..	..	..	..	..	..	..	..	0.50	0.25	0.12	0.06	0.03	0.01	0.00	0.00
..	..	..	..	..	..	..	..	..	..	0.25	0.12	0.06	0.03	0.01	0.00	0.00	0.00
..	..	..	..	..	..	..	..	..	..	0.12	0.06	0.03	0.01	0.00	0.00	0.00	0.00

Resettlement notification issued in G.O. Ms. No. 177, Revenue, dated 29th January 1925 as modified in G.O. Ms. 2254, Revenue, dated 22nd May 1962.

Minor Inams Notification—G.O. Ms. No. 1408, Revenue, dated 14th August 1967.

RAMANATHAPURAM DISTRICT.

(Excluding portions of Saptur, Sandayer and Perayur Zamin estates in Sathur and Srivilliputhur taluks and portions of Ettayapuram, Sivagiri and Athangurai Zamins lying in Ramanathapuram District, but including Srivilliputhur taluk in Sankaranarayan and Kovilpatti taluks and open villages of Ramanathapuram Zamin included in Aranthangi taluk of Pudukottai District.)

TABLE 'A' WET RATES.

III	IV	V	VI	VII	VIII	XII	XIII	XIV
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
..	1	..	..	A	..	..	..	..
..	2	..	..	1	..	..	..	..
1	3	1	1	2	1	1	..	..
2	4	2	2	3	2	2	1	..
3	5	3	3	4	3	3	2	1
4	..	4	4	5	4	..	3	2
5	..	5	5	..	5	..	..	3

First Class.		Second Class.		Third Class.		Fourth Class.		Fifth Class.	
S.C.	D.C.	S.C.	C.S.C.	S.C.	O.S.C.	S.C.	C.S.C.	S.C.	C.S.C.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
R.; a.	R.; a.	R.; a.	R.S. a.	R.; a.	R.; a.	R.; a.	R.; a.	R.; a.	R.; a.
15-00	22-50	13-12	17-50	10-25	14-37	8-50	10-25	6-75	7-87
13-12	19-68	10-25	15-25	8-50	10-62	6-75	8-12	5-00	5-81
10-12	15-18	8-50	11-37	6-75	8-50	5-00	6-00	4-00	4-69
7-50	11-25	6-75	9-00	5-00	6-25	4-00	4-75	3-37	3-94
5-62	8-43	5-00	6-62	4-00	5-00	3-37	4-00	2-75	3-19
4-25	6-37	4-00	5-25	3-37	4-25	2-75	3-25	2-25	3-63
3-37	5-46	3-37	4-50	2-75	3-30	2-25	2-62	2-25	2-62

Note.—S.C.—Single crop rate.

D.C.—Registered double crop rate.

C.S.C.—Compounded second crop charge.

RAMANATHAPURAM DISTRICT—cont.

TABLE 'B'—DRY AND MANAVARI RATES.

Class and sort of soil.										Dry rates.			Manavari rates.		
III	IV	V	VI	VII	VIII	XII	XIII	XVI	XVI	First group.	Second group.	(11)	First group.	Second group.	(13)
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(9)	R.; P.	R.; a.	R.; a.	R.; a.	R.; a.	R.; a.
..	1	..	..	..	..	..	..	..	..	2-81	1-69	3-37	2-81	1-69	2-81
1	2	..	..	1	..	..	..	..	..	1-69	1-12	2-81	1-69	1-69	1-69
2	3	1	1	2	1	1	..	..	..	1-12	0-81	1-69	1-12	1-12	1-12
3	4	2	2	3	2	..	1	..	..	0-81	0-56	1-12	0-81	0-81	0-81
4	5	3	3	4	3	2	..	1	1	0-56	0-37	0-81	0-56	0-56	0-56
5	..	4	4	5	4	..	2	..	..	0-37	0-25	0-56	0-37	0-37	0-37
..	..	5	5	..	5	3	..	2	2	0-25	0-19	0-37	0-25	0-37	0-37
..	..	..	..	..	..	..	3	..	..	0-19	0-19	0-37	0-19	0-37	0-37
..	..	..	..	..	..	..	..	3	3	0-19	0-19	0-37	0-19	0-37	0-37

TABLE 'C' FOR HILL AREAS.

Developed lands including wet lands Rs. 2 per acre.
Undeveloped lands Rs. 0-87 per acre.

