
ZAMINDARI SYSTEM IN TAMIL NADU – WITH SPECIAL REFERENCE TO RAMANATHAPURAM AND SIVAGANGA DISTRICTS

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A Zamindar also known as Zomindar or Jomidar in the Indian Subcontinent was an autonomous or semiautonomous ruler of a province who were originally known as *Bhumipatis*. They accepted the suzerainty of the superior of *Hindustan* and were converted into zamindars by the Mughals and later the British. The title zamindar as they held enormous amount of land and ruled over peasants. During the Mughal Empire, Zamindars belonged to the nobility and formed the ruling class. During the colonial era, the Permanent Settlement consolidated what became known as the Zamindari system. The British rewarded supportive zamindars by recognising them as princes. The British East India Company established themselves in India by first becoming zamindars of three Villages of Calcutta, Sultani and Govindpur. Later they acquired the 24 Parganas and in 1765 got control of Bengal, Bihar and Orissa. Later in 1857 the British Crown was established as the sovereign. Zamindari System was introduced by Cornwallis in 1793 through the Permanent Settlement Act. The outbreak of the South Indian Rebellion in 1801, was the callous way with which the British Company had sequestered many palyams who did not pay the Peshcush. Rani Mangaleswari Natchiyar became the First Zamindar of the Palayam of Ramanathapuram and Gowri Vallabha Thevar became the First Zamindar of the Palayam of Sivagangai. According to the Permanent Settlement, Rani Mangaleswari Natchair, the first Zamindarini of Ramanathapuram, accepted permanent fixation of land revenue, at the rate of 94,733 Star Pagodas.

This new rate was more than the earlier Peshcush, by 35,875 Star Pagodas. The British Government later decided to bring the Zamindari of Sivagangai also into the framework of Permanent Settlement. Hence the Company entered into a deed of agreement with Gowri Vallabha Thevar, the first Zamindar of Sivagangai, in the year 1803. The British Government assessed, on a permanent basis the land revenue dues from the Zamindar of Sivagangai as 75,000 Star Pagodas. The British Government cleverly converted the Poligars into Zamindars and made them a part of the British revenue administration. At one stroke, the crafty British Raj achieved the twin objectives of political mastery over the unruly poligars and gained economic advantage by turning these traditional leaders into mere Revenue Collectors. The system was abolished during land reforms in East Pakistan today Bangladesh in 1950, India in 1951 and West Pakistan today Pakistan in 1959. The Zamindari system was finally abolished by law after Independence. In 1951, the first amendment of the Constitution of India amended Article 19 and Article 31. The right to

property was modified to allow the states to legislate on ending the Zamindari system.

Keywords: Land holder, Zamindar, Revenue Administration, Circar Land, Tax

Objective of the study

1. The study analyse the implementation of Zamindari system in Tamil Nadu.
2. The analyse the Revenue Tax, Excise and Customs Duty.
3. The study analyse the British Government how collection of the Tax
In the Ramanathapuram and Sivagangai Zamins.

Sources

This research paper is mainly based on Primary and Secondary sources have been consulted. The Primary sources constitute Archival Records, Government Records and Government Orders. Besides, these secondary sources were also consulted for the construction of the study.

Methodology

The study is mainly based on both Primary and Secondary sources data. The Historical method of investigation has been resorted to the writing of this paper. The Analytical method, Descriptive method have been followed depending upon the context.

Introduction

The practice of Zamindari System could be traced to the Hindu period when he was called the Chaudri. The word, Zamindar, became popular after the muslim period. It is a Persian word. Zamin means land and Dar means holder. Zamindar was a landholder. When the Muslims administered India, they were not familiar with the local population and hence they found it difficult to collect the land revenue. It was easier for them to recognize the prevailing mode of realizing land revenue through the custom-sanctioned chief called Zamindar. Further, the Muslim rulers also conferred the title of Zamindar on the defeated Hindu rulers in order to facilitate land revenue administration.

