

## CHAPTER II

### LAND TENURES AND LAND RIGHTS

Coming to the consideration of highest importance with the agrarian economy of Ahmedabad viz., the land tenures and rights enjoyed therein by different people; the proper ascertainment, recognition and security, of the several tenures and rights within the village are objects of the highest importance to the tranquility of any province, as Indians have a rooted attachment to hereditary rights and offices.

Ahmedabad district comprised of about 1027 villages of irregular sizes and shapes, held wholly or partially by individuals or groups forming different strata of society. So the tenures found here were also very numerous and complicated. Still, they can be divided into two broad categories - Talpat or <sup>1</sup>Khalisa (Government) lands and alienated lands. The lands or area directly and fully coming under the control of the Government and the whole of the revenue of which was reserved for the government were called Talpat. The alienated lands constituted of the hereditary talugas of the erstwhile Rajput chiefs; assignments of the revenue of certain portion of land to these chiefs (may be willingly or under pressure); grants to serve as a recompensare for services rendered or grants for the maintenance to <sup>2</sup>Brahmans, Charuns etc.

1. R.D.D., 1820, No. 157, pp. 1046 - 47; R.D.V., 1821-22, No. 21/45, p.7, M.S.A.B.

2. R.D.V., 1822, No. 3/27, p.10; S.R.B.G., No. V, p.1.

Khalisa Lands - The lands under the direct control of the government or in other words those which paid regular sums of money to the government were designated as Khalisa or more popularly known as Talpat in Gujarat. Essentially, the khalisa ought to be conceived of as a group of assignments held directly by the imperial administration. The extent of Khalisa varied from time to time. It was in 1411 A.D. that Sultan Ahmed Shah suppressed many of the independent Rajput Chieftains, like Solunkies, Sumas, Gohils etc., who were ruling over Gujarat for generations. Being dispossessed of their habitation these chiefs took up to rebellion and Sultan was forced to grant one fourth of their original land to them. The rest of the three fourth of land was kept under the direct control of the government and this came to be known as Talpat or Talpad.<sup>3</sup>

These Khalisa villages were initially held by a proprietary body who held land in common and took all decisions regarding cultivation, mode of payment of revenue to the government etc. With the changing demands of time, new tenures came into being, primary of which were the Senja and Nirwa.<sup>4</sup>

#### Senja Villages -

Villages which were held entire or which were not subdivided into various bhags or pattees were called senja. This was the

3. R.D.D., 1805, No.46, p.1305; Bombay Revenue Selections (henceforth B.R.S.), Vol.III, 1822 pp. 23-28. M.S.A.B., R.D.V., 1822, No.3/24, pp. 23-28; cf. Irfan Habib, The Agrarian System of Mughal India, pp.142-43

4. B.R.S., III, p.680

most simple way in which lands were held by cultivators of Government lands, and these cultivators were usually known as Sarkaree Kheruts.<sup>5</sup> In Senja villages each cultivator was only responsible for the amount of his Khata, i.e. for the rent of the quantity of land and such veras or babtees as his particular account in the village showed him to have cultivated and paid for during a series of years; or for the years, if the land<sup>6</sup> cultivated be held under yearly Gunwat or lease. No ryot could be dispossessed while he paid the public assessment. All of the family of Patels or the original founder of the village, were eligible to the Patelship but this office had been monopolized by a few of the most powerful ones.<sup>7</sup> So these proprietors acted only as cultivators and left the whole management of the village to such of their body as was capable of conducting it.<sup>8</sup> However, all those who were eligible to patelship had a right to obtain service from the inferior castes of village servants. The ryots inherited the right of cultivation but no further right in soil and they could not sell or mortgage their land because their<sup>9</sup> rights and interests were undefined.

Patels acquired very important position in these villages. As the government used to settle the Jamabandi with the Patels, no direct settlement was made with the ryots. It was left to the discretion of the Patels to realize the amount from the ryots,

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5. R.D.V., 1821-22, No.21/45, p.698.

6. R.D.D., 1820, No.153, P.1843; R.D.V., 1822, No.3/24 pp.23-28.

7. B.R.S., III, p.680.

8. R.D.D., 1820, No. 157, p.4113.

9. R.D.V., 1821-22, NO.21/45, p.680.

of course, according to the established rates and customs of the village. Any profit that he could make from the goodness of the season was his and on the contrary any loss accruing from the adverse situations was also his.<sup>9a</sup>

If a ryot did not cultivate or even declined to pay the amount of his assessment, the officers of the government were authorized to assign his lands to another who would then succeed to the rights of the ousted tenants and could not be removed without a similar failure, to what had destroyed his predecessor's right.<sup>10</sup> Such disposed ryots could not reclaim their lands unless a proper division of village took place.

Under the head of undivided villages thus understood, variety of tenures could be incorporated. Generally, the distinction consisted in the mode of payment. They were divided into several classes distinguished by the tenure, most prevalent in them. The first consisted of Bigoti villages, in which each ryot held independently of his neighbour and paid per bigha according to its quality.<sup>11</sup> Here he was the immediate tenant of the government. Second class consisted of villages which were held in perpetual lease. Under Khatabandi tenure the holder of lands in Khata boundary had lands of different qualities being assigned to

9a. B.R.S., III, P.680.

10 R.D.V., 1821-22, No.21/45, p.690

11. S.R.B.G., 1824, No.III, P.681, M.S.A.B.; M.Elphinstone, A Report on the Territories conquered from Peshwa, P.10; Alexander Mackay, Western India- Reports Addressed to the Chambers of Commerce ed. James Robertson, London, 1853, pp.63-71.

<sup>12</sup>  
him. The rent was laid on the best land, which he held on the express condition that he would be liable for the rent of the entire holding, whether he cultivated it or not.

In villages and on lands where Khatas had not been introduced the common tenure was termed, Chaloo Kher and Gunwatteea.<sup>13</sup> It was in the first tenure person held their land who continue cultivating certain fields which their forefathers or other relatives were in the habit of cultivating before them. The ryots were obliged to pay for the whole of the land which he had been cultivating unless he gave timely notice of parts he wanted to relinquish. The best lands were generally related as Chaloo Kher and rest leased annually and were termed Phurta Gunwatteea.

Villages paying their assessment by Hull vera could also be incorporated here. It was a tax upon the plough and bullocks in a man's possession equal to the full rent upon as much land as could be cultivated by him with it.

Another tenure prevalent was Tateechas. Under this came the lands on the confines of a village which were cultivated by poor people. A uniform tax was laid upon them without reference to their quality or condition.

Nirwadari or Bhagdaree tenures - villages which had joint tenures or which were sub-divided into shares were called Nirwa or Bhagwaree or Bhagdari. The Bhagdar was the head of the village, originally enjoying the proprietary rights subordinate to the

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12. R.D.V., 1821-22, No.21/45, pp.851-16; Ibid, 1823, No.23/76, P.25; R.D.V., 1841, No.1240, P.25; Elphinston, A Report on the Territories conquered from Peshwa, P.11; R.D.V., 1827, No.29/182, p.23.

13. R.D.V., 1827, No.29/182, p.23.

rights of the government, he alone, was responsible for the state demand of the land revenue. He was, in fact, a petty zamindar placed between the government and the cultivators, paying to the former a stipulated tribute, and exacting from the latter<sup>14</sup> whatever in excess of the tribute he could get. But as the Bhagdar family became numerous, it became necessary either to divide the village amongst them into independent properties, or to constitute each fractional part into a share (or pattee) of a common stock and to resolve the aggregate proprietary into a copartnery. Such was the course followed in this category of villages, throughout the province. A village in the hands of a single Bhagdar was scarcely found to exist. To avoid the evils of too minute a division, not so much of the lands as of the authority and management of the village, a primary division was made of it into as many shares as the common ancestor of the family had sons. These larger divisions were called Bhags. These shares were then subdivided amongst the descendants of the<sup>15</sup> different sons. The smaller divisions were called docras.

In each case one of these descendents either was appointed or assumed to manage the concerns of the common share. Thus becoming responsible to government for the revenue accruing from that share, and collecting the same from the different cultivators of the share, who in a measure collected the same from the

14. R.D.V., 3/27/1822, pp.23-24, M.S.A.B.; R.D.D., 143/1819 p.1, M.S.A.B; B.R.S., III, P.680

15. R.D.D., 149/1819, p.449, M.S.A.B; R.D.V., 1821 - 22, No.21/45 p.794.

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tenants.

In Ahmedabad there were generally four or five principal sharers in a bhagdar village, with a number of under sharers and the government lands were divided amongst them according to the proportion of the share each enjoyed and the government revenue was paid accordingly.<sup>17</sup> Every share from that of a smallest Pateedar was denominated by anna share i.e. four anna share or two hundred anna share and so on. Supposing, then the government assessment was fixed at 1,000 rupees. The Patel with whom the amount had been adjusted by the Collector would return to his village, all persons interested meet him at the public meeting place in the village and then the Government assessment was declared, every man by the simplest process instantly knew<sup>18</sup> precisely what he had to pay. The Patel who had a four anna share had to pay 4000 annas. The pateedar having half anna share paid 500 annas.

If any cultivator made default in paying his rent, his fellow cultivators had to make good the deficit. But whether they do so or not, the bhagdar was responsible for the whole rent of the share, and also entitled to retain the surplus. such was the position and power and responsibility of the heads of the different shares into which the villages were divided. As each Bhag or share had to make good its own revenue if it could by

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16. R.D.D., 149/1819, p.449, M.S.A.B; R.D.V., 143/1819, P.1; B.R.S., III, P. 680, M.S.A.B.

17. R.D.V., 1843, No. 64/1506, pp. 167 - 68.

18. B.R.S., III, p. 703; R.D.V., 1830. No. 38/319, pp. 215-217.

making all the cultivators of the bhag answerable for the default of any of them, the whole village was responsible for the whole revenue of other bhags or shares.

Thus, member of each share in a village had a common interest in the welfare of all the docras or subdivisions in their respective share and the members of all the shares represented in general by the seniors, had a similar interest in the welfare of the whole village. This gave rise to the custom that had obtained and which provided against the evils that would arise from any joint usufruct proprietors or proprietors being unable either through poverty or death of relations or dependants to cultivate their share.

One of the bhagdars was the Chief Patel of the village, an office hereditary in his family, but it was usual to apply the word Patel to each of the Bhagdars. Thus, a village would be found to have many Patels as it had holders of primary shares. All the Bhagdars shared the lands and allowances attached to the Patel's office. The chief bhagdar did not have any larger share than any of the younger members of the same branch. But the whole of the internal management of the shares was placed in his hands. It was his duty to look after the improvement work like  
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repair of wells etc. in the villages.

