

## CHAPTER XI

### REVENUE ADMINISTRATION

#### LAND REVENUE ADMINISTRATION

##### Early Fiscal History

Prior to its gradual conquest, annexation and occupation by the Chand rajas of Kumaon (between *circa* 1500 and 1675 A.D.), The region covered by the present district of Pithoragarh was divided among a number of petty chief ships such as those of the Rajwars of Askot, the Rawats of Sirkot, the Bams of Shor, The Mankoti rajas of Gangoli, the Khasa Thakurs of Darma and Danpur and the rajas of Jumla who held the bulk of the northern tract. Most of these chiefs owed allegiance to the Rainka rajas of Doti, but were for all practical purposes autocratic rulers in their small domains. The ultimate owner-ship of the entire land vested in the ruler who realized from his subjects besides the tax on land under cultivation several other taxes and cesses, the land revenue being generally assessed at one-sixth to one-third of the produce and payable mostly in kind.

Som Chand (*circa* 935–974 A. D.), the founder of the Chand dynasty, is said to have reviewed village rights and constitution, revived the ancient system of village headmen and subdivided the country into *pattis* (a *patti* being a revenue circle consisting of a group of villages in the hills), placing each under a semi-independent ruler. It is not known what part or parts, if any, of the present Pithoragarh district were held by him or his immediate successors, but as the system, in course of time, came to be applied to the whole of this district, the importance of Som Chand's contribution is appreciable. One of the Bam rajas of Shor (which covered the bulk of the present Pithoragarh tahsil and had its capital at Udaipur near Pithoragarh town) is said to have appointed one Jainda Kiral as settlement officer who measured the entire cultivated and cultivable land of the kingdom, assessed each plot according to its value and recorded the demand against each cultivator. Jainda Kiral, however, fell prey to a conspiracy and all the records so laboriously prepared and compiled by him were burnt to ashes. In the last quarter of the 15<sup>th</sup> century, the then Chand raja, Ratan Chand, is said to have made a tour through the outlying *patties* of his territory, which appear to have included parts of this district, and to have made a settlement with the resident cultivators. Balo Kalyan Chand (1555–1565 A. D.) conquered and annexed the kingdoms of Gangoli and Shor and his son, Rudra Chand (1565–97 A.D.), annexed Sira, Darma and Johar. He also conquered Askot, but the Rajwars were allowed to continue as tributaries of the Chands. Karu Gosain, a junior member of the Askot family, was, on account of his personal knowledge of the locality appointed by Rudra Chand to settle the revenues of the Darma and Johar *pattis* of this district. In the time of Lakshmi Chand (1597–1621 A. D.), his brother Shakti Gosain, though blind, was reputed for his administrative skill and his land settlements made this region memorable in history. By the time of Baz Bahadur Chand (1638–78 A. D.), who invaded Tibet and consolidated his hold not only over the northern region but also over the passes and the northern frontiers, the entire district of Pithoragarh had come under the direct control of the Chands, excepting Askot, the tenure of which the raja himself investigated, confirming the orders made by his predecessors.

During the rule of the Chands (which lasted till 1790 A. D.), the royal revenues were not wholly confined to a land tax, but included dues of various kinds and in addition taxes on commerce, mines, the administration of justice, law proceedings and forest produce. The cattle owners who made and sold ghee had to pay at the rate of four annas for each she-buffalo owned by them. The *gaicharani* (grazing tax) was levied on the pasture lands immediately below the hills.

The weavers were subject to a separate tax. In mines the government's share amounted to one-half. In the assessment of agricultural land, the revenue demand was rated at only one-third of the gross produce in ordinary lands and at one-half in the very fertile. The collection was made in two forms, it being imposed one year on the land and in the second year levied by a capitation tax on the inhabitants. Thus the agricultural assessment or *sirti* (cash payment) as originally fixed was very light, and its rate and amount appear to have been rarely revised. Hence, in order to meet the increasing expenditure of the state numerous other taxes were successively imposed on the landholder, of which the principal ones were capitation tax and house tax, and the whole was summed up under the designation of *chhattis rakam* (36 items of revenue) and *battis kalam* (32 items of ministerial fees). These numbers appear to have been used arbitrarily as including the regular and contingent cesses, the total to which the landholder was liable never actually amounting to 68, but still onerous enough to leave him little beyond the means of subsistence. In practice the occupancy tenants, *khaikars* and *kainis*, paid to the free holders from one-third to two-fifths of the gross produce. Rents were commonly paid in kind (*kut*) at an invariable rate fixed on the land and payable in some specified description of grain without reference to the annual fluctuations in the amount and nature of the produce.