The title zamindar as they held enormous amount of land and ruled over peasants. During the period of British colonial rule in India, many wealthy and influential Zamindars were bestowed with princely and royal titles such as Maharaja, (Great King, Raja, Rai) and Nawab. During the Mughal Empire, zamindars belonged to the nobility and formed the ruling class. Emperor Akbar granted them mansabs and their ancestral domains were treated as jagirs. Some zamindars who were Hindu by religion and Brahmin or kayastha or kshatriya by caste were converted into Muslims by the Mughals. During the colonial era, the Permanent Settlement consolidated what became known as the Zamindari System. The British rewarded supportive zamindars by recognising them as princes. Many of the region's princely states were pre-colonial zamindar holdings elevated to a greater protocol. The British also reduced the land holdings of many pre-colonial princely states and chieftaincy, demoting their status to a zamindar from previously higher ranks of nobility.

Zamindari System in British India

The British East India Company established themselves in India by first becoming zamindars of three villages of Calcutta, Sultani and Govindpur. Later they acquired the 24 Parganas and got tax collection right (Diwani rights) through the treaty of Allahabad in August 16, 1765. From this treaty, the British got some rights in Bengal, Bihar and Orissa. Later in 1857 the British Crown was established as the sovereign.

Zamindari System (Permanent Land Revenue Settlement)

Zamindari system was introduced by Cornwallis in 1793 through the Permanent Settlement Act. It was introduced in the provinces of Bengal, Bihar, Orissa and Varanasi. It is also known as Permanent Settlement System. Zamindars were recognized as the owner of the lands. Zamindars were given the rights to collect the rent from the peasants. While the zamindars became the owners of the land, the actual farmers became tenants. The tax was to be paid even at the time of poor yield. The tax was to be paid in cash. Before introducing this system, the tax could be paid in kind. The realized amount would be divided into 11 parts. 1/11 of the share belongs to zamindars and 10/11 of the share belongs to East India Company. According to the Permanent Land revenue settlement the zamindars were recognized as the permanent owners of the land. They were given instruction to pay 89% of the annual revenue to the state and were permitted to enjoy 11 % of the revenue as their share. The Zamindars were left Independent in the Internal affairs of their respective Districts.

Gowri VallabhaPeriya Udaya Thevar was installed the First Zamindar of Sivagangai by the British Company in the year 1801. Rani MangaleswariNatchiar, the sister of Muthuramalinga Thevar became the First Zamindar of Ramanathapuram on 22nd April 1803¹.

The outbreak of the South Indian Rebellion in 1801, was the callous way with which the British Company had sequestered many palayams who did not pay the Peshcush. These Poligars were originally paying the tax to the Nayaks of Madurai. After the eclipse of the Nayakdom, the Nawab of Arcot became the sovereign and Poligars were obliged to pay the tribute to the Nawab. But once the Company assumed the revenue administration, the Poligars had to remit their dues to the new master. The British insensitivity, towards the defaulting Poligars incensed the people and hence the revolt. After the 1801 uprising, the British Government learnt the right lessons and restored the Palayams, except a few. Elayirampennai, Kolarpatti and Nagalapuram were confiscated and they were divided into Nine Muttahs and they were sold to the highest bidder in a public auction. The successful bidders became Muttahdars and sanads were issued to them. This was done in order to punish these palayams, for their participation, in the Great Revolt of 1801.

According to the Permanent Settlement, Rani MangaleswariNatchiar, the first Zamindarini of Ramanathapuram, accepted permanent fixation of land revenue, at the rate of 94,733 Star Pagodas². This new rate was more than the earlier Peshcush, by 35,875 Star Pagodas³. The British Government later decided to bring the Zamindar of Sivagangai also into the framework of Permanent Settlement. Hence the Company entered into a deed of

agreement with Gowri Vallabha Thevar, the First Zaminidar of Sivagangai, in the year 1801. The British Government assessed, on a permanent basis, the land revenue dues from the Zamindar of Sivagangai as 75,000 Star Pagodas⁴. It is worth recording that land revenue alone was taken into consideration while imposing the permanent settlement on Zamindars and other taxes like tax on salt petre, customs duty, tax on liquors, professional tax etc were excluded from the purview of permanent settlement. When Zamindars were recognised under permanent settlement, they were called Istimirar Zamindars.