The terms bhagdar and Pateedars have been used synonymously. These Pattees were saleable. Under adverse circumstances the proprietor had option of relieving himself of the whole or such part of his share as he may not be able to manage to good account. This temporary relinquishment however does not enquire



his right of assuming its management again whenever a charge in his means enables him to do so. Lands temporarily relinquished in this manner were termed Purra Bhag (i.e. fallow share).<sup>20</sup>

The right of the party relinquishing his land was kept open by the joint propriety taking charge of the land as a common concern, in order jointly to discharge the conditions on which it was held from government. Those who possess Sabit Bhag or land which is cultivated by its own usufructuary proprietors do this by leasing the Purra Bhag out, either among themselves or others to the best advantage making up by an assessment on themselves whatever sum might be wanting to complete the proportion which such bhag was to pay.

Though a proprietor was at liberty to resume his property as soon as he was able, when kept open to him by the joint exertion of the rest of the community to which he belonged, yet on such occasions these proprietors had a right to demand such expense<sup>21</sup> as his throwing up the management may have occasioned.

Britishers on one hand accepted that these Bhagdars had proprietary rights over lands, yet on the other hand their right to alienate or sell their bhag without the sanction of the Collector was restricted.

Bhags were even liable to be sold under a decree of the adawlut, if required. Some of the British administrators assumed very hastily that because Bhags have sometimes been sold and

20. R.D.D., 1820, No. 157, pp. 4099 - 4106.

21. Ibid.

transferred, the Bhagdar had an absolute right to alienate his share in a village, and that as a consequence, a Bhag may be sold by or auctioned under a decree of the adawlut, in satisfaction of the Bhagdars debt. However, this was not the case. Two important considerations appeared to have been disregarded in this. According to the theory of the Bhagdaree tenure and the usage of the country the consent of the other share-holders and the formal recognition of the ruling authority were essential conditions to the valid transfer of a Bhag.<sup>22</sup>

This practice slightly differed from district to district according to the custom of that part. In Kheda and Ahmedabad Collectorates, in case of a Bhagdar wishing to sell or mortgage his share, it could be purchased by some other sharer. In this manner it could be done without the Collector's sanction. When an under sharer fell into poverty the principal sharer kept him and was answerable to Government for the revenue of share if the adawlut permitted the sale of the share indiscriminately to any one, not a sharer, the tenure of the village was likely to be broken up, as the other Bhagdars would not acknowledge him and the principal Bhagdar would not be responsible for him, as it was the custom, if one of the sharers suffered loss, for the others to give him assistance.<sup>23</sup> It could hardly be expected that the practice would be continued in favour of a stranger or person of another caste and if he fell into any difficulty the land would become waste and government loose the revenue of the share.

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22. Vaze's Manual, Section III, Part II, Vol. 48, p. 1827.

23. R.D.V., 1843, No. 64/1506, pp. 155 - 56 and 168 - 69.

Under Marathas, it was never a custom to dispose of the Nirwa lands of villages in fulfilment of decisions passed by panchayats or other judicial authority. Similarly, when under British some of the Nirwa, lands were sold or attached under the orders of the adawlat the validity of such actions was questioned.<sup>24</sup> Collector of Ahmedabad, Mr. Fawcett and Collector of Kheda, Mr. Kirkland strongly considered that the cultivator's land should be exempted from attachment and sale in the same way as his cattle and other agricultural implements were exempted by clause II, section XII of Regulation IV of 1827, as being absolutely necessary to his subsistence. The supporters of Bhagdari were very keen on restricting attachment and sale of Nirwa lands as the very object and privileges of the Bhagdari tenure were to exclude<sup>25</sup> strangers. The body of the coparceners enjoyed the whole of the profit and were liable to any loss arising from their village and as their hereditary rights had been confirmed to them by law, which expressly declared that the peculiarities of the tenures should be respected and preserved.

Thus as long as the body of the coparcenary was willing to take up land and pay the fixed revenue due upon the share of any Bhagdar, who might have become bankrupt, the share could not be<sup>26</sup> attached or sold.

Bhagdari system was not very popular in Ahmedabad Collectorate. Before the British took over, out of seven hundred

24. R.D.V., 1843, No. 64/1506, p. 152.

25. R.D.V., 1805, No. 208, pp. 112 - 13.

26. R.D.V., 1850, Vol. 208, p. 112.

villages (of which information was available) only twenty nine were under Nirwa or Bhagdaree tenure, rest being managed by a single Patel. The details could be ascertained from the figures given below.

Nirwa villages the year before British got possession

In Dholka Pargana	1
Duskrohi Gaikwad's share	8
Ditto Peshwa's share	12
Viramgam	5
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Nirwa villages in 1820-27 A.D.

Dholka	0
Duskrohi: Gaikwad's share	0
Ditto Peshwa's share	0
Viramgam	3

Thus, it could be seen that Bhagdari tenure had never been a popular tenure in this Collectorate. In Kheda and Broach it was a common tenure and was considered to be beneficial both for ryots and the state. Its constitution tended to increase and secure the government revenue by giving patteedars a permanent individual interest in the soil and at the same time it increased the respectability and comfort of the cultivating population. Steps were taken to restore it in Kheda and other Collectorates. But in Ahmedabad after the introduction of the British rule the system further cracked down and within four years of their occupation from twenty six the number of Nirwa villages came down to three. All the three villages were in pargana Viramgam, but there also, the total number had been reduced to one third. However, stray

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27. B.R.S., III, p. 709.

28. R.D.V., 1823, No. 24/76, pp. 396 - 97.

evidence are also found of some villages turning Nirwa from Senja. But heavy revenue demands on the one hand and the obligation of sharing the loss incurred by other bankrupted sharers could be postulated as the reasons for the decline of this system.<sup>29</sup>

### Alienated Lands

These alienated lands were either rent free Nukro lands or salamee lands paying a quit rent.<sup>30</sup> Sometimes even the holders of rent free Nukro lands were suppose to pay Salamee. Proprietary rights of the government were not therefore limited to the Talput lands, being asserted over such of the alienated lands as pay a rent, however small, in as much as equally with the government lands, they were liable to attachment and sale if that rent was not paid.<sup>31</sup>

In addition to the difference between them on the magnitude of rent, the alienated lands differed from each other in respect of their territorial distribution. In some instances they consisted of whole villages alienated, but generally they were not detached in the lump from the government lands the bulk of them being scattered about in greater or less portions throughout the government villages.<sup>32</sup> Anomaly lies in the fact that some of the entirely alienated villages paid a quit rent and some of the

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29. R.D.V., 1827, No. 29/182, p.117.

30. R.D.V., 1822, No. 3/28, p.27, M.S.A.B.; Prant Ajmas Gujarat.  
Rumal No. 43, D.No. 7/2, 1758, Pune Archives (henceforth P.A.)

31. B.R.S., 1822, III, p. 677.

32. M. Elphinston, A Report on Territories conquered from the Peshwa, p. 65.

alienated lands scattered throughout the government villages were wholly exempted from taxation.

As mentioned earlier the alienated villages comprised of Nukro lands and Salamee lands. Nukro constituted of Inam, Wazifa, Devasthan, (granted to the religious institutions etc.) and Dharmadaya (various other charitable grants).<sup>33</sup> Only 6.61 per cent of the total villages of this Collectorate were given under the above mentioned heads, whereas the Salamee lands constituting the talugas of various Grassias, Kasbatis and Mewasi chiefs, were quite widespread all over Ahmedabad. About 37.87 per cent of the total villages and 88.96 per cent of the alienated villages<sup>34</sup> were held under this denomination (see Table No. I/a ).

#### Nukro Lands -

Nukro lands comprised of following holdings - Vechania, Girania (or Gurraneo), Saranjams, Inams, Devasthan and Dharmadaya, Wazifa, Pussaita, Chakreeat, Harreo, Runvatteeo,<sup>35</sup> Pallio.

1) Vechania- i.e. lands alienated by sale. This term is derived from bechna (sell) Government lands which were sold by the Patels or Patteedars come under this category. Most of the alienated<sup>36</sup> lands in this Collectorate were held under this tenure.

Generally these lands were rent free i.e. Nukro Vechan but

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33. R.D.V., 1821 - 22, No. 21/45, pp. 679 - 82.

34. S.R.B.G., No. V, p - 1, M.S.A.B.

35. R.D.V., 1821 - 22, No. 21/45, P.680; R.D.V., 4/28/1822, pp. 1- 10, M.S.A.B; Elphinston, p. 66.

36. Giras Volume, Residency File 713/V 170/1806, pp. 1 - 3; Political Department, Central record Office, Baroda (henceforth C.R.O.B).

sometimes they were also Salamee Vechan, subject to a quit rent,<sup>37</sup> as the deeds specified. The deeds were perpetual. The sale was made without any reserve and in entire resignation of all the rights, claims and titles. Such lands as held in perpetuity and which were not renderable in any manner were called by Marathas<sup>38</sup> as Aghat.

2) Girania - Lands alienated by mortgage. The different description of mortgages were -(i) Avad Girania which stipulated that the land mortgaged should be released on liquidating the amount of the mortgage.<sup>39</sup> (ii) Oodera Girania stipulated that the property designated in the bonds of this description was assigned in pledge or security but without accompanying for the money borrowed and a failure of fulfilling the condition of the bond, it was in consequence liable to attachment in satisfaction there of.

Apart from these other descriptions found in some parts of the Collectorate were<sup>39a</sup> (a) Witantieeo, the produce of lands under this mortgage, was reduced against interest and redeemable by payment of the principal alone (b) San Girania pledge to be surrendered to the mortgagee only in the event of principal or interest not being paid according to the agreement. (c) Wajewattio or Viajawutio mortgage, the produce of which goes towards the payment of the principal and interest and redeemed as soon as they were cleared. This was similar to wuludaneo;

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37. R.D.V., 4/28/1822, p. 1, M.S.A.B,

38. Grias, 713/V/120/1806, P. 1, C.R.O.B.

39. R.D.V., Val.1822. No. 4/28, p. 2.

39a. R.D.V., 1821 - 22, nO. 21/45, p. 681.

mortgage for a year was termed Avudhioo or Awadanio (d) Shira-wattio was a mortgage for a certain number of seasons or crops. If land held by this tenure remained waste for a year it was not reckoned. (e) Adr Girania was a counter mortgage or a mortgage of land by the mortgagee to another.

By the end of the eighteenth century a large percentage of Khalisa lands were alienated by Patels under giranio and vechan and this resulted in a great loss of revenue to the state.

(3) Passaita - This denomination included all lands alienated either wholly or in part from the public revenue to Brahmins, Bhats or other religious classes or to temples for the support of charitable institutions in gift or inam without the receipt of any equivalent.<sup>40</sup> They were also known as Kherat in some parts.

Lands conferred in the villages in lieu of remuneration for district and village service were also termed passaita. Sometimes lands given to lower officials were also called chakriat. It is worthy to mention that during the eighteenth century Patels tried to incorporate passaita into list of the original assignments. The district and village servants passaita was generally distinguished by the addition of the name of the office of the holder, thus the Desai Passaita, Ameen Passaita, Kotwali Passaita<sup>41</sup> etc.

Saranjam- These were the lands the public revenue of which was granted by the sovereign in lieu of a money payment for personal service or the service of troops to the state and frequently

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40. A.K.Forbes, op.cit., Vol. II, p. 275.

