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DEPARTMENT

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*Proceedings of the Madras Government, Political Department,
20th December 1871.*

Read the following papers:—

Sultan Ali Rajah of Cannanore,	dated 29th September 1867.	
" " " "	" 5th December "	
" " " "	" 17th February 1868.	
Collector of Malabar,	" 9th March "	No. 30.
Demi-official to Collector of Malabar,	" 14th April "	
" " " "	" 2nd November	
" " " " (demi-offici.		
" " " " General of Police,	" 16th November	
Sultan Ali Rajah of Cannanore,	" 4th April	
" " " "	" 1st July	
Collector of Malabar,	" 16th August "	
Sultan Moosa Ali Rajah of Cannanore,	" 16th November "	
Collector of Malabar,	" 19th "	" " 1
" " " "	" 28th "	" " 111.
Proceedings of the Board of Revenue,	" 4th March 1871,	" " 969.
Collector of Malabar,	" 10th "	" " 17.
Sultan Moosa Ali Rajah of Cannanore,	" 18th "	" " "
Proceedings of the Board of Revenue,	" 18th April "	" " 1621.
Collector of Malabar,	" 29th May "	" " 45.
" " " "	" 22nd June "	" " 49.
Sultan Moosa Ali Rajah of Cannanore,	" 1st August "	
" " " " " "	" 19th "	" "
" " " " " "	" 3rd September "	
Collector of Malabar,	" 22nd "	" " 71.
Commissioner, Madras	" 10th November "	" " 80.

ORDER THEREON, 20th December 1871, No. 405.

Before disposing of the papers now before them the Government think it necessary to define the real position of the Cannanore family, which, from the past correspondence, appears to have been misunderstood by their representatives.

2. The representatives of this family have assumed, in the recent communications addressed to the Collector and the Government, the position of sovereign Princes, which is entirely incompatible with the present circumstances of the Cannanore family. So far as can be ascertained, the Cannanore family originally held the district of Cannanore and the Laccadive Islands as a tributary of the Cherikal Rajahs, and rendered itself independent on the dismemberment of a considerable portion of that Rajah's dominions about the middle of the eighteenth century. During the wars between the British Government, and Tippoo the Cannanore family, in hostilities against the British Government, when the territory of Cannanore was annexed to the British Empire, its sovereignty was terminated, and its sovereign rights and power were then at an end, and it was finally executed by the Beebee of Cannanore on the 28th October 1796 there is no trace of any pretensions to independence. Under this agreement the Beebee bound herself to pay to the Government of the Honourable East India Company 15,000 Rupees, being the jumma on the houses, purams, &c. situated at or near

Cannanore, on free trade to the Laccadive Islands and on her jenm property on the said islands.

3. In this Kararnamah it is distinctly set forth that that article of agreement was not to do away, nor is it meant to do away, in any shape with the rights which the Government have to the Laccadive Islands as set forth in a previous Moochilika dated the 9th April 1793, which contained a clause to the following effect:—
"I have signified to me that after the rains a gentleman is to proceed to the islands and to appropriate to the use of the said islands the produce thereof. I do therefore engage to submit also to this if it shall be ordered by the Governor-General in Council, neither shall I in any shape object thereto or otherwise if it be so ordered. I shall be ready to account for the true income and produce, and to pay the same to Government, wherefore I have written these few lines as a Moochilika for the revenue of Government."

4. There is, therefore, nothing in the engagements between the Cannanore family and the British Government which can justify a claim on the part of that family to the sovereignty of the Laccadive Islands. The representatives of the family, since the date of the execution of the agreement above quoted, have been allowed to carry on their trade in coir, of which they have hitherto held the monopoly, to enjoy the lands belonging to them in the islands, and to settle, through their Agents, the trifling disputes which have from time to time arisen among the islanders. There have been no instances of grave crime in these islands, and the Government have not hitherto thought it necessary to interfere with their management or formally to introduce among a simple people the system of administration which prevail on the main land.

