



A STUDY ON PERMANENT SETTLEMENT WITH SPECIAL REFERENCE TO SPECIAL COMMISSION IN MADRAS, 1802-1803

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The period of 1802 and 1807 may correctly be called as the period of the Permanent Zamindari Settlement. Together with Nawabs and poligars engaged the serious attention of the Company. The Company assumed full sovereignty over the territories in 1801 and pursued a policy of maximising the revenue collection. As there existed different modes of revenue assessment, it decided to introduce the Bengal pattern of permanent settlement of Zamindari tenure. They had converted the existing poligars into peaceful landholders under the Zamindari system and asked them to pay a fixed amount to the government. This victory of the English in the acquisition and consolidation of their power in the Tamil Country strengthened their stronghold. However, they anticipated some disturbances from the local powers in the time to time. Consequently it was felt that their ascendancy through the administration grasp of their men would facilitate their prosperity further. The Company made Bengal as the capital of British territories and Madras began to adopt Bengal system of revenue collection. The Zamindari system in the form of Permanent Settlement introduced in certain parts of Madras in the beginning of the nineteenth century was so closely modelled on a similar Bengal Settlement introduced by Lord Cornwallis. The system brought many profits to the Company. These matters and political profits incited it to extend this revenue system in select areas of the Madras on the basis of the recommendations of the Special Commissions, instituted for the same purpose. The regions which experienced the Permanent Settlement were indebted much to Bengal from where it originated. Keeping their prospect in the Madras Presidency in mind, the Court of Directors inclined towards the extension of the Permanent Settlement from Bengal on account of its manifold features apart from other major factors. On the eve of its introduction, the collectors had been instructed about various principles based upon which the revenue was to be settled in the districts. Besides, the experiment of creating a class of territorial landlords in permanency with a fixed and Permanent Assessment on their land did not aerate satisfactorily in the Madras region. Between 1802 and 1807, in the parts of the Madras Presidency where the Permanent System was enforced it turned out to be a dismal failure.

Special Commission Recommendations

As the Government decided to introduce the Permanent Settlement “at the earliest practicable period of time” and also to pay undivided attention to the immediate improvement of the districts, the Board was relieved of the work relating to the Permanent Settlement. In order to carry out the execution of the principle of Permanent Land Revenue Settlement,

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the Governor-in-Council decided to relieve the Board of Revenue of its duty and appointed a special Commission. Determined to relieve the Board of Revenue and appoint a Special Commission.¹ In this view, the Commission was appointed on 9 February 1802 by Lord Wellesley as the Governor of Bengal. It consisted of William Petrie, the Member of the Council, Thomas Cockburn Members of the Board of Revenue and Josiah Webbe who had acquired experience of the Bengal settlement. John Hodgson appointed as a Secretary of Revenue the Department to the Special Commission on 27 Feb.1802. To avoid collision between the Board of Revenue and Special Commission, the Governor-in-Council specified the powers of the Commission. The Board of Revenue was advised to keep open all the records and relevant Papers regarding the permanent settlement to the Members of the Special Commission. The Governor instructed the Collectors to obey the orders of the Special Commission because they were placed under the control of the Board of Revenue.² Thus the Special Commission consisted of able and well experienced persons befitting the magnitude of the task.

Immediately after the Board was relieved of its task and subsequently on the constitution of the Special Commission, the latter was directed to obtain, from the collections, reports on the resources of their respective districts for the extension of the proposed permanent settlement. In the meantime, the Collectors, after an analytical study of the requisite materials prepared reports and submitted with their recommendations to the Special Commission for its final consideration. The Special Commission submitted the Collectors report with its observation to the Government. The first district into which the Permanent Settlement was introduced by Special Commission in the *jaghire* or Chingleput. Here the lands, being havelly or khas, were split up into estates or muttas and sold. E.C. Greenway, the Collectors of Chingleput prepared a voluminous report on the resources of the *jaghire*. However, the Commission remarked that the methods of assessment proposed by the Collector afforded inadequate criteria for determination of the amount of the permanent assessment.³ The net revenue of the Government from this assessment the average net receipts of the previous six years by five per cent when the resources produced in *faslis* 1208, 1209, 1210 and 1211 were analysed. Taking this fixed rates into account as the value of the *jaghire* in the fixation of permanent *jumma*, the Commission considered it as the best rule both for the proprietors of land and for the inhabitants. With these observations, the Special Commission submitted the Collector's report on 9 March 1802. The Commission reported to the Government on the outcome of the sale recommending for the extension of the proposed Permanent Settlement in the *Jaghire*.⁴ The Collectors had been instructed to collect information on the resources by the Board.