41. R.D.D., 157/1820, pp. 4099, M.S.A.B.; R.D.V., 3/27/1822, p. 18, M.S.A.B.; R.D.V., 1821 -22, No. 21/45, p. 681.



amounted in value to somewhat more than an estimated equivalent of the service required from the holder, the surplus being granted as a favour without equivalent.<sup>42</sup> These grants involved a kind of reciprocity between the doner and donee in the form of on going service. To quote A.T. Etheridge, alienation settlement officer, it was the practice under former governments both Mohemmedan and Maratha to maintain a species of temporary assignments of revenue either for the support of troops or personal services, the maintenance of official dignity or other specific reason. Holders of such grants were entrusted at the same time with the powers requisite to enable them to collect or appropriate the revenue and to administor the general government of the tract of land which produced it under the Mohemmedan dynasties, such holdings were known as Jagirs, under the Marathas, Saranjams. Under the Marathas<sup>they</sup> formed a part of Badal Mushahira ( in lieu of salary) and were a part of a package of rights and privileges associated with the office.

The system of paying soldiers half in cash and half out of the Jagir assigned to them, was evolved by Sultan Ahmed.<sup>43</sup> According to him if complete salary was paid in cash there would not remain any surplus with him. If half out of the revenue produce was assigned to him in Jagir he would derive benefit in the shape of grass, fuel etc. from the mahal. If he made efforts in cultivation and its improvement, he would be benefited. Such grants seems to have fallen into disuse by the 19<sup>th</sup> century.

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42. Vaze's Manual, Section No. 1, Vol. 43 A, p. 1.

43. Mirat, p. 39.

According to the reports of Captain Fawcett, Collector of Ahmedabad, only two villages were assigned as saranjams. These constituted only 0.19 per cent of the total vilages.<sup>44</sup>

(5) Harreo and Runwatty - These tenures could be taken together because though different names were assigned to them, the circumstances in which they originated and the object of granting them were very much alike. In case any village was being attached, should any of its inhabitants or the inhabitants of a neighbouring village, who may repair to its assistance be killed or should any Bhat, Brahmin kill himself or any of his relations in the village service by Traga, lands were assigned by the Patteedars by way of pensions to the family of the deceased and such lands were called Harreo.<sup>45</sup> As the compensation to the family of the deceased the assailant too, often exacted Harreo lands. The land assigned to the support of his family were also called Ranwatty.<sup>46</sup>

(6) Pallio - These grants were given to the Bhats, Charuns and such other religious castes, who committed Traga or killed themselves or any of their relations on account of any debts, or disputes, or securities connected either with Patels as individuals or as public officers.<sup>47</sup> Bhats were originally and by profession Ministrels and poets. The farming system under the Marathas required sureties for the payment of the revenue to

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44. S.R.B.G., V, p.1. M.S.A.B.

45. R.D.D., 46/1805, p - 1286. M.S.A.B.; R.D.D., 157/1820. p. 3965, M.S.A.B.; Forbes, pp. 263 - 265.

46. Ibid.

47. Residency File, 714 V/66/1806, pp. 153 - 157, C.R.O.B.

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government. These Bhats were held in considerable regard and estimation. Their social status and uncommon obstinacy of their character, must have pointed them out to the Maratha farmers to accept them as sureties. Bhats found their becoming sureties, a much more profitable profession than their own, as they always received a piece of land or a percentage on the amount for which they became a surety. To get the commitments fulfilled by the defrauder Bhats used to exercise various torture on himself.

(7) Devasthan, Dharmadaya - These were the religious grants i.e. the annual grants made for the maintenance of religious institutions and for man of religion like Pujari, Peers etc. During the Maratha period a great consistency was maintained in making these grants. Both Hindus and Muslims were the recipients of these grants. 49 The muslim grants served the upkeep of Mosques, Musoleums and other religious institutions. Similar grants were made to the temples. Lands were held by the Pujari, official priest etc. for their own maintenance and for the ordinary duty expenses of the cattle, food etc.

(8) Inam - Term Inam derives from the Persian in' am, originally an Arabic word which stood for favour or beneficence, specially denoting financial awards or robes of honour given to officials or people of eminence. 50 Initially, under the Mughals it could

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48. Forbes, I, pp. 63 - 65; Walter Hamilton, p. 609. For details regarding Bhat sureties see Chapter III.

49. Prant Ajmas, Rumal-40 - 52, Gujarat Jamav, Rumal-1-5, P.A. In all Talebands, Jhadas, EK Berji, Ajmas, while deducting the expenditure from the total Jama a mention has been made of these grants; R.D.D., 138/1819, pp. 325 - 362, M.S.A.B., Vaze's Manual, Sec. No. III, Part I, Vol. 48, p. 2943.

50. R.D.D., 1819, No. 138, pp. 352 - 62.

denote hereditary or non hereditary grants of revenue free land as well as incidental or annually repeated financial awards out of the government treasury.<sup>51</sup>

By the common law of the country every acre of land was liable to the payment of assessment to the ruling power and right to receive that assessment could be transferred to any individual whatsoever or conferred for the maintenance of any secular or religious office.<sup>52</sup> If to an individual, it was perhaps for service alleged to have been rendered by himself or ancestors, or granted it might be out of mere favour, grants of this kind might be free from condition. Conditional grants were those in which civil or military service was exacted by the state. Religious grants, which were for the maintenance of worship in the village temples and mosques or in shrines situated not actually in the village boundaries, with the revenues of which they were nevertheless, either wholly or partially endowed. In each of these cases the granting power parted only with its own right which in the case of occupied soil, would be that of receiving assessment and that grant usually contains, except perhaps when waste village or lands were bestowed, a proviso that the pre-existing rights of occupancy or otherwise were on no account to be interfered with by the grantee,<sup>53</sup> who was simply in the case of occupied soil created landlord in the place of the government or

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51. List No. 11, Ahmedabad Volume, No. 5; Ahmedabad Kothlisanth. Vol. 782 of 1886, S.S.R.P.D., Vol. 3, No. 102.

52. S.R.B.G., N.S. No. CXXXII, Narrative of Bombay Inam Commission and Supplementary settlements by Col. Alfred Thomas Etheridge, p. 2.

53. Ibid.

granting power. Local usages do not however designate all grantee as Inamdars, on holdings and at once tell the object of the grant, such as Mokasdar, Saranjamdar.

To return to the word inam although in its literal and generic sense of gift or grant it must embrace every kind of grant, it has more specially a local habitation itself as a land tenure. Under Mughals and Marathas term Inam meant a hereditary grant defined in terms of land.<sup>54</sup>

In Marathi documents, we come across term Inami gaon or phrase 'gaon nisbat inam' being used extensively.<sup>55</sup> It signified a grant of land which was permanently exempt from taxation (dastibad or muaf). To be exempt from taxation meant in practice to be exempt from the payment of the assessed land revenue and sometimes from the payment of all or some of the babtees and veras.<sup>56</sup>

Under Marathas term Dumala came to be used widely for inami gaon. Literally, Dumala means having two over-lords, so the villages given in inam but where government authority was also retained to some extent, were called as Dumala Inami gaon. Over the years distinction between Inams and Dumala was lost. A Dumala village was classified as an Inam village or in other words a Dumala grant was an Inam grant. Dumala Inam or Dumala gaon came to denote all types of grants and assignments

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54. S.P.D., Vol. 15, p. 97; S.S.R.P.D., Vol. 3, No. 102.

55. Gadni, No. 103, D.No. 1/262, 1787; Ajmas R. No. 43, D.No. 3, 1764. In almost all the Talebands, EK Berji, Yaadis, etc. of Prant Ajmas and Gujarat Jamav, these terms have been used.

56. Andre Wink, Maratha Swarajya in the Eighteenth Century, pp. 218 - 20.

conditional or non conditional. It seems to be a Marathi counterpart for the British concept of alienated lands or villages.

These grants were made for a number of reasons. For example they were given to siledars, pagadars etc. as an act of honour to them; to various Parekhs (i.e. Bankers etc.) in lieu of money taken in advance from them; to Gosains; to various members of the royal family for their personal expenditures etc.<sup>57</sup> Usually these grants were given in perpetuity i.e. they were not transferred from one person to another. Revenue to which these assignees were entitled also did not vary. Few examples could be sighted from various Yaadis related Dumala Gaon. Two villages from Vejalpur were granted to bhukanji Gosain and revenue from them remained at Rs.90 for at least twenty five years (Yaadis of year 1762, 1764, 1777 and 1787-8 have been used here). Revenue from one village assigned to Dudhadhary Gosain remained at Rs.1301 for the above mentioned years.<sup>58</sup> Queen Yesubai received revenue of Rs.13000 from Mauza Jetulpur and 5000 from Veasalpur for maintaining army. This amount remained same for years 1808 and 1812. Queen Yesu Bai, Balabai, Jijibai received Rs.6100/- for their personal expenditures from inami gaon of mehmampur, Pasnoli, Barejadi.<sup>59</sup> Thus the revenue in the above quoted

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57. Daftar No. 731, F.No. 6, P.No. 15, D.No. 31, 1794; Daftar No. 731, F.No. 6, P.No. 24, D.No. 6, C.R.O.B.

58. Prant Ajmas Gujarat, R.No. 41, D.No. 1/5; Ibid, R.No.43, D.No. 1/54321, 1762; Ibid, R.No. 43, D.No. 3/543211, 1764; Ibid, R.No. 41, D.No. 1/5, 1777, Gadni, No. 103, D.No. 1/262, 1787; P.A.

59. Daftar No. 731, F.No. 6, P.No. 29, D.No. 3, 1808; Ibid, No. 731, F.No. 6, P.No. 33, 1812, C.R.O.B.

example remained same, however, we also come across examples where it had increased or decreased.

Another point which has to be mentioned here is that some times single person enjoyed two to three villages in inam, whereas sometimes only half a village was given in inam, i.e. it was given in amals (fractions). The most important point that emerges out is that these inams were hereditary and were continued from generation to generation. It was owing to this custom that the holders of Inam lands in Gujarat, conceived that they possessed the right to transfer or alienate their Inams either by sale or mortgage without permission of government. As, usually such inams were followed by Sanads, the rights of the inamdars were considered to be unimpeachable and transfer of property did get a legal sanction from British but permission of the government was to be taken, before any such transaction took place.<sup>60</sup>

The above mentioned Nukro lands comprised of only 6.61 per cent of the total villages, and from that also, some of them like vechania and girania used to pay a Salamee and could well be taken under the categories of Salamee lands.

#### Salamee Lands

Alienated lands which paid a tribute or a small quit rent to the government were called salamee lands. Holders of Banth, Giras, Colyapa, Dubannea, Barria, lands usually fall under

60. R.D.D., 1805, No. 46, 1269.

61. List No.11, General Volume 3; Vaze's Manual, Section II, Part II, p. 1871.

this category. But primary of these were Banth and Giras.