When the Gurkhas conquered this region in 1790, they augmented the tax on agriculture but abolished most of the 68 extra taxes, retaining only the *nankar* (capitation tax), *tandkar* (loom tax), *mijhari* (tax on Doms), *ghikar* (tax on ghee), *salami* (presents to officials) and *soniya phagun* (offerings on festivals) from among the 36 *rakam* and only the fees payable to the *kanungo*, *kamin* and *padhan* from among the 32 *kalam*. Besides these, the military commanders to whom various portions of the territory were assigned made unscrupulous exactions. In Samvat 1864 (1807 A. D.), the Gurkhas made a regular settlement which was fixed generally on actual scrutiny of each village. This system lasted till 1815 A.D. when the British constituted the district of Kumaon, which included the present districts of Pithoragarh, Almora and Naini Tal, and started making their own settlements.

## Past Settlements

**Early Settlements**—During the British rule the first Settlement of this area was made in Samvat 1872 (1815-16 A.D.) by Gardner, the first commissioner of Kumaon, who based his assessment on the actual receipts of the Gurkhas Settlement during the preceding year and determined the amount payable in the currency of the East India Company instead of keeping it partly in Gurkha currency and partly in kind, as had hitherto been the practice. The second settlement was made by Traill, Gardner's successor in office, in 1817, with the *padhans* (headmen) for their respective villages. This Settlement was for whole *pattis* and not for individual villages; and in working it out the records of the Gurukha Settlement of 1807 was also referred to. The settlement was made only for one year, but it introduced the system of realizing the revenues through the *padhans* for the first time. The third Settlement was made in 1818 for a period of three years, and this time with the village proprietors themselves. The fourth Settlement was made in 1820, for another period of three years. The fifth was made in 1823 for a period of five years and this time, the village records were prepared and the village boundaries described, these being still known as the *assi-sal* as it was the Samvat year 1880. The sixth Settlement was made in 1828-29 for a period of four years and in 1832 the seventh was made for only one year. All these Settlements were made by Traill and the government demand increased with each successive Settlement. The eighth in the series was made in 1833-34 by Gowan, who tried to induce the landholders to agree to an engagement for 20 years.

**Batten's Settlement**—It was the 9<sup>th</sup> and made in 1842—46 for a period of 20 years. The assessments were based upon those of the expiring Settlement and resulted in a further

enhancement of the demand. It was Batten who for the first time framed rules for the leasing and management of estates, the appointment of *padhans*, the fixation of village boundaries and settlement of disputes concerning them, for determining the right to waste land, pasture grounds and forests, for computing the assessable area of estates and for the measurement of land. The record of rights prepared by him for each village contains a complete description of the rights of every occupant, the past history of the assessments, boundary arrangements, the engagement paper (*ikrarnama*) of the inhabitants in regard to the remuneration of the *padhan* and the collections of all sorts to be made under the heads *thokdari*, *sayanachari* and *hissedari* dues and to certain regulations relating to public service and good administration, and the *fard-phant* which showed the names of the *padhans*, the distribution of the revenue payers amongst the several *padhans*, where there were more than one, the quotas of revenue payable by the several shareholders or occupants, the division of the non-proprietary tenancy amongst those recorded as proprietors, and the names and liabilities of the *pahi-kasht* (a kind of cultivator) and other cultivators. In addition to these documents, a memorandum (*rubakari*) summarizing the whole was prepared. The boundary arrangements (*chaknamas*) made with the agreement of the villagers at that time is still found useful.

