

## Land Resumption in Colonial Bankura: Patterns and Changes (1790-1841)

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### Abstract

*This article traces the origin of the land resumption programme in Bankura introduced by East India Company. The introduction of Permanent Settlement in the district of Bankura had failed to fill up the coffers of the English East India company. It resulted in the liquidation of the zamindari estate of Bishnupur. To save their nascent estate, from crumbling into pieces the landowning class resort illicit practice to evade the taxation. To put to an end to this practice, vigorous land -resumption measures were undertaken to bring arable land under the preview of the government. This paper traces the types of land tenure, prevalent in Bankura, the enforcement of resumption measures, its operation and its impact on the rugged economy of Bankura. The time is taken here correspond between 1790 to 1841, viz the starting of resumption operation and the relaxation in resumption laws in Bengal.*

**Keywords:** Rarh, Bankura, agrarian, lakhiraj, rural, zamindars.

### Introduction

The growth and development of Permanent Settlement in the realm of Bengal was a calculated move of the English East India Company to ensure a steady flow of the revenue in their exchequer, The settlement was partially successful in its motive to strengthen the position of newly emerged *Banian Landlord* in Bengal soil. However, it led to the dissolution of old estates of Bengal. This was evident in the case of Bankura. The decennial settlement was settled with the Raja Chaitnya Singh in lieu of 4 lakh of rupees. The Raja was unable to pay the stipulated amount due to the ravaging famine of 1770., the long-standing feud with his kinsmen brother Damodar Singh, and series of Maratha incursion. As a result of this litigation, the estate was split up into smaller estates, which were either sold or settled under separate engagements with the subordinate talukdars already in possession (Peterson:1995:42). The Raja was leftover with the possession of babuan land granted rent-free to him and his devottor grant. These assignments provided the subsistence to the royal family and their sebaits. during the dire hour of need. Based on these facts, the paper will try to locate the origin of this non-rent tenures, their classification, the implication of resumption laws, the operation of resumption laws and finally its impact on the socio-economic structure of Bankura.

### Review of Literature

Research on the realm of land resumption is new in the arena. Scholars like B.B Panda, <sup>i</sup>have already dealt this lightly in the district of Midnapore and Bankura. Similarly, Binod Shankar Das <sup>iii</sup>in his book have also made some stray reference of the resumption process. A proper study on the land resumption method was carried out by Prof Chittabrata Palit where the pros and cons of the resumption measures have been discussed in detail. Prof Palit has also shown precisely the reason behind the land resumption, and differences in methods and finally the opinion of the landlords over the resumption measure. The more concise study was done by Wahiduzzaman in his doctoral dissertation Land Resumption measure in Bengal, (1819-1846). However, most of the aspect studied is done on the general pattern on the resumption measure. District wise study of these measures and its varied impact on socio-economic life is still a distant dream. This is what my paper intends to cover, hence I have chosen the district of Bankura as the centre of my study.

## Discussion

The Permanent Settlement had appropriated the land revenue by fixing the amount, which once assessed remained unalterable. However, the process of collections has been harsh. There have been numerous such instances of strict and harsh application of sales law for the recovery of the arrears of revenue from the landlords, big or small. (Gupta.2015:25) <sup>iv</sup>The old landed magnet needed financial support when they were caught in a web of forfeiture. The government never did take steps to rescue them from the crisis, the alternative that was open for them was concealing of the malguzary land, to save their family from the verge of dismemberment. This feature was also true for the case of Bankura. Before, delving deeply in the issue of the resumption, we must need to know about the non-rent land, which is the central issue of land resumption.

*Terminology:* Rent free tenures include those land tenure which was exempted from taxation. The rent-free tenures could be broadly categorized into badshahi- lakhiraj<sup>v</sup>and hookme tenures <sup>vi</sup>which were dominant on the eve of British rule in India. These lands existed in the form of service tenure or have been provided for religious purposes for drawing the subsistence level instead of salary during the Mughal period. (Sen:2017:-3)<sup>vii</sup>Lands that were exempted in this way in Revenue language said to be Lakhiraj (Arabic la' = not, and Khiraj'= land tax). Such grants were occasionally made by the Emperor and the local Governors to the incumbent. More often they were made by the zamindars and even by the officers of the Muhammadan appointed to the temporary superintendence of the revenue under the pretext that the produce of the lands was to be appropriated to religious or charitable purposes, while the alienations were made for the personal advantage of the grantees, or clandestinely of the grantees themselves.