Banth - There were several Rajput principalities in Gujarat under different dynasties of Solankies, Sumas, Gohils, Waghelas etc., and each of them according to the Rajput practice divided the country among their relations<sup>62</sup>. In 1411, Sultan Ahmed Shah, in a bid to enhance his power and consolidate his territories, trimmed these independent chieftains of their power. In consequence of being completely dispersed of their habitation and seeing no chance of opposing the Sultan by open force, these Grassia, Mewasi and other chiefs went out on Bharwattye<sup>63</sup> (rebellion) and took themselves to robbing and plundering passer bys. However, the Sultan not being able to put a stop to this, was reduced to the necessity of granting 1/4<sup>th</sup> of their original territory to them on condition of protecting their own villages. This portion was called 'Banth' or Wanta (Share) and the other 3/4<sup>th</sup> which was incorporated in Khalisa, called Talpat<sup>64</sup>. Salamee was imposed on the Banth holders (Grassias) to its quality, to be paid for each higha to the Sarkar.

Grass - Apart from wanta lands, the Grassias enjoyed a

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62. Mirat, p. 21 and 69; B.R.S., III, p. 708.

63. Walter Hamilton, op.cit., pp. 692 - 93. With the view of obtaining their ends, Grassias used to desert their houses and become vagabonds (Bharwattye), attacking all indiscriminately; and untill coerced by the strong hand they succeeded in their aims.

64. Mirat, p. 21 and 69; R.D.D., 52/1806, p.2157, Verbal Information relative to the State of Gujarat communicated by Annut Lal, agent and Vakeel for nearly 30 years.. on behalf of the Peshwa, Subah of Ahmedabad, M.S.A.B.; Alexander K. Forbes, Rasmala, Vol. I, p. 270; Walter Hamilton, op.cit. p. 606; Irfan Habib, Agrarian System of the Mughals, p. 144.



number of rights recognized under the titles of Tora Grass. <sup>65</sup> Seer Grass, Jhampa Grass, Wullawa, Rukha and other denominations. In Ahmedabad Tora Grass was most prevalent. Grass and Tora Grass were synonymous. In this Collectorate usually Tora was not prefixed to Grass. Literally, the word Grass denotes 'mouthful' or for 'subsistence'. Initially, the grants made for the maintenance of religious institutions and Brahmans was called grass. Some of the turbulent chiefs who were unsatisfied with the agreement reached on with Sultan Ahmed, by which they retained <sup>th</sup> only 1/4 of their original property and rest <sup>th</sup> 3/4 was taken by the Sultan, started signs of restlessness and aggressiveness whenever the political authority of their neighbouring villages appeared to be weak. They started their predatory raids over the villages. Villagers (head officials like Patels) had to buy protection from them. To gratify them, sometimes a fixed amount of money was given every year or sometimes a part of land was given. This exaction was known as giras and va'dal. <sup>66</sup> Over the years term giras or grass came to denote both cash and Land exactions. Grassias did not receive any Sanad from government yet <sup>67</sup> they were always regarded as their hereditary watans. Such tenures were both Nukroo and Salamee and having originated most frequently in fear or force the title and condition of the tenure rested more frequently on Bhagwatto or prescriptive enjoyment than on deed.

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65. R.D.V., 1821 - 22, No. 21/45, p. 1120.

66. Irfan, op.cit., p. 144.

67. R.D.V., 1853, No. 97, pp. 8 - 11.

Puggees, Barria and Coolyapa

These lands were asserted by the possessors to have originated in an allotment of lands to the Kolis, the Puggees and Barria or other classes some what similar to the banth of the Grassia and Rajputs. They deemed on the principle to be reckoned as the original proprietor of the villages in which such tenures were recognized.

It was common under the Maratha government, for a Koli to pay revenue on a field let to him by a Patel for two or three years<sup>68</sup>. Gradually the amount of his payment diminished, till he completely rendered it rent - free or subject only to a small quit rent. Finally Kolis asserted to have acquired the land in mortgage or by purchase or at once declared it to be his Bapeeta which means, "his family inheritance". In this way over the time<sup>69</sup> much land was acquired by the Kolis.

Kowetur Passaita - This tenure originated in a custom according to which a portion of land was granted in some village as a remuneration for building wells and sometimes for cultivation. This land was either Nukroo or Salamee. The quantity of land thus varied from 1 to 1.1/2 Bighas for every Kos. These lands were enjoyed according to the condition of deeds by which they were held.<sup>70</sup>

Dubanneo - Lands acquired by encroachments came under this category. This was a general denomination for all lands that were

68. R.D.D., 157/1820, p. 5005, M.S.A.B.; List No. 14, Ahmedabad Vol. 14, P.A.

69. R.D.V., 4/28/1822, p. 7, M.S.A.B.; R.D.V., 3/27/1822, p. 20, M.S.A.B.

70. Ibid.

not held under any other designation. Actually it could not be called a tenure for the very term implied that such land should be resumed, though it is difficult to effect the object at once. It appears that these were not under the control of any authority and people brought them under their control without any legal sanction. So Dubanneo lands were those which had either been acquired by open usurpation or by insidious and gradual encroachment of those in the neighbourhood of the field.

Above mentioned alienated tenures were quite wide spread in Ahmedabad. Table given below will give fair idea about their ratio vis a vis other alienated tenures and also with Khalisa lands.

Table- 1/a  
AHMEDABAD COLLECTORATE

	Khalisa		Alienated						Total
Name of the Pargana	Khalisa	Talooka	Mephwas	Sarin	Devast- Jam	Dharma- than	Inam & Jageer		
Daskrohi									
Ahmedabad	122	--	--	--	4	3	7		36
Daskrohi									
Jatulpur	45	--	--	--	1	1	1		48
Dholka	90	83	--	2	2	2	2		181
Dhandooka	10	163	--	--	4	--	--		177
Veerangam	77	14	62	--	1	--	15		176
Puranteje	126	5	41	--	2	2	--		176
Gogo	4	124	--	--	1	1	10		139
GRAND TOTAL	474	389	103	2	15	9	36		1027

It is evident from this table that in the category of alienated villages, Taluqa villages held the most prominent place. These were held by various Grassias, Kasbatis and Kunbi chiefs. Their holding was called Banth. They had about 37.87 per cent of

the total villages under their sway. Mewasis held a second place to the Grassias, comprising about 10.2 per cent. Villages under denomination of Saranjam constituted only 0.09 per cent, Devasthan 1.46 per cent, Dharmadaya 0.7 per cent and Inam lands about 3.50 per cent.

As, about fortyeight per cent of the total villages were occupied by the Taluqa and Mewasi tenure, the origin of these tenures, nature of rights and privileges of the holders of these tenures, need our prime attentioin.

#### Grassia and Mewasi Tenure -

It has already been said that in 1411, Sultan Ahmed Shah suppressed various independent chieftains, viz, Grassias and Mewasis but on their raising heads of rebellion 1/4th of their original property was returned to them and this was denoted as Banth.

Banth holders were required to be ready for the service of any kind, whenever called upon. They were also engaged to pay the crown a Salamee from their banth.<sup>72</sup> Some of the chiefs such as those of Huldhurwas, Atursoomba, Ghorasur, Mandoowa and others were converted to Islam and entered into agreements for the defence of their own talugs and consented to pay the peshkash to the Mughal authority.

Mewasis were also quite wide spread in Gujarat. Their origin could also be traced back at least to the Mohemmedan conquest of Gujarat. When the division between Talpat and Wanta

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72. Mirat, p. 21 and 69; R.D.D., 45/1805, p. 625. M.S.A.B.; S.R.B.G., No. 106, p. 3, M.S.A.B.; Judicial Department Diary (henceforth J.D.D.), 1819, No. 1/4, p. 2310; Forbes, 270 and 274.

lands was made some of the chieftains (Rajputs and others) escaped such a settlement<sup>73</sup>. It is difficult to say that whether this was due to the incapability of the ruling power to curb them or due to their being settled on the peripheral regions which were out of reach, but some how they retained their rights and privileges. Some of them remained absolutely independent and some agreed to pay a peshkash to the ruling authority.

None of the ruling authorities viz. the Muslims or Marathas, tried to interfere in the internal administration of these chiefs. Owing to their turbulent character Marathas termed them as Mulukgiri territories, while the others which paid revenue peacefully were categorized as Rastee. Some of the turbulent Mewasi villages were also termed as Zortalab.

M. Elphinston, infact divided all the independent chiefs into Grassias and Mewasis. In his minutes dated 6th April 1821, he divided the whole territory in two sorts of villages, Khalisa and Grassia. To quote him, 'the former are directly under the government, the latter are held by grassia chiefs, to whom the government looks for revenue and formerly looked for maintaining order'<sup>74</sup>. Grassia villages were further divided between two classes (i) Grassias (ii) Mewasis. The most striking difference between the Grassias and Mewasis was that, the former though 'foreigners', were in possession of Gujarat when the Mohemmedans invaded it, they retained some taluqas and villages at that time and they recovered others by encroachment on the weakness of the

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✓ 73. List No. 11, General Volume, 12, P.A.

74. Bombay Revenue Selections, (henceforth B.R.S.), III, Minutes by M. Elphinston, p. 62, M.S.A.B.

subsequent rulers. They were more civilized and a more war like race than the Kolis. The latter (Mewasis) though probably aborigines, were considered to be rebellious or at least refractory, who had, from the weakness of former government<sup>75</sup> eluded or resisted the claims of the government.

The Kolis were the most turbulent tribe found in Gujarat. We find various instances in Mirat-i-Ahmadi, related to plundering and ransacking of the villages and taking back huge booty by the Kolis. Of all the plunderers, who infested Gujarat the most bloody and untamable were the Kolis who however present different characters in different districts, the most turbulent being in the vicinity of the Rann or in the neighbourhood of the Mahi river<sup>76</sup>. It was due to this character, that they were universally called by British administrators as indigeneous tribe of free booters and robbers.<sup>77</sup>

Some of the Rajput chiefs were also converted to Islam, about the same time of Mehmud Begada. They came to be denoted as Kasbatis. They drew their appellation from the residence in the Kasba. These Kasbatis were said to have originally entered as soldiers of fortune into services of the Rajas of Gujarat, and slowly obtained considerable wealth by means of which, operating alternatively upon the wants of the government and upon the inability of the Patels to satisfy its exorbitant demands, they had got possession of land. They had amassed wealth by Manoti and

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75. Ibid; R.D.V., 3/27/1823, p. 2, M.S.A.B.; Forbes, p. 289.

76. Walter Hamilton, op.cit., Vol. I, p. 609.

77. James Forbes, op.cit., Vol. II, p. 160.

other usurious transactions and contrived by various indirect methods of sale and mortgage to possess themselves of the Taluqa rights in many villages.<sup>78</sup> Grassias regarded them as interlopers upon their rights. Like the Grassia chiefs, many of them also continued to perform service until the reign of Aurangzeb, but regained after that time their complete independence. During this period of instability the small land holders also strove and not without partial success, to recover the lands which they had been<sup>79</sup> compelled to resign in favour of the crown.