The Special Commission then proceeded with the venture of analysing two reports by Major Macleod on the resources of the Southern divisions of Baramahal, Salem and Northern areas of Cauvery. The Commission set Macleod's report to the Government along with its own recommendations on 27 August 1802.⁵ The Government approved the proposal of the division of the lands of Baramahal and Salem districts into estates. It also confirmed the proposed amount of the permanent settlement by the special Commission to be assessed on those estates. The Commission therefore directed David Cockburn, inheritor of Macleod to make in known to the public that the proprietary right in the estates would be sold in public auction.⁶ Recommending for the extension of the system of revenue settlement, the Special Commission submitted its eventual report to the Government. Having satisfied with, the Government made arrangements for the introduction of this system. The Commission thereupon concentrated its attention on the resources of the Southern

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palayams of Ramanathapuram, Sivaganga and Tirunelveli. In September 1802, Lushington, Collector of Tirunelveli submitted to the Special Commission a comprehensive scheme. Besides, it collected some reliable information of the resources of these regions from statements furnished by the *canogoe* of Tirunelveli, as corrected by the Collector's own enquiries.⁷ After the analytical study of the report, the Commission recommended for handing over the assumed eleven estates to their real owners. It also proposed for the sale of the confiscated estates of Ettayapuram, Kolarpatti and Nagalapuram in public auction to the highest bidders of *peshkush*. It recommended re-adjustments in the territories of the poligars in this region. The permanent contracts were entered into between the Zamindars was technically called the *peshkush*. Some of the Zamindars look upon this rent collection as suspicious and termed political motive. Therefore the Zamindars avoided settlements. These estates which denied taxes were known as havelly or unsettled palayams. Accordingly, the Panjalakurichi palayam was re-adjusted so as to provide a few villages to Ettayapuram and Maniyachi palayams. These arrangements were felt imperative to suppress the rebellious tendency of the poligar of Panjalakurichi and to run the revenue administration smoothly.⁸ The unsettled palayams or havelly lands were parcelled out into mittas and they were sold by auction to the highest bidders. Those who gained possession of estates through the auction were called *mittadars*.

The Government directed the Special Commission to avail itself the information already collected and expedite the Permanent System not only in the earlier possessions of the Company but also to the recently acquired territories. The government instructed the Board of Revenue and the revenue department to open all the records relating to the permanent settlement of the newly appointed members of the Special Commission whenever they required. It further instructed the collections and other subordinate officers to obey the orders of the special Commission.⁹ The Government authorised the Commission to arrange the permanent assessment of the land upon this principle and issued instructions to the Collectors regarding the separate management of the revenue on the Zamindary tenure. Besides, recommending for the extension of the system under the first stage of several districts of the Madras. The Special Commission directed by the government proceeded with the task of preparing four regulations applicable in the Company territories subject to the approval of the government of Fort St. George. By the Special Commission, this was prepared the Permanent Settlement Regulations.¹⁰

Permanent Settlement Regulations

The Regulations of 1802 were important because they formed the basic principles on which the entire system worked. These regulations were neither thoroughly discussed nor the provisions properly explained at the meetings of the Commission. This was quite evident from the proceedings of the Special Commission on 8 July 1802 in which only mere settlements of the regulations were ratified by the Governor.¹¹ On 12 July 1802, the Special Commission prepared the Permanent Settlement Regulations and submitted them to the Government for approval. The regulations were passed by the Governor-in-council of Fort St. George on 13 July 1801. During the Governorship of Edward Clive, at the outset, the Company administration in Madras passed four regulations in 1802. The four Regulations were Madras Regulation XXV of 1802 (Permanent Settlement Regulation), Madras Regulation XXVII of 1802, Madras Regulation XXIX of 1802



(Karnam's Regulation) and Madras Regulation XXX of 1802 (Patta Regulations).¹² These regulations were aimed at the maintenance of proper terms between the proprietors of lands and the ryots.