**Backett's Settlement**—The tenth Settlement of the region was made by Backett during 1863–73 A.D. for a period of 30 years and is considered, for its procedure and results, to be the most important one. For the first time the entire cultivated area was actually measured and all the cultivable area was classified into permanent cultivation, casual cultivation and waste. The term 'waste' meant terraced land thrown out of cultivation and did not include the grassy slopes or forests within the nominal area of a village. The area of each field was computed separately and could be identified on the corresponding village maps prepared for the purpose. All the land in the village was then brought to one common standard of quality, the *upraon doyam* (second class dry land) being selected as the standard and each of the other three classes being interpreted in terms of this land by trebling the 'irrigated', by adding one-half to *upraon awwal* (first class dry land) and by reducing 'land under casual cultivation' by one-half. Finally, an average rate of one rupee per *bisi* (a little less than an acre) of the standard quality land (*upraon doyam*) was fixed for purposes of revenue assessment, the incidence when applied to the whole assessable area working out to Rs 0–13–10 per *bisi*. As a result of this Settlement, The systematic village-wise records and other papers prepared during this Settlement gave unprecedented stability to the revenue administration in this area and are still found useful.

**Settlement of 1899–1902**—The eleventh Settlement was made by Goudge who was assisted by Dharmanand Joshi, after whose name it is still remembered in the district. At this settlement no attempt was made to alter the work of the previous Settlement, but all the new land since brought under cultivation was measured and assessed at the rates fixed in 1873. Moreover, an adequate enhancement for improvements was imposed on each *patti* in proportion to its progress since the last Settlement. The newly added areas were shown in red ink on the old village maps.

### **Fiscal History of Bhot**

The fiscal history of the *pattis* now comprising the two northern tahsils (Dharchula and Munsyari), has been somewhat different from that of the rest of the district. This region had for a long time been ruled by the semi-independent Rajwars of Askot on behalf of the Chand rajas of Kumaon. The assets made available to the government demand were looms, profits of trade, produce of agriculture, produce of jungles (roots and drugs), musk, hawks and wild bees' nests. The entire tribute was to be paid in gold dust which was, for mutual convenience, of ten commuted into silver and gold and was levied alternately on land and property. The

government's share was imposed on each pass in one sum and the detailed assessments were usually left to be settled by the *burhas* (village headmen) concerned among themselves. When the Gurkhas captured this region (in 1790) they subjected the inhabitants to very heavy exactions, the demand for Johar being Rs 12,500, for Darma Rs 10,000, and for Byans Rs 5,000, in addition to about an equal amount a irregular demands of Gurkha military commanders. Consequently, the people were reduced to the verge of ruin and Bhakti Thapa, a Gurkha officer, was deputed to revise the settlement. The result was that the total demand for this region was reduced to Rs 17,700. When the British took over in 1815 and made their first settlement, they based their assessment on the actual collections of the previous year, but as a more favorable rate of cash commutation in respect of dues hitherto paid in kind, was allowed and that, too, in terms of Indian currency (Farrukhabadi rupees) in place of the Gurkha money, the nominal assessment was virtually reduced by about 25 per cent. In 1818, taxes on trade, musk, bees' wax and hawks were abolished and the revenue demand for Johar, Darma, Byans and Chaudans was thus reduced to a total of Rs 4,130. At the settlement of 1840-41 the taxable items were confined to only two, the produce of the fields and that of the forests, which were assessed to a total of Rs 4,791. In 1872, this amount was raised to Rs 7,883 and in 1902 to Rs 10,255. In these last three Settlements the principle adhered to was to tax the people on the basis of their general prosperity derived from whatever source, trade or agriculture.