5. There was no necessity for any such step so long as the islanders were contented and yielded a willing obedience to the descendants of a family which had, in remote times, exercised sovereign rights and were still regarded as Chiefs to whom feudal obedience was due. But there is not now, nor has there ever been, any engagement which would prevent the Government from introducing into these islands the system of administration which prevails in other parts of India should the conduct of the islanders or of the representative of the Cannanore family render such a course necessary.

6. On the main land, and within what are known as the Karar limits, the Cannanore family occupy the position of an ordinary landholder. On the main land they have no share whatever in the administration of criminal and civil justice; they are themselves amenable to the Courts of the country, and are, in no respect, exempted from the footing from other landed proprietors.

The Rajah will courteously but firmly explain these facts to Sultan Ali Rajah, the present representative of the Cannanore family, and he will carry out the instructions of the Government recorded in their Minutes of Consultation of the 26th October last, by declining to receive any communication from Sultan Moosa Ali Rajah containing assumptions of titles and dignity which have not been formally sanctioned by the Government, and which are incompatible with his real position.

8. The Collector will explain to Sultan Moosa Ali Rajah that, while deeming it necessary to clear away all doubts as regards his true position, the Government earnestly desire the welfare of this ancient family.

9. The Government have had repeatedly under consideration the constant complaints addressed to them by the late Sultan Ali Rajah of Cannanore of the frauds committed by the inhabitants of the Divi Islands in evading the monopoly of the coir and certain other produce of the islands.

The Rajah has appointed by the Rajah for the management of the general administration of the islands.

10. The object of the Rajah in addressing the Government was to request their aid in the maintenance of his monopolies, and he requested that orders should be issued to all the Superintendents of Sea Customs in Malabar and Canara directing them to regard all unprinted and unstamped port clearances coming from the Divi Islands as spurious, and to refuse entry to boats from the islands unprovided with genuine port clearances.

11. The Collector of Malabar, who was called upon for his opinion, reports that, as the monopoly of coir had been maintained by the British Government in the North Laccadive or Canara Islands, there was no objection to the right being retained and enforced by the Rajah in the Divi Islands provided that it should be established to the satisfaction of the Government that the Divi Islanders enjoy the hands of the Rajah a good and liberal administration; that only the customs taxes are levied; and that, as regards the monopoly of coir and tortoiseshell, the duties levied are in accordance with the views of the Government.

The Government have accordingly resolved to send Mr. Logan, the Sub-Collector of the Malabar District, to visit and thoroughly inquire into the condition of the Divi Islands and to ascertain on the spot, the nature of the administration which has prevailed on the islands during the last few years and in what respect it requires amendment. The Government have directed that Sultan Ali Rajah should be invited to accompany Mr. Logan on the visit, or to depute an officer of approved intelligence to go with Mr. Logan as his representative. The opportunity of this visit was to be taken to obtain a correct knowledge of the manner in which the monopoly and the royalties in cowries and tortoiseshell have been levied, and for the preparation of a schedule which should prevent extortion by the Rajah or evasion of his dues by the islanders.

13. The Government have now before them an exhaustive report drawn up by Mr. Logan of his visit, in company with Sultan Ali Rajah, to the Divi Islands, and the remarks thereon which have been submitted by the Collector of Malabar.

14. The four islands which are the subject of Mr. Logan's report are Androth, Kavaratti, and Agatti. There is another island, Kalpeni, which differs materially from those of the four northern islands. The people are described as being prosperous and contented, and as willingly obeying the orders of the Rajah.

15. This authority is described by Mr. Logan as at present in complete abeyance in the islands of Androth, Kavaratti, and Agatti. In Kalpeni, although the

authority of the Rajah is still recognized, the inhabitants are described as having many and just causes of complaint. The increasing resistance of the Divi Islanders to the Rajah's authority is due not to the denial of the Rajah's rights or even to a dislike of his authority, but to a spirit of passive disobedience, induced by the exactions and oppressions of his Agents, principally in connexion with the coir monopoly. In Kalpeni the dissatisfaction which has arisen is owing to this cause and the policy pursued by the Rajah's Agents, who seize upon the islands of Kalpeni also complain that their head men always side with the Rajah in cases in which the Rajah is interested.