*Types of Tenure:* The district of Bankura had two types of non-rent tenure, lakhiraj land resumed and settled by the government, service tenure held at quite rents payable to the government and finally the temporarily settled estates held by the Government<sup>viii</sup>. (Hunter,1971:252). The salient feature of this system was most of the resumed lakhiraj of this district belonged from the temporarily settled estates, which were included only after 1833. The district of Bankura was spitted up as Jungle mahals in 1805 and between the Raja of Burdwan, as because, the district was placed exclusively under the police administration till 1833, the Permanent Settlement could only be introduced in early 1840. The non-rent tenure of the District was numerous and was held by the ghatwals and other clubmen instead of the service provided to the zamindar. Depending on the nature and feature of the ghatwal land, the ghatwali land could be further classified into Senpati mahals, Mahal bera mahal, charidari mahal, bakshi mahal, kashtha bhandar mahal, topkhant mahal, dom, katiala mahal an hatialamahal.<sup>ix</sup>

Most of these land grant was virtually abolished by the Raja of Burdwan, leaving behind the panchaki land as only possession of the Raja of Bishnupur. Apart from these tenure, there were hookmee or non-royal grants. These lands were appropriated by the zamindars, amils and another subordinate office under the disguise that this was applied for religious and charitable purposes. Coincidentally this grants became debatable when the government tried to recover it. These type of lands in Bankura were known as brahmottor, shivottor, debottor, for the Hindus and pirottor chirgah, etc for the Muhammadans and are found in many villages<sup>x</sup>(Malley, 1995: 28).

Apart from these tenure, the existence of Babuan land came to be evitable in the district. According to the law of primogeniture, the elder son was offered the post, the second son was called hikim, the third son was called bara thakur and the younger son were known as babuan. Technically, the younger brother was assigned with the land grant which was known as khorposh or babuan grant. In their origin, these grants were probably non-transferable and resumable in default of legitimate male heir of their original grantee.<sup>xi</sup> (Robertson,1926: 3). Virtually, these became heritable and un-resumable and were held free of rent. Apart from these, there is the land which existed in the form of small rent holding that was not assigned for a special purpose.

*Resumption Laws:* There was no clandestine law governing with the future of the rent- land was issued on the free tenure until 1790. One of the questions that stood forth between the government was how to deal with the claims to land exempted from the revenue. Since the year 1771, when the government had first assumed the management of revenue, the direction this subject have been frequently issued. Those rules were revised, and a code of rules respecting lakhiraj land was issued on the 1<sup>st</sup> of December 1790 with some slight modification embodied in regulation XIX of 1793 .(Markbey,1873:1-2.)<sup>xii</sup>

The British Government did not want to disturb the existing land structure. However, they want to know whether these grants were duly sanctioned by the Mughal authority before the accession of Diwani. After a series of investigations, the government failed to determine the validity of the grants manually. Therefore, a law was enacted, vide section 2 Regulation XIX Of 1793, which affirmed that all grants made previous to the date without written would be sanctioned, provided that they were obtained vide bonafide possession before the aforesaid date; or the land has been possession of the revenue officers with a slight reservation in favour of certain small grants made either by the provincial councils or for objects of religion or charity.

The government after determining the nature of the land resolve to resume all such illegal and fraudulent tenure which fails to serve the above purpose It was decided that the revenue assessed the landless than 100 bighas liable to assessment would belong to the person under whose ambit the land is situated the conditions necessary for the validity of the badashee tenure were laid down for the provinces of Bengal, Bihar, and Orissa vide the regulations of 1793.