Resettlement Notification for Sathur and Srivilliputhur taluks G.O. No. 785 Revenue dated 18th March 1911.
Resettlement Notification for resumed Inams in Aruppukottai and Paramakudi Taluks G.O. No. 274 Revenue, dated 5th February 1919.
Resettlement Notification for resumed Inams in Ramnad, Sivaganga, Mudukulathur and Tiruvadanai Taluks G.O. No. 1239 Revenue, dated 31st May 1916.
Section 22 Notification for Ramanathapuram Zamin area G.O. Ms. No. 1570 Revenue, dated 17th April 1956.
Section 22 Notification for Sivaganga Zamin area G.O. Ms. No. 2898 Revenue, dated 8th August 1968.
Section 22 Notification for Sathur and Srivilliputhur Taluks G.O. Ms. No. 4546 Revenue, dated 24th December 1958.
Section 20 Notification for Inam Estates in G.O. Ms. No. 1392 Revenue, dated 15th July 1968.
Section 16 Notification for Minor Inams G.O. Ms. No. 684 Revenue, dated 22nd March 1967.

MADURAI DISTRICT.

Including portions of Saptur, Sandayur and Peraiyur Zamin estates in Sathur and Srivilliputhur taluks of Ramanathapuram district but excluding Sivaganga Zamin portions in Melur Taluk.)

TABLE 'A'—WET RATES.

Class and sort of soil.		Periyar Wet rates.									
III	IV	V	VII	VIII	First class.		Second class.		Third class.		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)		
..	1	..	..	..	RS. P. S.C. 11-87	RS. P. D.C. 17-81	RS. P. S.C. 10-62	RS. P. D.C. 15-94	RS. P. S.C. 9-37		
1	2	..	1	..	10-62	15-94	9-37	14-06	8-12		
2	3	1	2	1	8-75	13-12	8-12	12-19	6-87		
3	4	2	3	2	7-50	11-25	6-87	10-31	5-62		
4	5	3	4	3	6-25	9-37	5-62	8-44	4-37		
5	..	4	5	4	5-00	7-50	4-37	6-56	3-12		
..	..	5	..	5	3-75	5-62	3-12	4-69	2-50		
<i>Non-Periyar Wet rates.</i>											
Second class.		Third class.		Fourth class.		Fifth class.		Kodaikanal Taluk.			
S.C.	D.D.C.	S.C.	C.D.C.	S.C.	C.D.C.	S.C.	C.D.C.	S.C.	D.C.	C.D.C.	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)			
RS. P.	RS. P.	RS. P.	RS. P.	RS. P.	RS. P.	RS. P.	RS. P.	RS. P.			
10-62	14-19	9-37	11-75	8-12	9-75	6-87	8-00	5-00			
9-37	12-50	8-12	10-19	6-87	8-25	5-62	6-56	4-50			
8-12	10-81	6-87	8-62	5-62	6-75	4-37	5-12	3-50			
6-87	9-19	5-62	7-06	4-37	5-25	3-12	3-62	2-50			
5-62	7-50	4-37	5-50	3-12	3-75	2-50	2-94	2-00			
4-37	5-31	3-12	3-94	2-50	3-00	2-37	2-76	2-00			
3-12	4-19	2-50	3-12	2-37	2-87	2-37	2-75	2-00			

SC.—Single crop rate. D.C.—Registered Double crop rate. C.D.C.—Compounded double crop rate.

TABLE 'B'—DRY AND SPECIAL RATES.

Class and sort of soil.		Dry rates		Special rates		Kodai kanal dry rates		Taluk dry rates	
I	IV	V	VII	VIII	(6)	(7)	(8)	(9)	
(1)	(2)	(3)	(4)	(5)	RS. P.	RS. P.	RS. P.	RS. P.	
..	..	..	..	..	2-75	3-12	2-00	2-37	
3	2	..	1	..	2-00	2-75	1-50	1-75	
4	3	1	2	1	1-50	2-00	1-25	1-44	
5	4	2	3	2	1-12	1-50	1-00	1-12	
..	5	3	4	3	0-87	1-12	0-75	0-87	
..	..	4	5	4	0-50	0-87	0-50	0-50	
..	..	5	..	5	0-37	0-50	0-37	0-37	
..	..	..	..	..	0-25	0-37	0-25	0-25	

* Applicable to Kokkal Mantranallur Pandi & Pumarai villages.

'A' applicable to other villages.

TABLE C (APPLICABLE TO HILL AREAS SUITABLE FOR PLANTATION CROPS).

Developed lands including wet lands Rs. 2 per acre.