Regulation XXX of 1802 paved the way for declaring the proprietary right of lands to the vested in individual persons defining the rights of such persons under a permanent assessment of the land revenue in the British territories subject to the Presidency of the Fort St. George. Regulation XXVIII of 1802 enabled the landholders and formers of land from confining or inflicting corporal punishment on their under-farmers or ryots or their sureties, the personal property of their under-farmers or sureties was enabled to have distained or disposed of Regulation XXIX of 1802 established the office of karnam and defined the duties of this officer.¹³ Lastly, Regulation XXX of 1802 prescribed pattas to be used between landholders and their under-farmers, tenants and ryots. According, the Special Commission carried out the Permanent Settlement in the Madras Presidency. These regulations contained the principle of the Permanent Settlement. Subsequently, the Special Commission function was again entrusted with the Board of Revenue for the introduction of the Permanent Settlement in Madras region.¹⁴

Permanent Settlement in Select Areas

Special Commission introduced Permanent Settlement in the Jaghire, the Baramahal and Salem, North Arcot, Ramnad, Sivaganga and Tirunelveli. Jaghire or Chingleput was located in the north east of the Madras, which became one of the select areas for the earliest introduction of the Permanent Settlement. E.C. Greenway, the Collector, who took an active role for the introduction of the Permanent Settlement. The lands of the district were *havelly*, for the introduction of the Permanent Settlement; he divided the jaghire into sixty one Zamindars containing villages of every description. The Special Commission after obtaining some more information from the Collector remarked that the mode of assessment proposed by the Collector was sufficient. But the principle adopted for determining the amount of the assessment in perpetuity was insufficient. As regards the share of rent payable by the ryots to the proprietors, the rates of division of the crops entered in the *cowle* of fasli 1210 were declared to be the standard in the cases of disputes, was the recommendation of the Special Commission.¹⁵ The purchasers were declared to be entitled to collect the amount specified in the *Cowle* of fasli 1210.

The Special Commission recommending introduce this system in Chingleput, had directed the Madras Government to carry out the requisite measures instantly. The Commission thereupon forwarded to Greenway, to grand *sanads* to the highest bidders, termed as *muttahdars*. They accepted to pay the government an annual rent ranging from 7000 per cent to 16,000 per cent and the *Mirasidars* where left to settle with *muttahdars*. The government considered the report of the Special Commission and conveyed its approval through its order on 30 April 1802.¹⁶ The Government then authorised the Commission to publish and advertisement for the sale of the estates of the *jaghire* and the Commission with proceedings on 7 May 1802 instructed the Collector to proceed with the sale. In his letter dated on 20 July 1802, the Collector reported that with the exception of two estates, the remaining estates had been sold subject to the Permanent Settlement fixed by the government among the two estates retained, one estate was leased to D'Monte and the other was

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bestowed to Swami Naik. The Collector submitted the register of purchasers. The Special Commission in its another letter dated on 9 August 1802 reported the matter to the Government. The Collector was instructed to issue the sanad-i-milkiyat-i-istimrar to the purchasers and to obtain from them the *kabuliyat*. The first district into which the permanent settlement was introduced by the Special Commission was the *jaghire*. As there was no original Zamindar in this district, the Zamindars thus artificially created were mere middlemen. They in return for a rent charged on their so-called estates were saddled with the expensive duty of collecting settled revenue. Being responsible to the Government for as large a sum as had ever been received from it, the intermediaries between the Government and the cultivators of the soil.¹⁷ This system was termed as *muttahdari* which constituted another kind of Zamindari settlement.

After the Special Commission was introduced the system in Chingleput District, the system was extended to the two Chief Zamindari es of Karvernagar and Kalahasti in North Arcot District. In September 1802, following this Permanent Settlement was concluded with the poligar of Karvernagar by conferring on him a sanad along with title of Zamindar. For the purpose of revenue administration, they Zamindary was divided into three taluks, viz. Narainavaram, Tiruttani and Pallipat. Besides Karvernagar, the sanad was issued in the same year to the Zamindar of Kalahasti on which the *peshkush* was fixed at Rs. 1,73,140 and the Zamindars executed the *kabuliyats*.¹⁸ Apart from these two Chief Zamindaries in this district, the system was extended in many minor Zamindaries too.

From the North Arcot District, the Permanent Settlement was extended to Salem District which comprised of two major parts-one the Southern division as per the recommendation of the Special Commission under the first stage. Accordingly the Talaghatt division was parcelled out into 129 *muttahs* excluding the hilly areas. The assessment on each muttah was fixed permanently after taking into consideration the average collection of the past years and the survey rents. The *peshkush* on each muttah was fixed in perpetuity at two-thirds of the gross collection of revenue.¹⁹ Major Macleod, the Collector submitted a report on the Permanent Settlement of the land revenue of this territory.