Village establishments, except the office of the Karnam, were abolished and lands assigned to them, were brought under permanent assessment, under Section V of the Regulations. Another important thing about the permanent assessment was that remission of tax was not accepted under any circumstances. In the earlier system, governed by customs, the authorities waived the payment of land revenue, during periods of drought or floods. This was dispensed with on account of the fact that the permanent assessment was moderately determined. Normally, the rulers maintained the irrigational facilities. But even this custom of sovereign responsibility, to maintain the channels was dispensed with and Zamindars were responsible for the maintenance of irrigation systems.

Another, important feature of permanent settlement in Tamil Country was that the entire Bengal was controlled by Zamindars while Zamindars of Tamil Country were present mostly in Northern Circars. Hence the Company had to create Zamindars and a good example was the conversion of Poligars into Zamindars. Lands, open to assessment, were divided into Circar lands or Havelly lands and lands under Private Proprietors⁵. Circar lands were divided into Muttahs and sold to the highest bidder in public auctions. These owners of Muttahs, called Muttahdars, also were deemed to be Zamindars and they were also brought under the purview of permanent assessment⁶.

The value of the crop yield was calculated on the basis of average collection of revenue in the previous years⁷. On the basis of survey results, two thirds of the gross produce was decided as the revenue due from the Zamindars. The Zamindars were directed to take only the tax, mentioned in the Patta and in case the Zamindars demanded more, the ryots had the option to seek redressal from the civil courts.

Poligars were converted into Zamindars in the study area. As a result, Rani Mangaleswari Natchiar became the First Zamindar of the Palayam of Ramanathapuram and Gowri Vallabha Thevar became the First Zamindar of the Palayam of Sivagangai. It is worth recording that Marudhu Brothers of Sivagangai organized the South Indian Rebellion of 1801 and yet the British Government did not dissolve the Palayam of Sivagangai for strategic reasons. The Alien Government realized that they would never be accepted by the local population simply because they were alien. On the other hand, the people of Sivagangai were emotionally attached to the traditional polity of Sivagangai and its rulers. This emotional attachment of the local people was exploited by the British Government for effectively executing the land revenue administration. They heavily depended upon this land revenue because the contemporary period, under study, was still agrarian and they wanted to collect the land revenue through the natural leaders of

contemporary society, who were passionately venerated by the people.

The 1802 permanent settlement converted only the land revenue and it did not embrace other sources of revenue like salt, excise and customs. Further, the revenue assessment was made on the total estate of the Zamindar and it was assessed on the basis of individual ryots and their capacity to produce. The Circar share was fixed on the basis of the average collection of land revenue over the past years and this average was worked out with the help of the land survey⁸. The permanent settlement of 1802 fixed two thirds share of the produce, as the share of the circar and one third as the remuneration of the Zamindar, in perpetuity⁹. This permanent fixing of the share of the Circar and the Zamindar, was the essence of the permanent settlement¹⁰. In the earlier period, this share of the Circar was called Peshcush because the Poligars were Independent enough to maintain private army of armed peons and they paid the Peshcush more in the nature of a tribute to the ovedrlord. But after 1801, the paramountcy of the British Raj in the Tamil Country was totally acknowledged and the Poligars, stripped of their military apparatus, were reduced to the level of mere collectors of land revenue for the British Government. Therefore, it would be appropriate to refer to this share of the Circar more as a rent, collected by the Poligars, on behalf of the paramount power called the British East India Company.

Thus, the Poligars of Ramanathapuram and Sivagangai were reduced to the level of mere intermediaries between the Circar and the Ryots. Though these intermediaries were conferred the ceremonial title of Zamindar, they were compelled to act within the conditions of the contract with the ryots, called the Pattas. In case any Zamindar violated the conditions of the Patta, issued to the ryot, the affected ryot could seek redressal in the civil court, constituted by the British Government. The Governor of Madras, following the Bengal model, introduced the civil courts for this purpose, to run concurrently with the inauguration of the permanent settlement. In the pre-British period, custom governed the relationship between the Poligar and the cultivators. For example, the Poligars were entitled to receive the customary fees of Deshkaval but this customary entitlement to Deshkaval fees was transferred to the Britishs Raj because the Company assumed the responsibility for maintaining the law and order in the Palayams. In short, the traditional leaders of Palayams of Ramanathapuram and Sivagangai were reduced to the level of mere tax collectors, for the Alien Government, though they were left with the vestiges of ceremonian powers due to a Zamindar.