Undeveloped lands 0-87 per acre.

Resettlement notification for Non-Periyar tract G.O. No. 710 Revenue dated 28th March 1916.

Supplemental notification for small rainfed tanks G.O. No. 2939, Revenue, dated 19th December 1916.

Resettlement notification for Periyar tract G.O. No. 1413 Revenue, dated 15th April 1918.

Resettlement notification for Hill tract in Kodaikanal taluk G.O. No. 1835 Revenue dated 6th October 1925.

Settlement Notification for Ex-estate areas G.O. Ms. No. 1194, Revenue, dated 27th February 1960.

Settlement Notification for Inam Estates G.O. Ms. No. 1696, Revenue, dated 26th September 1967.

Settlement Notification for MinorInamsG.O. Ms. No. 653, Revenue, dated21st March 1967.

TIRUNELVELI DISTRICT.

Excluding Shenkottah Taluk and portions of Seval pattu estate situated in Sankarankoil and Koilpatti Taluks, but including portions of Ettayapuram, Sivagiri and Athangarai Zamin estate lying in Sathur and Srivilliputhur Taluks of Ramanathapuram District.

TABLE 'A'—WET RATES.

Class and sort of soils.							
III	IV	V	VI	VII	VIII		
(1)	(2)	(3)	(4)	(5)	(6)		
..	1	..	..	A	..		
..	2	..	..	1	..		
1	3	1	1	2	1		
2	4	2	2	3	2		
3	5	3	3	4	3		
4	..	4	4	5	4		
5	..	5	5	..	5		

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CLASSIFICATION OF SOURCES.

First Class.		Second Class.		Third Class.		Fourth Class.		Fifth Class.	
Single crop.	Double crop.	Single crop.	Double crop.	Single crop.	Double crop.	Single crop.	Double crop.	Single crop.	Double crop.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
RS. P.	RS. P.	RS. P.	RS. P.	RS. P.	RS. P.	RS. P.	RS. P.	RS. P.	RS. P.
15-00	22-50	13-12	17-50	10-25	14-37	8-50	10-25	6-75	7-87
13-12	19-75	10-25	15-25	8-50	10-62	6-75	8-12	5-00	5-81
10-12	15-25	8-50	11-37	6-75	8-50	5-00	6-00	4-00	6-69
8-50	11-25	6-75	9-00	5-00	6-25	4-00	4-75	3-37	3-94
5-62	8-50	5-00	6-62	4-00	5-00	3-37	4-00	2-75	3-19
4-25	6-37	4-00	5-25	3-37	4-25	2-75	3-25	2-25	2-62
3-37	5-00	3-37	4-50	2-75	3-50	2-25	2-62	2-25	2-62

TABLE 'B'—DRY AND MANAVARI RATES.

Class and Sort of soils.									
III	IV	V	VI	VII	VIII	XII	XIII	Dry.	Manavari.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
..	1	..	..	A	..	..	..	RS. P.	RS. P.
1	2	..	..	1	..	..	..	2-81	3-37
2	3	1	1	2	1	..	..	1-69	2-81
3	4	2	2	3	2	1	..	1-12	1-69
4	5	3	3	4	3	2	1	0-81	1-12
5	..	4	4	5	4	3	2	0-56	0-81
..	..	5	5	..	5	..	3	0-37	0-56
..	..	..	..	..	6	..	..	0-25	0-37
..	..	..	..	..	..	..	..	0-19	..

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TABLE 'C'.

Special rates for Hill areas suitable for plantation crops.

Developed lands .. Rs. 2 per acre.
Undeveloped lands .. Rs. 0-87 per acre.

Resettlement notification for Koilpatti and Sankarankoil taluks—G.O. Ms. No. 785, Revenue, dated 18th March 1911.

Resettlement notification for Ambasamudram, Tirunelveli and tenkasi Taluks—G.O. Ms. No. 304, Revenue, dated 31st January 1908 and G.O. No. 1971, Revenue, dated 10th July 1908.

Resettlement Notification for Tiruchendur and Srivaikundam taluks—G.O. No. 2149, Revenue, dated 5th August 1909, G.O. No. 2711, Revenue, dated 2nd October 1909.

Resettlement Notification for Nanguneri taluk—G.O. No. 2753, Revenue, dated 19th August 1910.
Section 22 notification for Estate Areas—G.O. Ms. No. 505, Revenue, dated 18th February 1959.
Section 20 notification for Inam Estates—G.O. Ms. No. 1708, Revenue, dated 29th September 1967.
Section 16 notification for Minor Inams—G.O. Ms. No. 1293, Revenue, dated 25th July 1967.