Macleod submitted showing the division of the districts ascertained and the *jumma* to be fixed permanently for each village included in the estate. The districts were divided into 135 estates. The districts were divided into 135 estates, consisting of several villages each. Its value ranging from 700 pagodas to 500 pagodas for annual *jumma* and on a medium at the sum of 2500 pagodas. But two hill estates Coundonier and Patihmulla were assessed below 500 pagodas. So, the Collector proposed to settle these tow hill estates with its headmen the special Commission also realised it and recommended that the principal hill people should be its proprietors. So the Special Commission also recommended that the four hill estates of Salem, Pella, Shilloor, and Coondou were not to be sold but to conclude a permanent settlement with the headmen of the respective hill estates. On making the revenue of Talaghat's division perpetual, it was made a separate collectorate under *Hargrave* who took change in February 1803. Following it, the Baramahal and Talghat divisions were incorporated into the Northern divisions of Arcot. S.R. Lushington, the Collector, to submit a report on the Zamindari es of Ramnad, Sivaganga and the Palayams of Tirunelveli directed to the Madras Government. He obliged the order of the Government and after a thorough study, submitted his report to the Special Commission on 30 September 1802. On that date, Ramnad had been under the Collector's management for some years and the Collector was therefore in a position to

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furnish figures of the revenues of that Zamindari during the previous years. He proposed a Permanent *peshkush* equal to two-thirds of the average of gross receipts during the preceding six years.²⁰

The Special Commission also recommended the Government for the grant of sanads to all permanently assessed Zamindars and other proprietors specifying an abstract of their obligations and the rights conferred on them. In the case of Sivaganga, the Collector relied on the general statements and information obtained at various times since he became the Collector. Based upon this, he declared his opinion on the amount of settlement to be concluded in the Zamindary of Sivaganga. Collecting accurate information of the resources of the Zamindary, the Collector formed an estimate of the actual resources and collections during the previous year, compiled from the Zamindars accounts.²¹ On the basis of this he proposed an annual *jumma* which exceeded the farmer *peshkush* by fifty per cent. The Special Commission recommended to the Government to Collector's report in fixing the Permanent Assessment at fifty percent more than the former *peshkush* exclusive of salt, sayer, etc. The Commission also recommended to the Government to fix the same amount as the future *jumma* of Sivaganga. The Government by its Revenue Consultations of 22 April 1803 approved the recommendations of the Special Commission and confirmed the future *jumma* of Sivaganga as 75000 star pagodas per annum.²² In with this, fifty per cent increase was made in Sivaganga.

From the Ramanathapuram and Sivaganga, the system was extended to the pollams in Tirunelveli. Upon the approval of the recommendations of the Special Commission on 22 April 1803, the Government of Madras issued *sunmudi-milkiyat-i-istimrar* to twenty five poligars who subsequently became Zamindars. Thereby the Government introduced the system in Tirunelveli palayams during the Governorship of Edward Clive. Thereupon the confiscation of three estates viz, Elayirampannai, Kolarpatti and Nagalapuram for their participation in the poligari insurrection took place and they were divided into nine muttachs based upon the principles of the system and were sold at public auction. The highest bidders subsequently became the muttahdars to whom also the sanads were issued and thus the system was extended in these estates. Moreover the Zamindars of Melmandai, Avudaiyapuram, Naduvakurichi, Chokkampatti and Surandai became treacherous. Sensing danger from them, the government broke up their Zamindaries along with the alienated portion of Maniyachi into *muttachs*. They were disposed of at public auction to the highest bidders to whom the sanads were issued. The Government thus introduced the system in all the villages of the District. At the time of its introduction, the local officers strongly objected to this on the ground that the British endeavoured in insist their political domination through the revenue system. Unmindful of this, the Government introduced it in the estates previously held by the poligars. With this system, the poligars became the Zamindars having the proprietorship of lands and the land revenue was fixed in perpetuity. On 5 April 1803, the Special Commission Submitted to Government its proposals for determining the amount of revenue to be permanently assessed on the Southern Zamindaries and pollams. In regard to Tirunelveli pollams, the Special Commission expressed general concurrence in the collector's proposals. It prepared a statement showing the valuation of the several pollams at four different periods of time, with a general average drawn from the whole, which it considered a just criterion of the value of the respective pollams. With the continuation, after much of the territories were permanently settled, the Government having judged that the labours of the Commission were no longer required.²³



Abolition of Special Commission

The Special Commission thus took nearly eighteen months to carry out its work. The last report submitted by the Special Commission was on 29 April 1803. That report related to the Permanent Settlement of the Havellies of the first and second division of Masulipatnam and third division of Vizagapatam and of the Zamindari of kimeddy. Accordingly permanent settlement was introduced in the Districts of Masulipatnam and Vizagapatnam. On 7 May 1803 before the Special Commission was given a full opportunity to complete the work of the permanent settlement, Lord William Bentinck (1803-1807), the successor of Edward Clive abolished the Commission. Thereafter, the Government, in June 1803 ordered for the abolition of the Special Commission on the completion of its business.²⁴ Therefore, this was the last to be accomplished by it.