**Settlement of Askot**—Pargana Askot which comprises the two *pattis* of Askot Malla (now in tahsil Dharchula) and Askot Talla (now in tahsil Pithoragarh), has been a sort of impartible estate in which the rule of primogeniture was strictly applied and the whole of which belonged to one family. The head of the family was known as the Rajwar, his eldest son as Lala and the younger as Gosain. It was originally a branch of the ancient Katyuri dynasty and had set up an independent kingdom in this area about the 13<sup>th</sup> century A. D. Towards the end of the 16<sup>th</sup> century, it was conquered by the Chand rajas of Almora, but the Rajwars were restored to their possessions and allowed to continue as semi-independent allies of the Chands who exacted from them an annual tribute of Rs 400 only. The Gurkhas in their time increased this tribute to Rs 2,000 and also abrogated the law of primogeniture which gave rise to dissensions in the family on the death of the then Rajwar. Hence, when the British stepped in, there were two claimants to the estate, one a brother and the other a son of the deceased Rajwar, and both were made to engage for the revenue. Family dissension and litigation between rival parties continued, resulting in 1847 in the transfer by sale of the estate to an outsider. However, in 1855, Pushkarpal, the then head of the Rajwar family, bought it back and since then it continued to be the property of the family as before, till the enforcement of zamindari abolition in 1966. Askot has been perhaps the only instance in the whole of Kumaon of a large zamindari which in many respects resembled a talukdari estate of Avadh. As a result of the different revenue settlements during the last century the cultivators in most of the villages of Askot Talla and the more anciently settled villages of Askot Malla, came to be recorded as *khaikars* (occupancy tenants) under the Rajwar and paid to him the government demand together with 100 per cent *malikana* (proprietary dues). Elsewhere, the villages were recorded as the Rajwar's *khudkasht* (own cultivation) but cultivated by *sirtans* (tenants at will). The government demand for the whole pargana was fixed in 1872 at Rs 1,250, which was raised to Rs 1,450 in 1902. Between 1923 and 1938, three formidable agrarian agitations were started by the *sirtans* of this tract, which resulted in a new and separate Settlement of the pargana of Askot in 1940-42. The area was for the first time cadestrally surveyed, the record of rights prepared, and the *sirtani* tenure also, for the first time, found place in the records. At this Settlement, which still continues, the revenue demand including cess, for the whole pargana was further raised to Rs 5,203.

## Present Settlement

The district of Pithoragarh as a separate unit of administration came into existence in February 1960 and the present Settlement for which operations were started in October 1960, is the first Settlement of the district as such, although in the series of past Settlements relating to this area, it is the 12<sup>th</sup>. In this district the area, the rest being covered by forests, mountains, snow peaks, rivers and lakes. This Settlement covered the entire district excepting pargana Askot for which a Settlement had already been made in 1940–42. The entire cultivated land within the village boundaries, except the uncultivated area in 103 villages of tahsils Munsyari and Dharchula, was for the first time measured by the modern plane table and chain method, the area of each field being computed by the area-comb system in *nalis* (a *nali* being equivalent to 1/20 of a *bisi* which represents a little less than an acre) and *mutthis* (a *mutthi* being equal to 1/16 of a *nali*). The total land thus measured came to 89,88,564 *nalis* 13 *mutthis* (cultivated 24,13,955 *nalis* 1 *mutthi* and uncultivated 65,74,609 *nalis* 12 *mutthis*), whereas the cultivated area at the last Settlement had been only 10,75,592 *nalis* 9 *mutthis* which has now increased by 124 per cent. But as only 20,89,345 *nalis* 15 *mutthis* of the cultivated area was assessed, the rest being exempted from revenue on account of being government land or in possession of government establishments or that of its *sirtans* or in unauthorized possession, the actually assessed area increased by only 94 per cent. The rate of assessment of land revenue was the same as in the previous Settlement, but on account of the increase in area of assessable land, primarily because of the modern methods of measurement used, and the improvement in the quality of land due to new irrigation facilities and introduction of improved methods of cultivation, the revenue demand rose from Rs 62,328 to Rs 1,38,619 (including cess), thus showing an enhancement of 122 per cent over the preceding demand. The assessable area in pargana Askot was also deemed to have increased since 1942 from 2,67,128 *nalis* 7 *mutthis* to 3,27,288 *nalis* 4 *mutthis* and consequently the demand for that pargana was also raised from Rs 5,204 to Rs 7,190. Thus the total revenue demand for the whole district at the present Settlement came to Rs 1,45,809 (including cess), showing an overall increase of Rs 78,277 or 116 per cent.