In the course of time the Rajputs and Kolis started disturbances to exert their power on the Raiyati (peaceful) and other small villages. As has been mentioned earlier, to buy peace and forbearance from these turbulent tribes, villagers had to make a yearly payment known as Wol and Va'dal.<sup>80</sup>

Gradually, these Grassias and Kolis committed all sorts of excesses and became so powerful that the proportions between Talpat and Banth was in many cases, revised. The Salamee or contribution on Banth, which had formerly been paid per bigha became a payment in lump sum and was afterwards withheld altogether. They had become so powerful that even the poorest Grassia considered himself as supreme chief within the limits of his property and he exercised all the functions which

78. Vaze's Manual, Section III, Part II, p. 1798; S.R.B.G., No. 106, pp. 42 - 51.

79. R.D.D., 1805/46, p. 1241, M.S.A.B.

80. General Vol. II, p. 300; Forbes, op.cit., p. 275; Irfan, op.cit., p. 145.

belonged to that office.<sup>81</sup> Most of the chiefs had fortresses in their territories. Small chiefs had walls surrounding their villages for the purpose of protection.<sup>82</sup>

Thus, the gradual decline of the political authority and the weakening of administration enabled the Grassia and Mewasi chiefs to assert their rights of an independent ruler. All the lands falling under their jurisdiction were the property of the Durbar. All the lands therefore paid rent to the Grassias, except such as he or his ancestors might have given away. Of the rent paying durbaree lands the chiefs mostly kept a portion in their own hands, cultivating it by their personal servants, that is, Ghurkhed. The rest they let out to their tenantry, whose tenure was not secured by leases or written conditions. The chief was considered as Dhani (lord) by his ryots.

These chiefs were thus proprietors of the lands they held under their sway which they had acquired without any royal favours. They had the right to alienate any part of their property.<sup>83</sup>

Example of villages Oochree and Sallangpur could be given here. The village of Oochree belonged to two principal original Grassia partners each of them were entitled to four and a half and fifth share in the net revenue there of after payment of the Government dues. They transferred the management of their village

81. R.D.D., 45/1805, p. 135, M.S.A.B; R.D.D., 46/1805, p. 1286, M.S.A.B.

82. Ibid; Residency File No. 714/V/66, 1806, A Report on Dhollera Grassias by Bryan Rowles, Central Record Office, Baroda (henceforth C.R.O.B.).

83. Vaze's Manual, Section III, Part II, p. 1977; List No. 14, File No. 238, R.No. 18, p. 8.



to the Limree Thakur with reservation to themselves of certain lands and other privileges. Taxes being enjoyed by them were the Hattore vero Poll tax, Mappo, taxes on trade, Buckkalano Ijaro and Bhaum Vero, amounting to Rs. 86-11.

On the same pattern the village of Sallungpur was divided into three shares two being held by the Limree Thakur and the third by Malik Miyah Bawa. Taxes levied by these chiefs were Hattore Vera, Taxes on trades, Poll tax, mappo, Purkhai, Bukkalano, Ijaro, Bhom Vero and Peenjeenow Ijara, amounting to Rs. 55-8-11.

The above mentioned examples bring to our notice two points firstly that it was not necessary to have one chief for a single village. As we have seen, sometimes there were two to three chief sharers of one village and secondly the rights of the Grassia to sell or transfer the whole or a part of his village (i.e. revenue from the village) was an accepted fact.

Practice of giving lands for subsistence created a new tenure called Jivai. Jivai lands were the lands given for subsistence by the Taluqadars and hence paid no rent to him. These lands could be classified into four descriptions of  
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tenure.

(1) Jivai lands held by the servants called Jivaidars. These men were originally retainers of these chiefs and their service was mainly personal. They were called upon to perform services of a public character, being used as messengers to carry services,

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84. Vaze's Manual, Section, III, Part II, pp. 1977 - 85.

correspondence or remittances to the treasury and in default of village police they were soemtimes used as watchmen. But in larger taluqas where there were many Jivaidars many of them do no service at all, and the duties perfomed by some are often personal than public. The origin of the title of these occupancies was patent.

2) Another class of Jivai lands was that assigned for the maintenance of widows or near relations, which revert to the taluqa on the death of the assignee. In many instances the lands in this class had been alienated.

3) In the case of villages which had passed by mortgage or otherwise from the possession of the original proprietors to another family of Taluqadars, the lands retained for their maintenance by the original proprietors at the time of transfer were called the Mul Gametis Jivai, and as it was always one of the terms of transfer that the Jama of the whole estate shall be paid by the incoming Taluqadar.

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4) Most of the same description were the Jivai lands held by Grassias, originally sharers in the Taluqa whose portion of the family estate that had passed by transfer or fraud into the possession of their co-sharer; they were equally liable with the rest of the estate to government demand.

5) Of the some what similar title were a few holdings in the Kathi Taluqadars villages in Dhandhuka, held rent free by men of that caste, who not having land of their own, had married the daughters of Taluqadars; they were called Ada Kathi and their lands were regarded on entirely rent free grants, they were

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however more of the nature of Grassias Jivai, than the alienations, as the Taluqadar may be held to receive the benefit of the occupancy through his daughter.

Besides the lands held by Jivaidar retainers mentioned above there were other holdings in some Taluqadari villages of a service origin, for which they received no rent, nor any adequate equivalent in service. There were lands held by Patelyas who sometimes called themselves Mattadars, corresponding with the Mattadars in Khalisa villages. Some were granted by the Taluqadars for service in colonising the village, others probably originated during an obeyance of the Taluqadari tenure under former governments.

These chiefs held all judicial and administrative powers in their respective villages. It was never thought necessary to make reference to the authority of the superior government residing at the qasbah of the pargana, in order to obtain leave for punishment or to avert the effects of having punished, criminal  
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or disobedient ryot. They enjoyed right of peace and war with each other. None of the ruling authorities (either Mughals of Marathas) ever tried to interfere in their domestic or external affairs, so long as they were not enimical to themselves. Their concern was restricted only to the receipt of the annual tribute. However this must be added that payment of tribute did not deprive these chiefs of their independence.

Along with their hereditary possessions also they received a variety of seigniorial rights and privileges - They possessed

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right to all trees that may fall down, a fees was paid to them for permission to contract a marriage, presents were given to them on birth of child and so on.<sup>87</sup>

Many of them maintained huge armies. Chief of kot was the most influential Grassia in Dholka pargana. He had assumed the title of a Raja and claimed a very high descent. He had in his service a force of 2000 soldiers and 150 horsemen.<sup>88</sup> Chief of Gangur also maintained a constant force of 1000 men.

What clearly emerges from the above discussion on origin of Grassia and Mewasi tenures is that, possessor of these tenures had a right to a constant share in the produce of society. This right must have been created by social forces. Their rights have been traced back as far as the Muslim conquest of Gujarat. Although these Sultans recognized Zamindari of some of the lands, yet the right as such was created independently of any royal action. Dominions of these victorious castes (here Grassias and Mewasis) had crystalized into zaminadari rights. Marathas had accepted such rights of these independent chiefs and never tried to interfere in their internal administration. They remained concerned only with the tribute or peshkash which was to be received from these chiefs.

Most of the Grassia chiefs paid their dues without much trouble but many of the Mewasi chiefs of Dholka, Viramgam and Parantij continued showing resistance to the Marathas and they paid with great difficulty their contribution of Ghasdana. They had become so powerful that they were on the footing of Mulukgiri

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87. Ibid.

88. R.D.D., 1805, No. 46, p. 1240.

tributaries and Marathas required an annual armament or Sebundi<sup>89</sup> force to obtain Ghasdana. If the troops were numerous the contribution was fixed immediately on increased scale. If on the other hand the force employed was not very strong a skirmish ensued. The resistance was thought honourable to the Mewasis, and after subjecting the country to be pillaged the contribution was fixed for more or less according to the circumstances.

Infact the very concept of the Maratha government to have established Mulukgiri contract with the Grassia and Mewasi chiefs had paved the way to their right of autonomous chieftainship. This arrangement of the Mulukgiri later on provided a ground for the British government (only initially) to accept these petty chiefs as an independent ruler and proprietors. This policy was later altered and the position of these chiefs was reduced to that of hereditary farmers. These Grassia chiefs came to be indifferently used for all Grassia, Kasbati, Kunbi chiefs. However, they were very different from the Taluqadars found in north who were petty zamindars, who contracted to pay revenue not only for their own Zamindari but also for the Zamindari of other areas.<sup>90</sup> The Kasbatees of Dholka though Musalmans, chief of Patree though a kunbi, gametis of Viramgam etc. were all broadly classed under grassias or taluqadars.

It would not be out of place to study the social constitution of these grassias as it would help us understand the

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89. R.D.D., 1805, No. 46, p. 1244; Forbes, op. cit., p. 388.

90. Taluqadar means 'the holder of a taluqa', the literal meaning of the latter word was connection, but it was used in the sense of land or area over which any kind of right was claimed. cf. Irfan, op. cit., p. 171.

diverse elements of Grassia population.

The Grassias could not have had the slightest claim to the distinction of a tribe or caste, nor could they from the great variety of individuals ever be formed into one.<sup>91</sup> They were Hindus, Muslims, in fact all the person purchasing the Grassia lands were denoted as Grassias. Originally, they belonged to the clan of different sects of Rajputs. The Choorasumas of Dhandhuka were descendants from the Hindu dynasty of Junagarh, Waghelas of Dholka were remnants of Solunkees, Goels of Gogha had immigrated from Marwar. The Jhalas of Dhandhuka were a kin to the Waghelas and were first known as Makwanas. Immigrants of the Kathees had established themselves as Makwanas. So, many of these Rajput Grassias retained the distinctive appellation of the clan from whom they claimed descent. Next to follow were the traces of Mohammedan rule of Ahmedabad. There was naturally a Musalman element in the population of the chief towns, viz., Dholka, Dhandhuka, Ranpur, Gogha etc. All Parmars and Musalmans were called Kasbatis or men of Kasba. These were stated to have come from Khorassah to Patan and received gift of villages from Wagela Kings. An abstract of these elements of Grassia population in each pargana is given at the end of the chapter (see table<sup>92</sup> no.1).-

Inspite of these diversities they were reported to be proud and indolent people and had a great opinion of their own caste.<sup>93</sup> Thus, it could be seen that Grassia was the broad term

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91. Walter Hamilton, op. cit., p. 607.

92. S.R.B.G., CVI p. 13.

93. S.R.B.G., CVI, p. 8.

used for the peaceful independent tributary chiefs. They incorporated chiefs from different clans and castes. Thus although Kasbatis of Dholka, and chief of Patree differed from each other in the nature of their tenures, might be reckoned in this class. The chiefs of Limree and Bhavnagar might also be reckoned in this category. Although, these Grassias, Kasbatis, Kunbis differed from each other due to the origin of their land rights yet they were grouped under the term Grassias for the convenience sake by the British.<sup>94</sup>

For the proper distribution of these Grassias and Mewasis all over the Collectorate, it is necessary to take up each pargana independently.