BIBLIOGRAPHY—SECTION I.

- LIST OF BOOKS AND RECORDS REFERRED TO IN DRAFTING THE NOTICE.,
1. Land Tenures in the Madras Presidency by Thiru Sundararaja Iyengar.
 2. The Madras Estates Land Act by Thiru A. Vedantachari.
 3. The Report of the Estates Land Committee (Prakasam Committee).
 4. A note on Permanent Settlement by Rao Sahib P. K. Gnanasundara Mudaliar.
 5. Report of the Land Revenue Reforms Committee (1950).
 6. The Madras Estates (Abolition and Conversion into Ryotwari) Act, 1948 by Thiru Sankaranarayanan (MLJ Publication).
 7. Census Codes, 1961 and 1971.
 8. Madras Codes.
 9. Madras Law Journals.
 10. Printed Stock files.
 11. The Imperial Gazetteer of Malabar and Travancore.
 12. Asan Committee Report of 1952.
 13. Report of the Select Committee on the Malabar Tenancy Bill (Bill 7 of 1924).
 14. Acts and Regulations.
 15. District Gazetteers.
 16. Principles of Ryotwari Settlement.
 17. Manual of the Revenue Settlement Department (1952). x
 18. Perambulation Reports, Scheme Reports, Introduction Reports and Settlement Notifications of the Revenue Settlement Department.
 19. Board's Standing Orders.
 20. Minutes of the Select Committee on Land Reform Bills.
 21. Settlement Digests.
 22. Collection of papers relating to Inam Settlement.
 23. The Cholas by Thiru K. A. Neelakanta Sastri.
 24. The Pallavas by Dr. B. Meenakshi.
 25. தஞ்சை பெருவுடையார்.
 26. சோழர் காலத்திய கல்வெட்டு.
 27. Report on the development of irrigation under the C.M.P. by Thiru S. T. Krishnaswamy, I.C.S.

KANYAKUMARI DISTRICT.

Transferred territory consisting of Kanyakumari District including Shenkottah Taluk of Tirunelveli District.

WET RATES.

Class and sort of soil.		First Class.			Second Class.			Third Class.			Fourth Class.			Fifth Class.		
		III	IV	V	VII	VIII	XII	XIII	S.C.	D.C.	S.C.	D.C.	S.C.	D.C.	S.C.	D.C.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	RS. P.	RS. P.	RS. P.	RS. P.	RS. P.	RS. P.	RS. P.	RS. P.
..	1	..	A	..	..	..	13-12	19-75	10-25	15-25	8-50	10-62	6-75	8-12	5-00	5-81
..	2	..	1	..	..	..	10-25	15-37	8-50	11-37	6-75	8-50	5-00	6-00	4-00	4-69
1	3	1	2	1	1	..	8-50	12-75	6-75	9-00	5-00	6-25	4-00	4-75	3-37	3-94
2	4	2	3	2	2	1	6-75	10-12	5-00	6-62	4-00	5-00	3-37	4-00	2-75	3-19
3	5	3	4	3	3	2	5-00	7-50	4-00	5-25	3-37	4-25	2-75	3-25	2-25	2-62
4	..	4	5	4	..	3	4-00	6-00	3-37	4-50	2-75	3-50	2-25	2-62	2-25	2-62
5	..	5	..	5	..	..	3-37	5-00	2-75	3-69	2-25	2-81	2-25	2-62	2-25	2-62

S.C. := Single crop.

D.C. := Double crop.

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KANYAKUMARI DISTRICT—cont.

TABLE 'B'—DRY RATES.

Class and sort of soils.

Class and sort of soils.		V			VII			VIII			XII			XIII			Rate.
		III	IV	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	
..	1	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	RS. P.
1	2	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	2-81
2	3	1	2	1	2	1	1	1	1	1	1	1	1	1	1	1	1-69
3	4	2	3	2	3	2	2	2	2	2	2	2	2	2	2	2	1-12
4	5	3	4	3	4	3	3	3	3	3	3	3	3	3	3	3	0-81
5	..	4	5	4	5	4	4	4	4	4	4	4	4	4	4	4	0-56
..	..	5	..	5	..	..	5	5	5	5	5	5	5	5	5	5	0-37
..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	0-25

Special Tracts.