16. As above stated, the authority of the Rajah is in abeyance in Androth, Kavaratti, and Agatti, and in all these three islands there are the elements of what are likely to become serious disputes between the Karnavars or chief families and the inferior class regarding a monopoly of internal trade of the islands which is at present held by the Karnavars, who also claim a title in all the lands held by the inferior castes.

17. The Rajah's administration in all these islands is carried on by paid officers named Karriyastars, one for each island, who are appointed by the Rajah and are solely responsible to him. The only other salaried officers are Accountants paid by the Rajah, one for each island, and two village runners attached to each of the Karriyastars.

18. The Agents are assisted in the administration by the Muhyastars or principal inhabitants; but the Agents have the power of overruling the (decision) of the Muhyastars. There is no written law: civil, criminal, and commercial cases are all ruled by custom, of which the exponents are the Muhyastars. No record has hitherto been kept in criminal cases; but these are of a petty character, as hitherto there has been no grave crime in the islands. Mr. Logan believes in the truth of this alleged immunity from serious crime, as a similar condition is also characteristic of the Canara Islands, which are under the direct control of the Civil authorities of the Canara District. The administration of civil justice is described by Mr. Logan as most unsatisfactory, it being conducted as if the sole aim was the aggrandizement of the Rajah's private property. In this, as in most things connected with the administration, Mr. Logan notices the absence of all regard for public opinion. The fiscal administration of the four northern islands consists in the maintenance of the monopoly of coir and the royalties in tortoiseshell, cowries, kolothuria, and ambergris, for, with the exception of a few small nuzzers and cesses which the Rajah attempts to levy, no other revenue is derived from the islands.

In the monopolies the coir only is of importance. It attracts the attention of the Government and the slow progress they have made, which is in striking contrast with the prosperity of Minicoy, where there is no monopoly and where the inhabitants show a contented submission to the Rajah's authority. The system pursued provides that all cocoanut fibre produced in the islands must be taken to Cannanore and delivered to the Rajah at a fixed price. The value of the article in the

open market varies considerably, but is roughly estimated by the Rajah at 40 Rs. per candy of twenty maunds. In 1865-66 the monopoly price paid by the Rajah was 20 Rupees; in 1868-69 it was raised to Rupees 22½, and it has now been raised to 25 Rupees. These prices are not remunerative to the islanders, and the effect of the monopoly has been to render the islanders careless in the manufacture of the coir, which is now of a very inferior quality, although that from the Divi Islands may be of different circumstances, and if the islanders derive any benefit from the monopoly, it is only in the quantity which would fetch a high price in the open market.

apart from the inadequate price paid for the coir, of a monopoly, there are many other evils attendant upon the system. The islanders regard with the utmost horror the idea of being compelled to carry their produce to Cannanore and to deal with the Rajah.

21. Mr. Macgregor says—"The tyranny which the monopoly gives an opportunity of enforcing, the petty exactions which they suffer at the hands of the Rajah's dependents, the delay to which they are exposed, the subterfuges resorted to to evade fair and full payment, appear to make the pressure of the monopoly, as worked by the Rajah, intolerable. Even when the amount to be paid has been determined the Rajah can always fall back on the alleged existence of an old balance to be scored out, and, as no accounts of the balances are given to the parties or are even now forthcoming when demanded, it is impossible to disprove the claim." Under these circumstances, it is not surprising that the islanders have been driven to resistance, and that at present the monopoly can scarcely be said to exist. It has, in fact, for some years past been evaded by most of the islands, and the coir has been carried to Calicut or elsewhere and sold for the sole benefit of the islanders.

22. According to verified accounts, the whole amount of coir brought to Cannanore has not been more than one hundred candies per annum, while the average quantity produced in the islands is estimated at 1325 candies, which, calculating a profit from the monopoly to the Rajah of about 15 Rupees per candy, should have given him an annual income of 20,000 Rupees.