In Dhandhuka, except for the Kasba and 10 Khalisa villages, rest of the 163 villages were Grassia. About 42 were under Grassias, 26 were under chief of Limree and Raja of Bhavnagar held 26 villages.<sup>95</sup> Ranpur contained 49 villages, of these, with the Kasba, four were Rasti and the rest Grassia.<sup>96</sup> The villages were classified as follows:-

Under separte chiefs or Grassias who pay their own Jama	22
Kasba Ranpur and 3 Rasti, subject to the Government	4
Under Thakore of Bhavnagar and paying a fixed contribution	9
Under Thakore of Limdi and paying a fixed contribution	9
Under Wadhwan	5
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	49
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94. R.D.D., 1805, No. 46, p. 1182.

95. S.R.B.G., No. 37, 1824, p. 8.

96. Ibid, pp. 9 - 10.

Mention should be made here of the Dholerah Grassaias. Churassuma, Desabhai, Rezabhai, Nathabhai, Bhulliajee and Nanabhai Rambhai were the principal Grassias of Dhandhuka and Ranpur. They were the descendents of Raja of Junagad and had spread to these regions since the time of Mohemmedan rulers who had expelled them from their original territory.<sup>97</sup>

Regarding Gogha, rasti or government villages were just 3, including the Qasba. Rest 145 were under the possession of different independent chiefs.<sup>98</sup>

Government villages	3
Under Raja of Bhavnagar	59
Under other respectable Grassia chiefs	86

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Raja of Bhavnagar was the most influential chief of all. He held about 59 villages in Gogha pargana and about 9 in the Dhandhuka.<sup>99</sup>

In the Dholka pargana 51 villages were held by Mewasis, 51 by Grassias (and Kasbatis) and rest 98 by the government.<sup>100</sup>

Mewasi villages in Dholka continued showing resistance to the Marathas and therefore paid with great difficulty their

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97. R.D.D., 49/1806, pp. 545 - 546; Giras Volumes, Residency File No. 713/V/70, pp. 49 - 57, 1806-7, B.R.O.B., Vaze's Manual, section III part II, p.1846.

98. Ibid, P.11 R.D.D. 56/1807, P.853, M.S.A.B. S.R.B.G., No.-279, P.1 M.S.A.B.

99. R.D.D. 46/1805 P.1238 and 1244, M.S.A.B. S.R.B.G. No.37, 1805, p-6, M.S.A.B.

100. S.R.B.G., No.11, P.33, 1853, M.S.A.B; R.D.D. 1805, No.46, p.1244. These figures were given by Col. Walker in the year 1805 but in 1853 Capt. Cruikshank placed the number of Grassia and Mewasi at 83 only.



contribution of Ghasdana. Some of these chiefs were Grassias of more or less influence. Each of them had a certain number of armed forces who subsisted on his bounty or fruits of their mutual plunder. They were all Waghela Rajputs and of the same family. They were divided into two branches, the head of the elder of which was Karsun Singh of sanand and Koth and of the younger, Ram Singh of Gangur. There was further division, but it never passed out of the family. Grass villages may be classed of  
101  
follows:-

Held by Kursan Singh himself	21	villages
Held by his inferior & relatives	16	"
Held by Ram Singh	11	"
Held by his inferior & relatives	14	"
Held by Godharee Grass	2	"
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	64	"
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Kasbatis were also quite powerful in Dholka. Through various indirect methods of sale and mortgage, they had possessed taluga rights to 43 vilages. The banth in most of them was reserved to the original proprietor but it had sometimes been mortgaged likewise. They held almost all the Rastee Part of the pargana in manoti. This had added much to their infulence as well as proved injurious to the government. But they were quite useful to the Gaikwad government, as they assisted them in securing the revenue  
102  
and formed a counterpoise to Mewasis.

Bappu Miyah Kasbati was the principal Kasbatee in this pargana. He was the most extensive proprietor of the district,

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101. R.D.D., 1804, No.40, P.146; S.R.B.G., No.11, P.3. 1853, M.S.A.B.

102. R.D.D., 1818, 132, PP.3591-3593, M.S.A.B.; Forbes, 388.

holding 27 villages. Other prominent Kasbatis were Sardar Mohmmmed Khan, Hyan Khan, Fezdeen Khan and Deena Miyah among whom 16 villages were divided.<sup>103</sup> Malik Teg Mohmmmed Parmar and his brother Malik Miyah Parmar were also prominent Kasbatees.<sup>104</sup>

In the pargana of Parantij, the majority of them were Mewasis. Same was the case in the parganas of Hursol, Modasa and Bayar following under the jurisdiction of Parantij. The villages were divided as under:-<sup>105</sup>

	Khalisa	Grassia (Taluka)	Inam	Mewasi	Total
Parantij	66	5	1	29	101
Hursol	10	-	-	8	18
Modasa	35	-	3	1	39
Bayar	15	-	-	3	18
Total	126	-	4	41	176

All the five Taluka were held by one properietor Kermee Khan Ushkur Ulee Khan, a Syed, who was supposed to be a direct descendent of the Peer Kumal, who once held whole of this pargana.

103. R.D.D., 1805, 46, p.1242, M.S.A.B.

104. R.D.D., 1818, No.138, p.1272-74

105. S.R.B.G., No.V, P.1 and pp-51-55, M.S.A.B; R.D.D. 1824 No. 12/96, pp.82-84, M.S.A.B; R.D.V., 1828, No.1/206, p.11.

Mewasi villages were under the control of the Koli Thakurs who paid an annual tribute to the government. They were allowed to retain control over interior economy and management of their villages. The tract of the country which was under their sway was extremely wild and the inhabitants were long used to a life of plunder. Some of the Bheel tribes of this area were the most refractory of the all and bore bad name, Poera, Eadrajpoor, Gamree, Antrolee of Parantij; Gajun of Modasa; Amodra, Derolee and Eendran of Bayar, were a few of such turbulent villages. But not all the Mewasi villages were troublesome. <sup>106</sup> The most respectable among the Koli Thakurs was the Waghpur chief. He held besides Waghpur, five other dependent villages.

Pargana of Viramgam was also predominantly occupied by the Mewasi, concentrating basically in the Chuval region. The division of the villages was-- Khalisa villages were only 75; Taluqa villages of Kasbatis and Gametis were 13, villages held by Raja of Patree numbered 16 and those held by Mewasi of Chuval <sup>107</sup> 60.

The Kasbatis had no ancient proprietary rights to the villages, they were once a formidable body of men and their power was at the highest, obtained generally by establishing or

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106. R.D.V., 1827 No.23/17, pp. 43 - 45, M.S.A.B.

107. R.D.V., 1824 No.12/96, p. 74, M.S.A.B.; S.R.B.G., No. X, p. 396. A Report by P. M. Melvill, p. 18, M.S.A.B; R.D.V., 1827 No. 23/177, p. 391, M.S.A.B.

supporting the finest villages of the pargana. They continued to hold them under the Peshwas. Under the Gaikwad these villages were resumed but again restored, when the Peshwa resumed the direct management of his territories.

Gameti villages were held by Jhala Rajputs. They paid a fixed sum to the government. The area of Chuval was highly infected by the Mewasi Koli chiefs. The origin of the term Chuval is Chowalees that is fortyfour, the number of villages to which their possession originally extended. They subsisted by acts of petty theft and also cultivation and paid a fixed Salamee to the government. In Chuval the area occupied by Mewasis was divided into four separate Taluqas, held by distinct chiefs.

The Bunkora Chief held	11 villages
The Chaneer Chief held	6 villages
The Kookwad Chief held	7 villages
The Dekawara Chief held	11 villages
Independent Mewasis	25 villages

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60  
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The actual extent of alienated lands under wanta and other tenure, could be ascertained from the subjoined table

Full rental and state dues of the Alienated villages in  
Ahmedabad Collectorate.

108. S.R.B.G., No.X, pp.403-404, M.S.A.B.; R.D.V., 1826, No.21/153, p. 4, M.S.A.B.

109. R.D.V., 1824, No.12/96, p. 74.

110. S.R.B.G., No. X, p. 404.

111. Ibid., No.106, p.101.

Parganas	Banth		Other Lands	
	Bighas	Value of full Rental in Rs.	Bighas	Value of full Rental in Rs.
Dholka	102204-7-13	177258-15-0	153012-18-14	59346-6-0
Dastroihi				
Jetalpur				
Virangam				
Parantij				
Total				
State Dues	Rs.		Rs.	
Rent charges	25084-1-11		88018-66	
payable out of value etc. to the state				
Proportion of rent charge to full rental	13%		21%	

It could be seen from this table that about 563918 bighas of land having the full rental value of 614193 rupees was alienated and this was about more than half of the total area of the Collectorate. However, owing to the policy of attachment of the Taluqadari estates by the British the proportion of banth vis a vis other alienated tenures had greatly altered.

#### Policies pursued by the British :

The over riding principle behind land revenue settlements of the British was undoubtedly the maximization of their revenue. Land alienations were looked down upon as a source of great loss to the exchequer. So, initially all attention was diverted towards settling the alienated lands in such a way as to serve their interest best.

It seemed to be a concurrent opinion of all the British administrators who had applied themselves to investigate the existing rights of property, that the tenure by which the Grassias or descendants of the original proprietors of Gujarat

held their lands was unimpeachable one as long as they continued to pay their Salamee or stipulated tribute. It was clearly laid down that, "The tenure by which the Grassias hold the old established portion of the Wanta being generally prescription of remote antiquity, it is universally acknowledged and may now be considered unimpeachable. It is therefore fully recognised and the possession of old wanta to which claims are established, is confirmed for ever to the proprietors".<sup>112</sup>

They were considered as proprietors paying their share in the public burden by a tax on the value of their land.<sup>113</sup> They were possessed of the common right of letting their lands at pleasure and their ryots were their tenants at will. The architect of such a theory was Col. Alexander Walker, who wrote, "At present we have the chiefs trust and respect in a very high degree. An attempt to change their custom forcibly would rob us of their friendship and if the attempt failed, we should besides their hatred have their contempt. An acknowledgement of their submission as subjects should be taken but no attempt should be made to raise the revenue demand".<sup>114</sup> So, he felt that no attempt should be made to interfere in their internal administration.

However, some of administrators like Mr. Prendergast and Mr. Steadman felt that these proprietors should be induced to exchange their lands for annuities equivalent to the incomes

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112. Vaze's Manual, Section III, Part II, Vol. 48, pp. 1756 - 57, P.A.

113. S.R.B.G., CVI, p. 11.

114. R.D.D., 1805, No. 46, p. 1306; Vaze's Manual, Section III, Part II, Vol. 48, pp. 1756 - 57.

derived from their lands, secured by government and payable out of the public treasury.<sup>115</sup> But, it was difficult to induce these Grassias to do so as a greater degree of respectability was attached to the possession of landed property, than that of money, particularly of money received in the shape of pension and in proportion to the length of time that territory had been vested in a family it became disrespectable for the proprietor to alienate it. This type of ancestral homage was still strongly felt in the social set up of that time.