Waste lands were not brought under the permanent settlement because it was assumed that this tax-free tracts of land would be developed by the Zamindars and the Company would gain in the general development of their territories in the process.

Another important feature of the permanent settlement, under the Regulations of 1802, was that the Zamindar could claim only such rights under the permanent settlement, which were exercised by the British Government prior to the introduction of the Regulations of 1802. In other words, during the pre-1802 period, the British Government claimed ownership of Tamil Country, though the Zamindars or Poligars managed the lands. Hence the Zamindars should not claim anything more than what the British

Government was entitled to. This legal dimension was significant because the transfer of revenue collection to the Zamindars, was limited to the claim of the Company, prior to 1802.

This legal idea of the proprietary right of the Zamindar being limited to the right of collecting the land revenue, would become clear when the procedure for collecting the revenue dues from the ryots, is read carefully. When the Zamindar found it impossible to collect the land revenue dues from the ryot, he was permitted to attach his movable property at the first instance. When the sale of the confiscated property did not cover the dues from the defaulting ryot, the Zamindar could remove the ryot from the land, under his cultivation and replace him by another ryot, who was willing to pay the revenue, as prescribed by the Patta. In extreme cases, if the Zamindar had to sell his zamindari estate, he could do so only to the British Government. This procedure amply illustrates the legal principle involved in the permanent settlement, that the proprietary right of the Zamindar was limited to a demand of the share of the produce of the ryots in his estate as his revenue. Once again the paramount power of the British Government was asserted when the powerful Poligars in the study area, the Raja of Ramanathapuram Palayam and the Poligar of Sivagangai, were reminded through the permanent settlement of 1802, that their ceremonial power as Zamindars was limited to the right to collect the land revenue on behalf of the British Raj and hence, in essence, they were only mere revenue officials and their proprietary rights of yester year were not absolute, after 1802. The only consolation to the Poligars -turned-Zamindars, in the study area, was that they could dispose the wastelands, which were not assessed under the permanent settlement, anyway they wished to thus the Regulations of 1802, determined not only the relationship between the Zamindar and the British Raj but also the relationship between the Zamindar and the Ryots in his estate.

The flaws of permanent settlement were set right by the parallel growth of judiciary. The Madras Government followed the Bengal model of judicial system. In the study area of the Palayam of Ramanathapuram and the Palayam of Sivagangai, the Poligars also executed judicial functions. But the introduction of permanent settlement terminated the poligari system and replaced it with the Zamindari System. The new tripartite arrangement found the Poligars - turned - Zamindars to be incapable of solving disputes over land revenue collection because they were stripped of their judicial authority. Hence the need for the creation of new courts to resolve land revenue related cases, between the Zamindar and the Ryots.

In the beginning of company administration, Collectors decided civil cases and the Board of Revenue was vested with appellate authority. Military Tribunals decided serious cases of revenue administration because they were too serious for ordinary civil courts¹¹. But the introduction of permanent settlement demanded restructuring of the existing judicial system in order to help the cultivators from the oppressive revenue collection methods of Zamindars¹². Hence the Cornwallis System of Judicature, already introduced in Bengal in the year 1793, was introduced into the Tamil Country¹³.

Regulations 11 of 1802 brought about the judicial changes in order to resolve disputes,

arising out of the permanent settlement. Zillah Courts formed the base of the pyramidal architecture of Madras judicature¹⁴. The Zillah Court exercised jurisdiction over a district or a portion of a district. Provincial and Circuit Courts had jurisdiction over a group of districts. Provincial Court dealt with civil cases but when it dealt with criminal cases, it was called Circuit Court. Sadr and Foujdari Adalat were at the top of the judicial structure. Sadr Adalat dealt with criminal cases and it was called Foujdari Adalat.