Apart from Badshahegrant,, there had been hookmee or non-royal grants, viz the lands appropriated by the zamindars, amils and another subordinate office who had been appointed to collect the public revenue under the disguise that this was applied for religious and charitable purposes. Coincidentally, this grants became the centre of tussle between the zamindars and the officials, when the government tried to recover it.

The most important question connected with this free-tenure both royal and non-royal how far would they be considered to be hereditary? It was decided in a decree of 1793 if the lands paying revenue to the government were claimed to be exempt from such payment, under grant, such will not be entertained if the deeds specify it as life grant or would have been silent then it would not be commendable.

*Patterns:* Resumption of Lakhiraj estates thus commenced from 1793 and depending on nature and the modifications which it faced over the time, and specifically in the context of period it could be divided into two period :

The inception period(1793-1825)

The Final phase. (1825-1841)

The inception period- During the inception the government forces were loosely organized to repudiate the growing fraudulent over the issues of resumption. The zamindars protested against the growing issue of land resumption whether it was hookmee or religious grant appertaining to 10 bighas or more. Chittabrata Palit observes that most of these were implemented in the period of interregnum to delude the new British Government to reduce assessment of their estate. This feature was eminent in the 1<sup>st</sup> half of the resumption measure and was inevitable till 1819 when the resumption measures were modified.

The haunt for lakhiraj land began in Bengal in the year 1788 with the creation of the Bazee zameen Dufter in Bengal. This year was particularly awful for the period of the south and eastern Bengal since it coincided with the year of famine in 1786<sup>xiii</sup> The drought affected the revenue collections of Burdwan, Bishnupur and Midnapore and the district of East Bengal. . Like the other district, the condition of Bishnupur have been precarious. Absence of periodic rain followed by scarcity in the district showed the first sign of famine. The Superintendent of the District, in his report furnished to the State claimed that the fields of Bishnupur , became "like field of dried straw". Though the superintendent had incessantly plead to remit the revenue, , the government paid no heed to the surmounting crisis..The Raj of Bishnupur, unable to clear off his debts, was impoverished, and died shortly due to the poverty. The government was left over in utter shock and dismay, they were unable to recur their money and hence The government took the strictest measure to comply the revenue demands by restoring rent-free land. But, they took little effort to replenish the fields and develop the agriculture leaving the economy devastated.

Now, what was the reaction of the zamindars of the Bishnupur? The death of the zamindar, and feud between his son created a dismantled situation, they desisted to show the deeds of their rent-free tenure.in order to avoid financial crisis. Now, the question, that confronts us, that what was this non-rent tenure?. The non-rent tenure of The Raja of Bishnupur consisted of babuan land granted rent-free by Chaitnya Singh and the devottor property .

"A considerable area of land had been assigned from the latter purpose and even after: the estate of Bishnupur had been sold off in 1806, these assignments held good, the Raj family remaining in possession of the sebaits. This babuan land was given to younger son. It was hereditary and non-transferable, but validity of these tenure as non-rent tenures is still shrouded in Mystery. This alleged babuah land of Bishnupur Raj remained under his possession till December 1806 when the post was abolished. Charles Blunt unleashed the measures to resume the invalid babuah land. The lakhirajdars neither did appear in the Court with the sunnuds or deed. "Blunt then tried to ascertain them from the zamindar's *baze zameen duftur*, but the records were asserted to be accidentally destroyed by fire." (Palit,2005:23) <sup>xiv</sup>But, Blunt discovered that the entire incident was pre-planned and the sanads were concealed and forged to avoid the resumption. The forgery thus became a regular feature in the suburb of Bankura and Burdwan.

The official zeal for resumption which was official reinstated by Regulation 12 of 1805 and Regulation 8 of 1817 came to a standstill by the year-end. "The wars of Wellesley and Hastings brought about a financial crisis and resumption appeared a means of raising the demand for land-revenue in Bengal without breaching the Permanent Settlement, and, in the upper-province, of raising collections without increasing the incidence of the demand.