At a later period this right was declared to be that of hereditary farmers, who held their farm as long as they fulfilled the terms of the leases that were granted to them from time to time.<sup>116</sup> Mode of settlement of these Grassias by written leases would be discussed at length in the next chapter. The attachments were occasionally continued specially in the case of kasbatis, until there remained no hope of the debts being liquidated and villages were often resumed and taken under direct government management. Initially, they were to be left with only 20 per cent of the revenue accruing from their territories, but later it was increased to 30 per cent.<sup>117</sup>

Thus, we see that the position of these talugadars was very different from their counterparts in Kathiawad. Tribute payable by these chiefs in Kathiawad was fixed once for all in 1807 and they were guaranteed both their jurisdictional rights and their

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115. Vaze's Manual, Section III, Part II, p. 1757.

116. S.R.B.G., CVI, p. 21.

117. Ibid; R.D.D., 1818, No. 132, p. No. 3593.

fixed tribute. The Gujarat, talugadars on the other hand, when they came under British Government did not retain their jurisdiction and they were not guaranteed against alteration in the amount levied on them as Jama or tribute.

Position of these chiefs could be well understood from the following letter." ...there is no such thing as the Taluqadari tenure as distinct from the provisions of the Taluqadari leases, and that a great deal of unnecessary difficulty and obscurity is thrown over these Taluqadari cases by forgetting that mutual rights of the Taluqadar and Government can only be discovered by looking at the terms of the lease. In former time Taluqadars appear to have claimed and perhaps to have possessed a quasi proprietary right in their villages, but now their legal position is distinctly defined as that of lease holders under the government and (whatever claims they have on the equitable consideration of their great land lords) in a court of law, they are bound by their lease". This in short summarized the change that had come into the position of these Grassia chiefs, from Rajas and land lords they were reduced to mere lease holders.<sup>118</sup>

Major blows to the power and prestige of the Taluqadars came with the appointment of Mookhee Patels and Talatis, particularly the latter. The Grassias who held more villages than one were compelled to appoint Mookhee Patel, who from the time of their

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118. Ibid.



119  
 appointment became responsible to the Magistrate alone. Those who had one village were themselves appointed Mookhee Patels; in other cases, they were obliged to nominate another person for each village, who was responsible to the Magistrate and not to the Grassia.

The introduction of the Talatis (Talati Regulation, 1814) into the Grassia villages of Dholka was the direct interference of the British government into the internal affairs of Chiefs who were declared to be sovereign princes, and with whom they had no right to interfere beyond the collection of a tribute. Talati's duties were to keep records, examine all the conditions and to make the collections. So in a very significant way powers of the Grassia chiefs were curtailed.  
 120

It was also proposed to introduce Talatis into all the Grassia villages of Dhandhuka, Ranpur and Gogha. A further change took place with the alteration of the principle of Dholka payments, from a tribute paid to the government to a certain proportion of the produce left to the Grassias,  
 121  
 (this would be discussed in the next chapter).

Introduction of Adawlat (law courts) also effected the position of the Grassias adversely, as now they were answerable to the magistrate for all their misdeeds.

All these regulations left the Grassias in an impoverished state. M. Elphinston pitying their state adopted a softer

119. S.R.B.G., CVI, P.10, M.S.A.B. S.R.B.G., No.11, P.36, 1853, M.S.A.B., B.R.S., III 1824, P.682, M.S.A.B.

120. B.R.S. III, 1824, P.685, M.S.A.B.

121. Ibid, P.682, M.S.A.B.

attitude and ordered to remove the Talatis from Dholka and to fix their payments for five years so as to leave 30 per cent to them instead of 20 per cent of their produce. <sup>122</sup>

However, these steps could hardly improve the condition of those who were already highly overburdened with debt. Reference of Bappu Miyah Kasbati has already been made; Rs.5000 were remitted on his rental of 1822-23 and finally in consequence of his indebtedness, his villages were resumed by the British Government and a pension was granted to his family.

Settlement with two other Kasbatis, Malik Teg Muhammad Parmar and Malik Miyah Parmar of Dholka had also taken place earlier. They had ceded their two Taluqas comprising of 15 and 13 village to the British in lieu of Rs. 7200/- to them annually. In addition to this their 4 Karbarees were given Rs. 1100/- and 300 <sup>123</sup> bighas of land was assigned to them for their cattle etc. Many such settlements were made with other Kasbatis also. The management of these villages and change brought in by the British would be evident from the following statement about the Kasbatis <sup>124</sup> of Dholka pargana.

At the begin- ing of Br. Rule	Resumed by Govt.	Managed by Govt.	Ditto Allo- wing 130% to Talookdars	Managed by Kasbates for holder under the survey rates	In hands of Kasba- tis on fixed settlement lease	Total
Estate	14	2	1	2	8	27
Village	56	22	2	12	17	109

122. R.D.D. 1818, No.132, P.3593, M.S.A.B.

123. R.D.D., 1818, No.132, P-3586, M.S.A.B. ; R.D.D.; 1818, No.127, pp-1272-1290.

124. S.R.B.G., No-106, P.46.

It is clear from the above table that out of 109 villages only 31 i.e. about 29 per cent were managed by the Kasbatis themselves, rest were more or less under the control of the government. Thus their powers to a great extent were curtailed.

Major change was introduced regarding the Grass or Tora Grass allowance. At the outset government recognized such claims. However, in order to save the ryots from oppressive exactions, Government made arrangements with these Grassias to give them certain money allowance from the Government treasury,<sup>125</sup> in consideration that they would not exact fees from the ryots for keeping the peace of the country; and since that time these Grassias were in habit of receiving these allowances from Government and thus these dues were considered hereditary but Grassias were never considered as hereditary officers and their dues were never considered as emoluments of office. Their position varied according to the Grassia's power. In some cases he was a chief, holding lands and rights in various villages; in others he was little better than a recognized free booter, but with established dues on his particular village. In all cases where dues were unpaid, the Grassias resorted to violence against the recusant village. These might be taken as a black mail or price for forbearance.<sup>126</sup> But however considered, they were a property recognized by the Government without considering their origin but merely the person or property to whom the dues belonged, and were to be paid.

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125. R.D.V., 1853, No.97, P.11

126. B.R.S. III, P.674.

Some instances of sale and mortgage of these allowances gave rise to various questions regarding the alienability of such rights. It was concluded that the Grassia's hugs ought not to be enjoyed by any one but the Grassia himself (or his successors), for Grass was the money payments made to Grassias, to purchase the forbearance of their plundering parties; therefore, if the hugs were sold and the money paid to the purchaser, then the Government had no hold whatever on the Grassias in case of their again resorting to acts of violence. Thus, it was assumed that the Grassias fee was not saleable. The purchaser therefore came on the party who in fact offered for sale something they could not sell to him, but for which he had received the purchase money.

In some parganas of this Collectorate there was no Grass dues. In Viramgam, Vole was paid to Thakurs. There were also some small oodhur (fixed) grass allowances in some of the villages. In pargana of Parantij, allowance called Khitchree was to be paid directly from the State treasury.<sup>127</sup> Thus in this way all such allowances which were earlier paid by Patels to the Grassias were to be paid from the State treasury.

Section I and II of Act of 1838 further curtailed the powers of the Grassia chiefs. It prohibited levying of any hugs and fees of any description and customs whether by land or sea. Many

of the Parbhara hugs of the Zamindars were also abolished. Table No. II, gives details regarding the hugs, in cash, land and kind, which were discontinued and also for those which were still continued.<sup>128</sup> It would be seen that about 98 per cent of

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127. Ibid.

128. R.D.V., 1827, No.23/177, P.91.

the cash allowances were discontinued and 60 per cent of land grants (in bighas) was discontinued.

Act XIX of 1844, whereby all the miscellaneous cesses imposed by Grassias on trade were abolished, further curtailed their power.<sup>129</sup> No doubt, they were supposed to receive compensation but lot of inconvenience and financial loss was caused to them. In some of the Oodhur Jamabandi or Challoo Tarrow villages, the practice of transferring their villages to some other chiefs, while reserving some lands and privileges to themselves prevailed. Presence of many sharers created lots of problem for settling the compensation claims under the new regulation.<sup>130</sup>

#### British attitude towards other alienated lands

British attitude towards other alienated tenures was far from being uniform. Although these tenures were responsible for alienating a large part of the revenue of the State. Yet, those which were held under proper Sanads like Inams, Wazefa, Devasthan etc. were confirmed, while recommendation were made for the resumption of the others.<sup>131</sup> Regarding Wazifa lands it was stated that these were the lands which were granted at different times to individuals by the Mohemmedan and Maratha princes, either in consideration of money advanced or as a remuneration for services performed and thus their proprietors were entitled to the respect and forbearance of government.<sup>132</sup>

The Passaita grants which were appropriated towards defraying

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129. Vaze's Manual, Section V, part 1, P-6907.

130. List No.14, File No.238, R.No.18, P.8, P.A.

131. R.D.V., 1823, No. 24/76, pp.396-97.

132. Vaze's Manual, section III, part II, p.6909

the expenses of the village establishment, comprehending under this denomination artificers, Brahmins, Bhats, Fakirs etc. <sup>133</sup> and the different classes of officers, employed in keeping accounts, in watching the villages and collecting rents from ryots such as Talatis, Barthanas etc. were found to be unobjectionable due to <sup>134</sup> their immemorial usage and thus were allowed to continue. However, it was laid down that the Passatia was government land given in return for services performed to the public or the villages. It was resumable or transferable by government at pleasure, and belonged rather to offices and situations than the persons.

Vechan and Girania tenures attracted major attention of the Britishers. These were the lands sold and mortgaged by the Patels from the government lands and therefore largely diminished State revenue. It was believed that Patels had no <sup>135</sup> right of property in the lands which they disposed off. After enquiries it was found that lands had generally been mortgaged for five rupees per bigha and on the condition of its becoming the permanent property of the mortgagee if not redeemed in 3 or 5 years. They had commonly been sold out right for 9 or 10 rupees per bigha, although in some instances as high as 18 rupees per

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133. Forbes, op.cit., Vol. II, p 275.

134. Ibid; B.R.S., III, P. 678.

135. B.R.S., III, P.675 and 700.

bigha. The value of the government half of the produce of land of the same description was Rs.3.5 and therefore of the whole 7 rupees per bigha, consequently the highest rate at which the Patels had sold the lands of government for ever, was less than the value of its produce in 3 years.<sup>136</sup> It was also notorious that the Grassia holders of Vechania and Girania lands had in general obtained them by means of force and by either the commission or the increase of the most lawless outrages upon the defenceless cultivators or for loans at a most usurious rate of interest.