1. For developed areas in hills and plantations in plains Rs. 2.81 per acre.

2. For undeveloped areas in hills—Rs. 0.81 per acre.

Settlement notification issued in G.O. No. 297, Revenue, dated 14th February 1966.

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SECTION II.

LIST OF WORKS THAT MAY AID FURTHER RESEARCH.

1. Land Tenure Problems—Andhra Institute of Public Affairs.
2. Abolition of Zamindari and Absentee Landlordism—Andhra Institute of Public Affairs.
3. A short account of the Land Revenue and its Administration in British India; with a sketch of the land tenures, 2nd edition 1907—Baden Powell B. H.
4. The land systems of British India, being a manual of the land tenures and of the systems of land revenue administration prevalent in the several provinces, Vol. I, 1892—Baden Powell B.H.
5. A Manual of the land revenue systems and land tenures of British India, 1882—Baden Powell B. H.
6. A Manual of Instructions for conducting Re-settlements in the Madras Presidency—Government Publications.
7. A Memo. on the relations between Jenmis and Kanapattom tenants in Travancore, 1885—Government Publications.
8. A report on the Revenue Affairs of Malabar and Kanara, dated 7th September 1807 by William Thackeray, 1911—Government Publications.
9. British and Native Administration in India—Correspondence regarding the comparative merits of—Government Publications.
10. Chittoor Polliams—Letter from the Board of Revenue, dated 18th October 1827, containing Board's Proceedings, dated 3rd May 1827 and Minutes of Consultation of Government, dated 4th September 1827—Government Publications.
11. Correspondence relating to the permanent settlement of the land revenue of the Jagheer in the year 1802. Selections from the old Records of the Chingleput district, 1889—Government Publications.
12. Correspondence relating to village settlements, triennial and decennial leases, and the working of the ryotwari system of land revenue in the administration of Messrs. Travers and Smalley and subsequently upto 1855. Selections from the Records of the Nellore Collectorate, Madras No. 3, 1876—Government Publications.
13. Correspondence between the Collector of Madras and the Board of Revenue relative to the Taxation of scattered trees and topes in the District of Madura, 1862—Government Publications.
14. Extract from records showing the land revenue systems prevailing in India in pre-British days and contemporary practice in Native States—Government Publications.
15. Fifth Report from the Select Committee on the affairs of the East India Company relating to permanent settlement of land revenue in Madras, 1812—Government Publications.
16. Land Revenue in India—Selection of papers on the subject of permanent settlements and redemption of—1897—Government Publications.
17. Land Revenue Policy of the Indian Government, 1902 and 1920 editions—Government Publications.
18. Land Tenures in Malabar, dated the 12th September 1815, Report on the, by Thomas Warden—Government Publications.
19. Revenue System of Malabar, dated the 16th June 1813—Report on the by Thomas Warden, 1916—Government Publications.

20. Memorandum on Mirasi tenure by Mr. Bayly (August 1856)—Government Publications.
21. Memorandum on the land measures of the Madras Presidency by W. H. Bayley, 1856—Government Publications.
22. Memorandum regarding the Survey of India Department—Government Publications.
23. Minute by Sir Charles Travers on the Inam Lands of the Madras Presidency, 1859—Government Publications.
24. Notes on soils, their character, composition, physical properties and classification with simple modes of testing the same—Government Publications.
25. Papers relative to the introduction of the field assessment 1828—Government Publications.
26. Papers relating to the Commutation rates of the Madras Presidency, 1856—Government Publications.
27. Papers relating to the General Revenue Survey of the Madras Presidency, 1858. Selection from Records—Government Publications.
28. Papers relating to the commutation of the military service of the Zamindars of Vencatagerry, Calastry, Bomrauzepolam and Sydapour and also to various revenue matters in the district (North Arcot), 1811—Government Publications.
29. Papers relating to Settlement, North Arcot, 1811-12—Government Publications.
30. Papers relating to the Survey and Settlement of the Chellumbrum and Mauar-goody taluks of the South Arcot district, 1869—Selection from Records, Madras No. 14—Government Publications.
31. Settlement report upon the three taluks forming the principal division of the Chingleput district by G. Banbury, 1874-75—Government Publications.
32. Papers relating to the survey and settlement of the Salem district, 1879—Selection from records No. 65—Government Publications.
33. Papers relating to the introduction of the field assessment of Tanjore, 1828-32—Government Publications.
34. Papers relating to the revenue settlement of Tirunelveli district, 1873—Government Publications.
35. Papers relating to the revision of assessment of the Tiruchirappalli district, 1860—Government Publications.
36. Papers relating to the survey and settlement of the Tiruchirappalli district, 1876—Selections from Records, Madras No. 50—Government Publications.
37. Revenue Settlement Scheme for Pudukkottai State, 1910—Government Publications.
38. Papers relating to the Reduction of Assessment in North Arcot—Selection from Records, Madras No. 12 of 1855—Government Publications.
39. Papers relating to the Revision of Assessment in South Arcot—Selection from Records, Madras No. 22, 1855—Government Publications.
40. Selection from the Reports of the Trigonometrical, Topographical and Revenue Surveys of India for 1869-70—Selection from the Records, Government of India (Home Department)—Government Publications.
41. The ryotwari landholders in Madras—1933—Vaidyanatha Iyer.
42. Polliams of Chittoor—Report on the—by H. S. Graeme, Chittoor, 1893,--
43. Raja's Chatrams in the Tanjore and Madurai districts—Note on the past and present administration of the Tanjore—1908.