23. From Mr. Logan's report it appears that the Rajah is now prepared to assimilate the prices which he will in future pay for coir to his islanders with that paid by the Government to the North Laccadive Islands for the second class coir, and to observe the same method of payment, viz., two-thirds to be paid in rice and one-third in money.

24. The Government are of opinion that matters have gone too far to afford any hope that the Rajah, unassisted, will be able to enforce even these more favourable conditions. The islanders have for the last few years successfully evaded the monopoly, and an attempt on the part of the Rajah, unassisted by the Government, to re-impose the monopoly would not improbably be attended by the same result. On the other hand, the evils which have arisen from the management of this monopoly have been so serious that the Government cannot consent to lend him any aid in its restoration.

25. The Collector will clearly explain this to the Rajah and exhort him to regain the obedience of the islanders by the announcement that he has of his own

free will abolished the coir monopoly and that he is willing to receive the revenue undoubtedly due to him by the islanders in some less objectionable form.

26. The Collector will also make the Rajah understand that should his attempt to enforce the monopoly lead to disorder and bloodshed, it will be impossible for the Government to remain inactive on such an occasion, and that it will be necessary that they should resume the Divi Islands.

27. The Rajah consenting to abolish, of his own free will, the coir monopoly in the manner he can most easily, and with least disturbance, the amount of revenue, to which, from long prescriptive right, he is held to be entitled.

28. Mr. Logan has suggested that the people of the four northern islands should be taxed as are those of Minicoy, where a moderate poll-tax is in force—in kind—in coir—or that a land-tax should take the place of the monopolies. pointed out by Mr. Macgregor, there are objections to both these proposals.

29. The collection of a poll-tax by Agents so far removed from supervision would probably lead to abuse, independently of the general objections that exist to this description of tax. A land-tax would, on the other hand, involve a survey of the islands, no proper accounts by which a land-tax could be assessed being at present in existence. There is the further objection to a land-tax that the introduction of a regular land survey and assessment would inevitably raise difficult questions of tenant right, of which there are already signs, and that the settlement of these questions would be entirely beyond the competency of the Rajah's Agents.

30. The Collector of Malabar is disposed to suggest that the Rajah should be allowed to collect the coir, or, if necessary, on all produce of the islands. Mr. Macgregor states that the advantages of this would be a complete check could be kept on the revenue by comparing the collection of coir with imports on the coast, while there would be no room for dispute as to quality; the manufacturers would have an object in improving the quality of their coir, and the innumerable evils attendant on the monopoly system would be obviated.

31. Mr. Macgregor suggests that a Notification by the Governor-General under Section 23 of the Customs' Act VI. of 1863, prohibiting the import of Laccadive Island coir and other produce liable to pay export duty not accompanied by a pass from the Customs authorities of the island, would provide a legal mode of enforcing the demand.

32. It appears to the Government very doubtful whether a Notification under Section 23 of Act VI. of 1863 as suggested by Mr. Macgregor would be necessary to prevent the smuggling of monopoly produce out of the islands. It probably be necessary to frame a law for the islands, and the Rajah's interests might be somewhat inconvenienced by this. It is open to objection under the special circumstances.

33. The Government consider that the plan most in accordance with the custom would be to recognize that the Rajah has a right to a share in the produce of the islands. The exact proportion which should be taken by the Rajah as his share should be determined by the Collector after debate with the Rajah.

the head men of the islands, and the amount to be paid in kind should be calculated on the average produce of the islands for a reasonable number of years, and should, for a certain period, be not liable to variation. A revision of this amount, representing the Rajah's share, might be made at fixed periods, say every ten years, with the consent of the Government. The same course might be adopted in respect of the remaining monopolies, unless the Rajah should be willing to shew that these monopolies are of great value. In fixing the amount to be paid in kind, the Government should take into consideration the position of the islands, and any losses to which this arrangement might be met by a corresponding reduction in the amount of the Rajah's share once paid, the islanders would be free to carry their coir to any port most advantageous to themselves.