Regulation IV of 1812 which provided for a register being kept of all sales and transfers of alienated land<sup>137</sup> and Regulation III of 1814 which authorized the Collectors to institute suits in the civil courts for the recovery of alienated lands held under illegal and invalid titles,<sup>138</sup> had already been passed when Ahmedabad Collectorate was formed. On the acquisition of new territories fresh enquiries were ordered into the nature of Vechan & Girania tenures. M. Elphinston in his minutes of 1821 concluded that these holdings were illegal and the persons who accepted them were well aware of their illegality. The right of the government to resume such alienations was an accepted one. According to M.Elphinston, the question was confined to two points, the claims acquired by the possession from the long

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136. Vaze's Manual, section III, part II, P.6910.

137. R.D.D., 1812, No.81.A, P.30

138. Ibid, 1918, No.142, P.201

forbearance of the Government and the inexpediency of disturbing actual possession, by whatever title it may have been acquired or retained.<sup>139</sup>

To judge the effect of the long forbearance of the Government, it was necessary to review the conduct both of the Mahratha and British authorities in this respect. It was undisputed that the Marathas never admitted sales or mortgages by Patels as a ground for reducing the revenue of the village. Such a reduction, probably were proposed to them but they continued to make their old demands. The Patel, whose faith was pledged to the purchaser, endeavoured to screen him and to levy the whole revenue on the Ryots, but when he failed in that, he laid tax on the purchaser. The sum to be raised was very great, he even assessed the alienated land in the same way and at the same rate as was done in unalienated. Such proceedings must have kept up in the purchaser's a constant sense of the weakness of their own title(at least as long as the country was under the Maratha rule). When British came to the power they passed a proclamation prohibiting and rendering penal, future alienations, but the language used was such as to promote the belief that past ones would not be disputed.<sup>140</sup>

The practice of Marathas to keep up the revenue demand inspite of these alienations was continued. The system of farming

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139. R.D.V., 1830, No.31/288,P.189, M.S.A.B.; B.R.S., III, P.691, M.S.A.B.

140. B.R.S., 3,P.691, 1822, M.S.A.B., List No.14, General Vol.III, P.68, P.A. R.D.V. No.19/309, P.29.



was disused and Collectors started looking into the interior management of the villages. They continued to take from each individual the sum at which he had formerly been assessed. The deficiency arising from the collections was thrown on the alienated lands. Maratha practice of charging a Swadeo was also followed.<sup>141</sup> It was a tax payable by government ryots who cultivated alienated lands. However, Marathas were not very bothered about the regularity of this tax. When British started collecting it, it appeared to be a new development. So the imposition of this tax combining with the previous forbearance could be understood as an acknowledgement of the title holders of alienated lands.

However, Vechan and Girania did not come into the category of recognized tenures even by the Regulation of 1823. This regulation laid down that where the land was not enjoyed under a deed of writing but had been alienated for more than 60 years under a tenure recognized by the custom of the country, such alienations were to be continued.

In accordance with the above regulation the orders were passed for the resumption of alienated lands chiefly Vechan and Girania. This was followed by Regulation XVII of 1827 which further favoured the cause of the Government and clearly laid down the categories which were to be exempted and those which were to be considered illegally alienated and hence liable for fresh assessment. Clause I of Section XXXV of Regulation XVII of

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141. Ibid

1827 exempted lands if held under valid title deeds, Clause II and III exempted lands held by prescription, provided the tenure be a recognized one.<sup>142</sup> By this section lands could be assessed if held under a deed when the conditions of that deed expire and if held by prescription, when the requirements of the tenure ceased to be fulfilled.

However, there was some sort of discrepancy in the terms of this regulation. On one hand it stated that lands held under a recognized tenure were to be exempted but on the other hand section XXXVI stated that all land held for a certain time free of assessment, continue free whether held under a recognized tenure or not.<sup>143</sup> Apparently, it was framed to provide for cases in which there was neither a valid deed, nor enjoyment under a recognized tenure.

These regulations created great consternation among many sections of the society, specially Bhats, Charuns etc. who were mainly the owners of Vechan and Girania lands, which were not yet recognized tenures.<sup>144</sup> It was felt that if every man was stripped of the usurpations of his ancestor's property, clamour and disturbance could be raised. Moreover, if the public burden were to be increased, equity would require that the new impost should fall on them who already paid the least. For drawing considerable revenue from rent free lands without pressing on them who already pay their full share of taxation, it was feasible not to reduce the proprietors to ruin and not to drive Kolis and other

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142. R.D.V., 1830, No. 8/288, P.187, M.S.A.B.

143. List No.14, General Vol. 14, P:602.

144. Vaze's Manual, section III, Part II, P.6912.

unsettled people to plunder.

In 1830 Mr. Lumsden was appointed to prepare a plan for the settlement of alienated tenures. The rules laid down by him were <sup>145</sup>

1. Lands held by Bhats to be in all cases confirmed and restored to them.
2. Wanta, Wazeefa and Passaita lands being held upon authorized tenures to be confirmed under the Regulation.
3. In ordinary cases of Girania lands the amount of the mortgage bond to be at once discharged in full and the land assessed. No attempt was to be made to calculate the value of the exemption against the amount paid for the land.
4. Vechania and Girania lands for which the mortgage bond might not be forthcoming to be generally confirmed or restored, when the holders had possession for a good many years.
5. When such lands paid a Salamee and were held by Bhats, Brahmins etc. the Salamee was not to be increased.
6. When they were Nakru, a Salamee of 1/4 to 3/4 of a rupee was to be imposed.
7. A Salamee of not more than 1/4 the assessment was to be imposed on Vechania lands held by the war like castes (Dharolas), but not in cases where they already paid a cess for the lands, nor where the lands were indirectly assessed on the Veta system.
8. Where the Mewasis held lands on the condition of maintaining the peace of the villages, this service was to be enforced.

Sanads were given to the holders of such lands regarding the recognition or settlement of their lands. <sup>146</sup> Bhats, Charuns and

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145. R.D.V., 1840, No.108/1192, P.137-140.

146. Ibid.

Brahmans were the people who benefited most by the measures adopted by Mr. Lumsden, holders of Girania and Vechania benefited too. The main object behind this liberal attitude was to check the future sales and mortgages.

The final settlement of the Vechan Salameia lands came with the proclamation of Regulation X of 1831 by Mr. Lumsden.

It stated that <sup>147</sup> (1) All Dharolas, Brahmins and others holding Vechania Salameia lands without cultivating Government lands, whether the lands have been resumed or not, are permitted to reclaim such lands for ever on payment of the old rates of Salameia. (2) Pateedars, Kunbis and Ryots who cultivated government land and also held Vechan Salameia land their settlement was amalgamated with that for their government lands. (3) These orders were only applicable to those persons who possessed Vechan Salameia lands prior to the present government. They were not to be applied to any person who might have obtained possession subsequently. (4) Vechan Salameia lands in which a Swadeo or other tax was levied according to the custom of the village were to continue. (5) Any person whose lands had been registered in the Sarkar books since the commencement of the Company's government as Vechan Salameia but were entitled to hold them rent free as Passaita, Wanta or any other tenure and might have been included amongst the Vechan Salameia lands were to make good their claims within twelve months from that date and all grants documents etc. were to be examined.

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147. List No. 14 General Volume, III, pp. 67-70, P.A.; Vaze's Manual,

Section II, Part 30, pp. 1858-60.

These rules were not applicable to cases of government land surreptitiously held under any free tenure by transfer or designation since the territory came into the possession of the government. So, the Vechan and Salameea lands were to be settled as above. However, it was laid down that if any person disposed of or mortgaged his Vechan Salameea land to another it was to rest with the government to recognize it or not. A provision was also inserted for the people who had received money for their Vechan Salameea lands when the Company secured these lands but were non desirous of recovering their possessions. Such holders were entitled to reclaim their lands on payment of the sum they had received from the government. Lands of those who did not wish to return the money, were to remain subjected to the government.

Regulation VI of 1833 again came to the benefit to the land holders, whereby period of enjoyment by alienated land holders was reduced from 60 to 30 years.<sup>148</sup>

Inams; Wazifa and Pussaita had been recognized by Regulation XVII of 1824. However, the holder of these lands along with other Watandars were called upon to declare their emoluments. Apprehensive of the intensions of the government the holders of such grants concealed their assets. So their allowances were arranged with reference to what they had declared causing them great financial loss. Table No. III furnishes details regarding the land and cash alienations enjoyed under various tenures such as Devasthan, Personal and service Inam i.e. Passaita etc., that were recovered and confirmed.<sup>149</sup>

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148. Ibid.

149. S.R.B.G., No. CXXXII, P.96.

Regarding the lands held by Bhats in the Ahmedabad district, Government directed that the incumbents should be allowed to retain their possession, except in such cases as might appear to call for special enquiry or in which fraud or unauthorized possession was prima facie apparent, but that on the death of any of the present holders, the heirs should be required to prove their right according to the regulations, before they were permitted to succeed to the privileges enjoyed by the present incumbents.

Thus, we see that the attempts made by Britishers in the first half of the nineteenth century made a significant impact on the rights and privileges of the Grassia and Mewasi chiefs. In the process of reformation aiming to enhance the authority and revenue of the government, these chiefs suffered the most. They were reduced to the position of hereditary farmers and lands of many of them were attached. One clearly notices that by passing various legislations during these thirty years, a great deal of overhauling was done in the agrarian relations which effected the land rights as well as the relationship between Zamindars and ryots on the one hand and Zamindars and State on the other.

## Chapter II/Table No. I

Elements of Grassia Population 150 In Ahmedabad				
Parganas	Clan/Caste	Villages held under them	Clan	Villages held under them
Viramgam	Thakurras	69	Jhalas	4
	Mosalmans	2	Kasbatis	9
Dholka	Waghelas	69	Kasbatis	21
	Ravals	1	Jhalas	1
Dhandhuka	Choorasamas	49	Charuns	4.2/3
	Jhalas	45	Kathees	17.1/2
	Gosains	5	Goels	1
	Musalmans	4	Parmars	16
	Waghelas	1		
Gogha	Goels	54	Bharote	2

### Statement of Parbhara Hugs levied by Zamindars

[illegible]



## Land and Cash Alienations in Ahmedabad under the British

		Land Alienations					Cash Alienations						
Class of Tenure	Total value on government books at the commencement of alienation operation	Result of operation		Confirmed		Remaining	Result of operation			Confirmed		Remaining for settlement	
		Already lapsed	Recovered after one or two lives	Permanently lapsed	Hereditary		Already lapsed	Recovered after one or two lives	Permanently lapsed	Hereditary			
1	2	3	4	5	6	7	8	9	10	11	12	13	
1. POLITICAL	Not sufficiently particularized			14,270	25,287	-	-		398	12,676	37,099	-	
2. PERSONAL	Total exhibit Rs. 7,13,686		12,136	3,37,159	6,871		41,041		7,674	9,207	11,427	2,790	
3. DEVASTHAN				32,743						12,960			
4. MUTTON				695	3,665					1,469	8,446		
5. WHOSE SERVICE HAVE BEEN RETAINED		2,44,367						16,909					
6. VILLAGE SERVANTS				43,121						19,926		60	
TOTAL		2,44,367	12,136	4,28,038	35,823	13,322		16,609	8,072	56,238	56,972	12,850	