The Government directed the abolition of the Special Commission on the ground that the object with which it had been instituted had so far advanced as to admit of the restoration to the ordinary channel of the Board of Revenue of the business entrusted to the Special Commission, and confided to the superintendence of the Board of Revenue the introduction of the Permanent Settlement into the remaining areas of the presidency on the principles already adopted. In doing so, the Government informed the Board of Revenue as follows:

“The mode introduced into our political system from the practice of the Asiatic Governments of raising the utmost annual revenue by temporary expedients was pregnant with most pernicious consequences to every source of agriculture, population and wealth. It was therefore fundamentally necessary not only to the success but to the existence of the system to be introduced into these territories that the most scrupulous caution should be used to prevent the effects of this fatal but delusive error. In the ordinary administration of the revenue, this lordship in Council has had occasion to remark instances in which the zeal of the local officers has urged them to transgress those necessary restraints, and it was requisite to view with caution the information drawn from channels which have erroneously but perhaps unavoidably blended with the continual enhancement of the Revenue the reputation and success of the Revenue servants”.²⁵

The board does not however appear to have submitted the draft of the ‘new instructions’ which it was called on to submit for the approval of Government. The report submitted by the Board of Revenue for the Permanent Settlement of the second division of Vizagapatam, Ganjam, Krishnagiri, Dindigul, Cuddalore and Tiruvanandapuram, make no reference to any “new instructions” as having formed the basis of the settlements affected after the abolition of Special Commission. Thereby, it intended to make arrangements with the following features of the Permanent Settlement.

End Notes

1. Fifth Report from the Select Committee on the Affairs of the English East India Company, p.168.
2. Madras Council, 1802, R.C., Vol.114, p.430.
3. Greenway’s Report on the Permanent Settlement of Chingleput, 29 Mar.1801, pp.27-30.
4. Madras Council, 23 Mar.1804, letter to Court of Directors, R.D.T.E., Vol.8, p.30.

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5. Ibid., 14 Dec.1813, letter to Board of Revenue, Salem Collectorate Records, (here in after referred to as S.C.R.), Vol.3166, pp 141.143.
6. Madras Council, 11 June 1811, letter to Board of Revenue, S.C.R., Vol.3164, pp76-77.
7. Pate, H.R., *Tinnevely District Gazetteer*, Vol.I, Madras, 1917, p.273.
8. Proceeding of the Special Commission, 13 July to 27 July 1802, P.S.R, Vol.4A, pp.51-52.
9. Appendices to the Report of the Madras Estates Land Act Committee, Madras, 1938, p.227.
10. Board of Revenue, 22 April 1802, letter to Madras Council, Madurai Collectorate Records, (hereinafter referred to as M.C.R.), Vol.1188, p.172.
11. Madras Council, 1800, R.C., Vol.102B, pp.1287-1288.
12. Report of the Madras Estates Land Act Committee, Part 1, Madras, 1938, p.26.
13. Coomaraswamy Mudaliyar, T.S., (comp)., *The Revenue Code Containing all the Regulations and Acts Applicable to the Madras Presidency relating to Revenue matters from 1802-1887*, Madras, 1887, pp.1-56.
14. George Parish, Collector of Madurai, 5 Oct.1805, proclamations to the Inhabitants, M.C.R., Vol. 1148, pp.175-177.
15. Appendices to the Report of the Madras Estates Land Act Committee, p.28.
16. Board of Revenue, 30 Apr.1802, proceedings, R.C., Vol.315, p.1501.
17. Madras Council, 23 Mar.1804, letter to Court of Directors, R.D.T.E., Vol.8, p.30.
18. Arthur F. Cox, (comp)., *Madras District Manuals, North Arcot*, Vol.1, Madras, 1898, pp.175-176.
19. Ramaswami, A., *Madras District Gazetteers, Salem*, Madras, 1967, pp.387-390.
20. Special Commission Report on Salem, 27 Aug.1802, para.4.
21. Madras Council, 19 Mar.1802, letter to the Court of Directors, R.D.T.E., Vol.7, para.82.
22. Extracts from the Minutes of Consultations to the Revenue Department, 22 Apr.1803, para.4.
23. Madras Council, 9 May 1803, letter to Court of Directors, R.D.T.E., Vol.7, p.548.
24. Madras Council, 1804, R.C., Vol.132, pp.504-505.
25. Ibid., Minute, letter to the Board of Revenue, etc., 1799-1803, Vol.1126, pp.153-154.