During the end of the 1<sup>st</sup> decade of the 19<sup>th</sup>- century continuous pressure to realize more revenue stimulated in the occupation of rent-free land which had its inception in the year 1819 to 1825. The regulation ii of 1819 modified the existing resumption measure and strengthened the laws by extending the assessment of the lands which were neither settled during the period of decennial settlement. This was applicable for concealed land. The Collector of the district were given furnished with the duty to enquire the details of the prescribed tenure. Additionally, the statement of the lakhiraj land prepared for sale was asked to be deposited in a prescribed format by the subordinate officers to the Collectorate.<sup>xv</sup>(BOR,(Misc) 1819: no-20).

The enquiry revealed the case of fraudulence in the district, in case of chur and jungalbaree estate. An enquiry was made towards the Chur Balleagure and raj Ballabpore where the proprietors were asked to show the deeds of this chur land as recorded in their mofussil papers. <sup>xvi</sup>(BOR, 1819: no-6)

A series of investigation undertaken for the land held under the notion of temporary tenure. The process commenced at the Barasat pergunnah of Bishnnpore where 2,500 bigha of rent-free land was found to be held under illegal disguise, <sup>xvii</sup>(BOR, 1819: no-14). A similar set of land held at Radhamadholpur and Raghunathpore were resumed and sold out under the decree of the Court<sup>xviii</sup>.(BOR,1819: no6-21).

The year 1822 stands as a watershed period, where strict enforcement of resumption laws was enforced. This operation brought into light the increasing cases of fraud. However, the total number of cases, where comparatively low than other districts., since the district was under police surveillance till 1832.

The Climax or resistance period- The resumption measures along with the scheme of survey and settlement was partial since the net revenue derived was partial. the first clause section XXVI Regulation II of 1819 had been spurious, the lakhirajdar had tried to elude the sub-section on flimsy pretext thereby leading to a series of contests in the Zillah Courts. Eventually, this led to the promulgation of Regulation XIV of 1825 was passed which declared that the lakhiraj tenure will be declared to be valid when granted confirmed or ratified by the Government or by the competent authority or by the Revenue Board. However, the Lakhiraj tenure which has remained in uninterrupted possession so long shall be exempted from such investigation. The proof of the possession in the cases provided for by the preceding clause and should be proved by the valid deeds to prove their inheritance. The extensive survey operation was reinstated in the district of Jungle Mahals vide Regulation II of 1819, and Regulation Xiv of 1825. The investigation unfolds a considerable amount of land that has been held rent-free under illegal or false title. Accordingly, the land held by Mohan Chandra Gossain.(BOR,1826: no15-16). <sup>xix</sup>lands in Mouzah Nubasin of Bishenpore, Boarampore mouzah, where the illegal brahmottor and Debottor land held by Kashi Nath Chowdhury were resumed by the Government(BOR,1826:no-17-18)<sup>xx</sup>.

The district of Bankura, erstwhile Jungle mahal witnessed massive changes in the land resumption patterns from the year 1833. The dissolution of the district of Jungle Mahal, and the extension of Permanent settlement in the newly settled area of West Burdwan. This trend could be notified with

the coming of Bentinck, the resumption pattern assumed new trend with resumption of ghatwali land and lakhiraj tenure. Ghatwali land: The ghatwali lands which were concentrated in the districts of Birbhum and Bankura. The ghatwals of Bankura have formed an interesting though the troublesome problem of district administration up to modern times. The ghatwali were attached with topakhana (Artillery Dept) of the Bishnupur Raj.

For the due performance of these duties, certain land was made over to them and heir in jagheer for which they had to pay a nominal rent popularly known as panchak to the Rajah. During the realm of Bishnupur Raj there was 23 ghat each having charge of a ghat and 188 Talookdars and subordinate to the Sudder Ghatwals was appointed to rule over them. The ghatwals were assigned with the task of guarding the ghats (passes) and to free it from Maratha inroads. The Regulation ii of 1819 did not make specification about the rights of tenure, hence it became easier for the ghatwal to encroach more and more land which ensued clashes and conflict in the region.