34. They would, under this arrangement, have a direct motive to improve the coir manufacture, as they would receive higher prices for the superior article. At the same time the share due to the Rajah, paid in kind, would also command a better market price to the benefit of the Rajah.

35. It is essential to this arrangement that the Rajah should abstain from pressing any claims that may have arisen from the breaches of the fiscal rules that have recently prevailed, and that no claim should be attempted to be enforced by the Rajah on this account.

36. In consideration of the Rajah foregoing these claims the Government would be prepared to make a fair remission of the arrears of peishcush which may be due to the Rajah. Although, at first sight, the arrangement indicated above may be considered as a concession to the Rajah, it may be brought, by the advice and persuasion of the Collector, to perceive that it is offered to him by the Government with no intention of gain to the British Government, but as the only means of rescuing him from his present difficulties. It should be explained to the Rajah that if he consents to this equitable arrangement, and on no other condition, the Government will exercise their authority to enforce his claims.

37. Should he refuse, the Government cannot assist him in maintaining the monopoly. They cannot allow the islands to become the scene of violence and bloodshed. The Rajah's resources must, in this case, cease altogether, and on his failing to pay regularly his peishcush the islands will pass away from his authority altogether.

38. If the Rajah consents to these proposals, there will, it is apprehended, be little difficulty in restoring his authority on the islands, and the Government will not, in that case, consider it necessary to make any radical change in their administration, which, with certain amendments, is not ill-suited to the character of the people.

39. The appointment of the Kanyastars and such other Agents as may be necessary will remain with the Rajah subject to the approval of the Collector.

40. The Collector will frame a set of simple rules, conceived in the spirit of our criminal law, for the guidance of the Rajah's Agents in disposing of petty criminal offences. A similar set of rules should be prepared for their guidance in disposing of civil and revenue cases.

*Proceedings of the Madras Government, Political Department,
20th December 1871.*

41. Should cases of serious crime occur, a reference will be made by the Magistrate of Malabar for the orders of Government as to the course to be adopted; but it seems unnecessary at present to provide further for this contingency. A record of the Muhyastars' fatwa and of the Karayakar's reasons for decisions and sentence must invariably be recorded in each case tried in the islands. Cases will

presence of the accused who shall be allowed to cross-examine.

times than the

ment do not think that any great

report, such as is proposed by Messrs. Macgregor and Logan; but consider that it will be necessary that the Divi Islands should be annually visited by a Covenanted European Officer, to be deputed for that duty by the Collector of Malabar.

44. A special Agent approved by the Collector shall be sent by the Rajah to inquire into the boundary and other grievances at Kalpeni. The Agent will make a rough survey account of the holdings of the people, and record in writing his decision and the grounds thereof in each case brought before him.

45. The correspondence relating to the petty dues of the nature of a moturpha tax levied within the Karar limits will form the subject of a separate order.

46. It only remains for the Government to dispose of the correspondence that has taken place relative to the formal recognition of Sultan Moosa Ali Rajah as the representative of the Cannanore family and his request that the salute and honours paid to the representative of the family—which were assumed from the late representative, Sultan Ali Rajah—should be

47. The Collector will inform the Rajah that Government as the representative of the Cannanore family. As regards the restoration of the salute and honours, which were, on account of his grave misconduct, withheld from the late Sultan Ali Rajah, it will be necessary that the Government should obtain the sanction of His Excellency the Viceroy and Governor-General of India. The Collector of Malabar will explain to Sultan Moosa Ali Rajah that under existing circumstances no such application can be made.

48. In applying on behalf of the Rajah for honours which have been forfeited, it is necessary that the Madras Government should be able to state that the present representative of the Cannanore family is deserving of this special favour at the hands of Her Majesty the Queen. To do this the Government must be in a position to affirm that Sultan Moosa Ali Rajah has accepted the advice tendered to him in a friendly spirit by the Madras Government, and that he has placed the administration of the islands confided to his management in a condition which meets with the approval of the Government.

(True Extract)

To the Collector of Malabar.
Revenue Department.

Exd. A. S. Rodgers.

Chief Secretary to Govt.

10/12/71