44. Records relating to water disputes of the Tiruchirappalli district—Arzis and orders, 1906—Government Publications.
45. Replies to seventeen questions proposed by the Government of Fort St. George relating to Mirasi Right with two appendices, 1818—Government Publications.
46. Report on the settlement of the Revenues of the Southern division of Arcot for fasli 121 by G. Garrow—Government Publications.
47. Reports on the settlement of Tanjore, 1870—Government Publications.
48. Report on the Revenue Settlement of the North Arcot district for fasli 1213, by D. Cockburn, 1804—Government Publications.
49. Report of the Madras Survey and Land Records Committee, 2 Vols., 1915, by J. P. Bedford—Government Publications.
50. Report on the revision of Revenue establishments in the Madras Presidency by J. H. Garstin, 1883—Government Publications.
51. Salem district—Assessment of the land—Papers regarding the Red Sandy Soils of that District, Salem, 1866—Government Publications.
52. Settlement Report upon the three taluks forming the principal division of the Chingleput district by G. Banbury, 1874-75—Government Publications.
53. Tanjore district—Report of the Trade Commissioners A.D. 1799. Tanjore 1905—Government Publications.
54. Tenancy Rights in Inams—Extracts from papers relating to upto the coming into force of Madras Act VIII of 1934—Vol. I only, Madras 1935—Government Publications.
55. Tenancy Legislation Committee Report, Sind—Government Publications.
56. Western Pollams of North Arcot—Orders of the Special Commission on the reports of the Chittoor, 1897—Government Publications.
57. The Land Revenue Reforms Committee, Madras (First Report)—Government of Madras Publications.
58. The Land Revenue Reforms Committee, Madras (Second Report)—Government of Madras Publications.
59. Report of the Special Officer for the investigation of Land Tenures on the recommendations of the Malabar Tenancy Committee, May 1947 (Government of Madras Publications).
60. Report on the Special Officer on Land Tenures in the Ryotwari areas of the Madras Province, August 1947—Government of Madras Publications.
61. Report of the District Revenue Administration Enquiry Committee—Vol. I—Government of Madras Publications.
62. Rates of Rent or Ryotwari Land Revenue in Zamindari Areas—Kuppuswamy, A. S. and Sivaswamy, K. G., 1802.
63. The English Land System—A sketch of its historical evolution in its bearing upon National Wealth and National Welfare, 1914—Marriott, J. A. R.
64. Papers regarding the Land Revenue System of British India Cmd. 1089—Parliamentary Publications.
65. Papers relating to the revision of assessment in South Arcot, 5th June 1857—Parliamentary Publications.

66. Papers relating to the revised Survey and Assessment of The Madras Presidency and the Godavari and Kistna anicuts, 1857—Parliamentary Publications.
67. Papers relating to the sale of waste lands, the Redemption of Land Revenue and the extension of the permanent settlement, 1st May 1863—Government Publications.
68. Recent correspondence between the Secretary of State for India and the Madras Government concerning sales of land for arrears of revenue and alleged shortcomings in the Madras Land Revenue arrangements, 31st July 1899—Parliamentary Publications.
69. Land Revenue Settlement, 1917—Ramanuja Acharyar, V. K.
70. A study of the Land Tenures in the Madras Presidency—Satyanarayana Navuluri, B.A., B.L.
71. The Reduction of Land Revenue Assessment, Madras, 1934—Sivarama Ayyar, R.
72. The Madras Ryotwari Tenant—Sivaswamy, K. G.

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