An attempt to extract information about the presence of the ghatwali tenure was undertaken in the district. Accordingly, a register was prepared to ascertain the amount of land possessed by the different ghatwals in the districts of Bankura. The table below shows the land possessed by the ghatwals in the year 1816, and have land held by the ghatwals inclusive of cultivatable and jungle terrain as per the maatwary records of 1846. The district under perview were Baancoorah, Oondah Bissenpore, Kotulpore, Indoos Soonamookhey in 1846. The statement taken clearly reveals that the Ghatwals of these district have illegally possessed more than 22,000 beegah land from the time of Mr Blunt<sup>xxi</sup>. (Sinha & Banerjee:1989: p-205) Irrespective of several measure undertaken to determine and recover the excess land. The govt continuously failed to recover it owing to absence of cadastral map of such survey.

Resumption of Lakhiraj from 1828-1841 – The last phase of resumption started with the more vigorous assault on the lakhiraj land. In the year 1828, 5 bighas of land was given to Mr C. Steward in Raghunathpore for construction of factory. Compensation for resumption of land for public work were also granted on various occasion who parted off their land to the government against compensation. During this period land was resumed to develop the lines of communication in the district. From 1830 onwards to avert confusion in near future the Government decided to revise the existing guidelines, whereby the Government decided to bring a circular regarding the Resumption Laws. The lands which were not registered in the taidad. were to be included in register. Accordingly, two categories of land register were prepared. i) The first one dealing with land decreed liable to assessment. ii) Assessed land liable for resumption, but is kept under enquiry. The district-wise survey conducted from 1830-42 enabled the Government to get threshold on the rent-free tenure of the district. land liable for resumption, but is kept under enquiry. The district-wise survey conducted from 1830-42 enabled the Government to get threshold on the rent-free tenure of the district. From the records received from different statement beginning from 1836-37, 1837-38, the balances accrued from the resumed lakhiraj land was relatively less in the beginning years from (1836-37) (1837-38). No provision was undertaken to estimate the resumed lakhiraj land under enquiry. The balance of the beginning year did not corresponded to that from the year (1837-38) since large number of estates of Bancoorah such as mouza Salneah of Bishennpore (Tydad, 23,172) were resumed on 31<sup>st</sup> July 1837. The resumption process continued in the extensive tract of Bishennpore throughout in the year 1837 Mehal Buloramghur, Mehal Nischintipur where brought under the scheme of investigation. The net balance of the resumed lakhiraj land have shown the sign of increase in the year (1840-41) while it had decreased in the next year. The Collector reported the increase in balances was due to addition of several mehals that were included from Burdwan (1838-39). Thus, this trend shows that lakhiraj resumption speeded up and distinctively worked out during 1841.

Impact of the Resumption in the Agrarian structure in Bengal- The resumption measure in Bengal came as blow for the landlords. An association was formed in 1836 to seek redress to this matter The Landholders Association send a petition in London against this move which was brought into light through Bengal Herald. The Association have questioned the legitimacy of the Government in unleashing the resumption measure. They have questioned regarding the validity of the measure, since the rights have been bestowed by the Mughal authority and continued unabated during the 18<sup>th</sup> century. The Association formed different sub committees in the district of Bengal to regulate and inform about the high-handedness of the local officials in dealing with the matter of the resumption.