In the study area of Ramanathapuram, a Zillah Court was constituted in the year 1803. At this point of time, Ramanathapuram was part of the Madurai District. Later the Zillah Court of Ramanathapuram and the Zillah Court of Dindigul were abolished and a single court was established in Madurai, in the year 1808. These Zillah Courts were presided over by European judges. A Native Commissioner, attached to this Court, tried and decided petty cases. These Zillah Courts functioned with the help of native bureaucrats called Kazis, Munshis, Sheristadars, Karnams, Kotwals and Pandits. These functionaries formed the ministerial staff of the Zillah Courts. These Native Commissioners were appointed by the Zillah Judges, with the prior approval of the Sadr Adalat. Zillah Courts could try cases, related to property, land rent, revenue arrears, contracts, marriages, claims to damages for injuries etc. In 1809, all decrees of Zillah Court could be appealed against in the Provincial Court. As far as the Palayam of Ramanathapuram and Palayam of Sivagangai, the study area, were concerned, the Southern Provincial Court was first located in Dindigul. It was later shifted to Madurai and finally, to Tiruchirappalli¹⁵.

The Provincial Court of Appeal, under whose jurisdiction the study area of Ramanathapuram and Sivagangai functioned, consisted of three judges. The decisions of Zillah Courts were challenged in this Provincial Courts of Appeal. The Madras Council was the ultimate appellate authority and appeals against the Provincial Court would be heard by this appellate authority. When there was an appeal to be heard by the Madras Council, the Governor and members of his council, constituted themselves into the Chief Court of Civil Judicature (Sadr Adalat) and Chief Criminal Court (Foujdari Adalat).

The introduction of Cornwallis System of judicature in Tamil country, was strengthened by a restructured police force, in order to implement the permanent settlement effectively. For efficient functioning of the police force, each district was divided into smaller police jurisdictions. Each division was under police officers called Darogha and Thanadar. Twenty to fifty armed policemen were placed under their command and these police divisions were placed under the supervision of the Collector¹⁶. Since the Collector was already tasked to perform many responsibilities, the police powers of the Collector were transferred to the Magistrate of the Zillah Court in the year 1808¹⁷.

Thus, the Bengal Model of permanent settlement and the judicial support system, backed by reorganised police force, as envisaged by Lord Cornwallis, was implemented in Tamil Country in the year 1802. The permanent settlement, though a tripartite settlement between the Zamindar, Ryots and the British Government, it was so designed to accord dominant position to the British Government. It was a clever strategy by the Alien Government. Since the people would have resented foreign agents collecting land revenue

from them, they hit upon the already tried Muslim method of land revenue administration, through intermediaries, called Zamindars. The people in Northern Circars were already familiar with the practice of Zamindari System. The Britishers were confronted with a problem in the study area of Ramanathapuram and Sivagangai. The 1801 South Indian Rebellion had clearly established the popularity of Poligars, who enjoyed not only high social status, by virtue of their traditional authority, but also a high degree of Military prowess. In view of this strong local leadership, evident in the institution of Poligars, the British defeated them first in tough battles and later stripped them of their military apparatus. The genius of the British Raj lay in the fact that the Britishers realised the impossibility of separating the people from their emotional bonding with the Poligars. The Raja of Ramanathapuram as well as the Poligar of Sivagangai was held in high esteem by the local population even after their military defeat in the hands of the Alien power.

Conclusion

Hence the British Government cleverly converted the Poligars into Zamindars and made them a part of the British revenue administration. At one stroke, the crafty British Raj achieved the twin objectives of political mastery over the unruly poligars and gained economic advantage by turning these traditional leaders into mere Revenue Collectors. But it must be recalled here that the Alien Government did not care about the interests of the intermediaries nor the welfare of the ryots and no wonder permanent settlement soon became permanent ruin of the ryots. The system was abolished during the land reforms in East Pakistan nowadays Bangladesh in 1950. India in 1951 and West Pakistan today Pakistan in 1959. The Zamindari system was finally abolished by law after Independence. In 1951, the first amendment of the Constitution of India amended Article 19 and Article 31. The Right to Property was modified to allow the states to legislate on ending the Zamindari System.

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