Land which was not under actual cultivation during the period of Settlement operations but had been so before or was likely to become so in future was termed *be-parat* or *parat-vahak* land and of this a portion was recorded as part of the *hissedari* of the State government and the rest as that of the village *hissedars* (proprietors).

Assignments of land revenue for the maintenance of particular temples, places of worship, etc., are known as *gunths*, and in the district there are 29 wholly and 62 partly *gunth* villages. The total area under *gunth* is 42,240 *nalis* 12 *mutthis* and the *gunth* revenue there from is about Rs 2,617 which is dedicated to and distributed among the temples of Badrinath, Kedarnath (both in district Chamoli), Hatkalika, Rameshwar and Patal Bhuvaneshwar (all in district Pithoragarh). The other revenue free grants (including probably *sadabart* grants) in the district amount to Rs 489. The fee simple estates of Jhaltola, Chaukodi and Berinag are also exempt from payment of revenue which amounts to Rs 2,557.

At this Settlement, the number of *khata*s (proprietary holdings) on which revenue demand was imposed was Rs 45,062 that of the villages covered by the Settlement was 1,628 and the families affected numbered 50,000. The total amount of money spent on the Settlement was Rs 28,84,690. The work took five years to complete and the report accepted by the State government in October 1965\*.

**Collection of Land Revenue**—Although the Kumaun and Uttarakhand Zamindari Abolition and Land Reforms Act, 1960, which proposes to abolish the old method of revenue

**Comment:** For complete details of the settlement see *Zila Pithoragarh ki Settlement Report*, published by the U..P. Board of Revenue, (Allahabad, 1966)

collection, has been enforced in the district with effect from July 1, 1966, the method hitherto employed has continued to remain in force till March 31, 1967. According to this practice land revenue is realized through the *padhan* (headman of a village) who is also known as *malgujar*. He is assisted in his work by the *patwaris*, police and the *thokdars*. For their labour the *padhan* gets 5 per cent and the *thokdar* 3 per cent of the collections made from the whole village. In some villages the *padhans* are given land in lieu of cash payment and such land is known as *padhanachari* land, the proprietary rights of which vest in the government and the *padhan* concerned is entered in the records as a *sirtan* of that land. The collection work of *padhans* and *thokdars* is supervised by the tahsildars concerned and the ultimate responsibility of collecting land revenue in the district rests with the collector of the district who is assisted by his sub-divisional officers. He also functions as settlement officer for the district, maintains land records, keeps them up-to-date and is in ultimate charge of the government treasury in the district. The revenue demand from the district for Fasli 1373 (1965-66 A.D.) was Rs 1,38,617 and 9 paise, and that for Fasli 1374 was also the same, but as there were arrears amounting to Rs 66,213 and paise 61 with respect to the previous Fasli year the recoverable demand as on July 1, 1966 was Rs 2,04,830 and paise 70 only.

### **Survey, Settlement and Re-settlement**

There is no indication in the final report of the present Settlement as to when the next survey, Settlement or resettlement of the district will take place. But, it is not likely to take place before the expiry of a period of 40 years and the interval between succeeding Settlements will again be 40 years. If there is a substantial decline in the price of agricultural commodities and it continues for some time an interim revision may be undertaken.