Apart from this constitutional agitation, the landlords also followed policy of obstruction and resistance through their lathials. The case of this resistance was given to collectors and amin, whenever they tried to investigate, locate and resume the land. Instances of blood shed and skirmishes was reported from Chittagong division, Sylhet, Tipperah, Murshidabad. In Bankura, stray references of such skirmishes came into forefront. In many cases it was seen, that the zamindars had plead for redemption in their revenue. The relaxation when approved by the competent authority was never implemented for the poor peasant. The zamindars used it as weapon to coerce the peasantry. Now it is worthwhile to discuss the working of the Injunctions how far did it augment the land revenue, The returns of receipt and from 1837-38, shows the gradual decrease in the rent roll. This might be a reason for addition or deduction in mehals conducted during the survey. By the end of the year 1846, the resumption operation cost the Government about 80 lacs of rupees, whereas it added only about 30 lakhs of rupees to the rent roll of the Government. The continuous pressure from the landlords gave relaxation to the existing resumption laws, but the peasant became the silent sufferer. the resumption measure armed with judicial precedence sealed the fate of the traditional landed interest who was so longer depended upon the non-taxed grant for their subsistence. With the help of disrupted local militia (paiks, Ghatals), the local gentry thwarted the existing jurisdiction by manipulating the local militia against the British forces through the most perverted ways of criminality in the terrain of Bengal. Like the other districts, district of Bankura entered once again the process of the transition which completely, devastated its social structure at the deep level. It led to the intensification of criminal activities and disrupted the peace and order in the interior.

### Conclusion

It could be concluded that the resumption measure which started with slow grip in the district in the late 18<sup>th</sup> century, speeded up with the time, and worked effectively from 1828 with coming of Bentinck and dissolution of the Jungle Mahals. The net profit incurred from this expenses, but in the name of resumption, many of the family was divested off from their bare subsistence, the Ghatwals being the foremost, derived from their livelihood, tried to restore their land by illegal encroachment, and whenever the government tried to counteract it, they gave tough resistance. The same was true for the poor and marginal class of Bankura, who had so long enjoyed non-rent tenure as their solace, the gradual encroachment, made them more ferocious. The person now resorted to an alternative path of crime, gave a blow to the socio-economic life of Bankura.

### End-Notes and References:

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ii Panda B.B (2005)- *Socio-economic Condition of South-West Bengal in the Nineteenth Century*, Calcutta: Punthi Pustak.

iii Das B.S (1984)- *Changing Profile of the Frontier Bengal*, Delhi: Mittal

iv Gupta A.K (2016)-*Nineteenth Century Colonialism and great Indian Revolt*, India: Routledge

v During the Mughal rule, rent-free tenure was granted for life or in perpetuity as a reward for public or private service.

vi The land which was held free of assessment and was given to amils zamindars and other revenue collectors for the perpetuity of land revenue were known as hookme tenure

vii Sen. A (2017)-*Society, Economy and Landed Interest in South-West Rarha Bengal (1820-1865) Unpublished PhD thesis*, Visva-Bharati: Santiniketan

viii Hunter W.W (1876)- *A Statistical Account of Bengal, Vol-3*, London: Trubner & Company.

ix All of these mahals were assigned to the different ghatwals in lieu of nominal rent known as panchak.

<sup>x</sup> Malley L.S.S (1995) *West Bengal District Gazetteers*, Bankura, Calcutta: Higher Education Department

<sup>xi</sup> Robertson F.W (1925) *Final Report on the Survey and Settlement Operations in the District of Bankura (1917-1924)*, Bengal Secretariat Book Depot

<sup>xii</sup> Markbey. W (1873)- *Lectures on Indian Law*, Calcutta: Thacker & Spink

<sup>xiii</sup> The year 1786 was the year of famine which had struck its severity in the districts of South Bengal

<sup>xiv</sup> Palit C (2011)-*Tension in Rural Bengal, Landlords, Planters and Colonial Rule*, New Delhi: Cambridge University Press

<sup>xv</sup> Board of Revenue(1819) Miscellaneous,  
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<sup>xvi</sup> Board of Revenue(1819) 9<sup>th</sup> July-11<sup>th</sup> July, W.B.S.A, Kolkata

<sup>xvii</sup> Board of Revenue(1819) 11th June no5-12 W.B.S.A, Kolkata

<sup>xviii</sup> Board of Revenue(1819)8th May no-15-16, W.B.S.A, Kolkata

<sup>xix</sup> Board of Revenue (1826) 22<sup>nd</sup> August no 17-18. W.B.S.A,Kolkata

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<sup>xxi</sup> Banerjee H& Sinha .S(1869)-*West Bengal District Records, New Series, Bankura District Letter Issued(1802-1869)*, Calcutta: West Bengal