## **LAND REFORMS**

### **Relations between Landlords and Tenants**

The system of land tenures obtaining in the district has been different from that of the plains. There have been four types of tenures here—*hissedari*, *pakka khaikari*, *cacheha khaikari* and *sirtani*. The ultimate ownership of land has been that of the ruling power, whether it was the ancient local chiefs, the Chand rajas, the Gurkhas, the British or the present Indian Union. Persons, who had acquired proprietary rights over land through grants or rewards for services, or those who had got their names recorded as proprietors at the beginning of the British rule by taking advantage of the ignorance of local cultivators, or were considered to be the original cultivators of their land at that time, or acquired proprietary rights through *nayabad* grants or through purchase of such rights from others, have been known as *hissedars*. They are equivalent to the *zamindars* of the plains. Most of the land under cultivation in the district has been cultivated by these holders of proprietary rights, the *hissedars*, every *hissedar* possessed and ascertained area of land and has been responsible for the payment of land revenue with respect to it to the government. The *hissedar* has been free to sell or otherwise dispose of his holding but he could only transfer his interest in the undivided *gaon sanjait* (village common land), without specifying fields. Villages, where actual cultivators of land were other than those who subsequently acquired *hissedari* rights therein, were known as *khaikari* villages and the actual cultivators as *pakka khaikars* who were a sort of under proprietors. The *khaikar* paid the government, the revenue demand with respect to his land, plus a cess which was to be paid to the *hissedar* of the village. The interest of a *khaikar* was heritable but not transferable. But if there was any *khudkasht* land of the *hissedar* in a village, the actual cultivator cultivation it since the beginning was known as *kachcha khaikar* and was for all practical purposes an occupancy tenant of that land. He paid *malikana* dues to the *hissedar* plus the government revenue, his interest also

being heritable but not transferable. The main difference between the two types of *khaikars* was that in the case of a *pakha khaikar* dying heirless his land reverted to the entire *khaikari* body of the village whereas in case of a *kachcha khaikar* dying heirless his land reverted to the *hissedar*. The fourth category is that of the *sirtans* who were tenants-at-will or *assamis* of the *hissedars* or of the *khaikars* and cultivated their land of the latter who themselves could not do so for some reason or the other. The *sirtans* paid to them rent known as *sirti* in cash or kind. There have also been some rent-free grantees in the district.

In the earlier days of British rule, land for cultivation was easily available here, and there, was no pressure of population on it, most of the area lying uninhabited and uncultivated. The cultivators were, there fore, very much in demand by the proprietors. In fact the demand for cultivators exceeded that for land. It secured the most favorable terms to all *sirtans* who paid less rent—only a little more than the actual government revenue assessed—than any other class of tenants. The legal status of such a cultivator was, however, no better than that of a tenant-at-will. He had no permanent rights whatever and made his own engagement with the proprietor, usually only for one crop at a time, and was not even entered in the record of rights. The *sirtans* were completely ignored in the past Settlements; no records were prepared regarding their holdings and no length of possession could save them from being ejected. Ejectment was voluntary and law gave the *sirtan* no protection; he could only claim a compensation for improvements made by him.

With the passage of time pressure on land increased and disputes between the landed proprietors (*hissedars* and *khaikars*) and the *sirtans* started. Although village records were available since the Settlement of 1873, the land revenue and tenancy laws of this area remained un-codified, only the decisions of the commissioners of Kumaon and in a few cases of the board of revenue had the authority of statutory law. In 1918, the Kumaon Tenancy Rules were framed and the land Revenue act, 1901, as modified for hill tracts, was also extended to this area. The continued insecurity of tenure led to open discontent, particularly among the *sirtans* of the Askot raj. As this estate, comprising 154 villages, was an impartible one, and the land there was held mostly by *khaikars* and *sirtans*. They had to pay to the Rajwar, in addition to the rent due (in cash or kind), a number of miscellaneous dues known as *bisaudi*, *baikar*, *tika*, *nazrana*, *begar*, *olag*, *belbase* and *besase*. These exactions were resented by the tenants as being onerous. Prolonged resentment at last took form of serious agrarian agitations in Askot in the years 1923, 1927-28 and 1937-38, in order to voice the *sirtans'* demands for fixity of tenure, abolition of all miscellaneous dues and exactions, and commutations of grain rent into cash. The lot of the *sirtans* in the rest of the district was no better. They normally paid to their landholders half of the produce of land of good quality and one-third of that of average quality, and suffered under the same insecurity of tenure and fear of ejectment, which made them actively sympathetic to the *sirtans* of Askot. With the formation of the first Congress ministry in U. P. in 1937, this agitation gained momentum and a large number of *sirtan* volunteers from Askot marched to Lucknow for redress of their grievances. The result was that an order of the Board of Revenue, U. P., and dated July 15, 1938 stopped ejectment of the *sirtans* of the district till further orders.