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# INDIAN VILLAGE COMMUNITY

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EXAMINED WITH REFERENCE TO THE  
PHYSICAL, ETHNOGRAPHIC, AND HISTORICAL CONDITIONS OF  
THE PROVINCES; CHIEFLY ON THE BASIS OF THE  
REVENUE SETTLEMENT RECORDS AND  
DISTRICT MANUALS

BY

B. H. BADEN-POWELL, M.A., C.I.E.

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## PREFACE

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No apology will be needed for the publication of a book devoted to an account of the 'Village Communities' as found in the several provinces of India. In this department, at any rate, there is a distinctly vacant place. But an apology is very much needed for the imperfect manner in which the attempt to supply the want has now been made. That there are mistakes of detail I cannot but fear; that there are other defects will be only too evident. But the errors will at least be such as admit of ready correction by superior knowledge.

There is another matter for apology. The accounts of the Indian village which have hitherto appeared are either brief and generalised, or they represent an ideal rather than an actual form of the institution. There has been no means of testing such accounts; and it is small wonder that a particular theory of the Indian village has become accepted—and, indeed, sometimes taken for granted—by the ablest authors when discussing the rules of Hindu law, or tracing the history of institutions. It is impossible for any later writer wishing to give a faithful account of village-tenures to avoid pointing out the errors which an abstract and unified conception of 'the village' can hardly fail to produce. But, to borrow a phrase of Professor Ashley's, 'the piety of the disciple takes a controversial form' solely with regard to this theory of Indian villages; and he intends neither to undervalue the works alluded to nor to show any want of respect for their authors.



Finally, I cannot but anticipate that one class of readers may be inclined to reproach me with not having more explicitly pronounced a judgment, if it is only a provisional one, on the facts set out. But, in truth, the present state of the question seems to me to be such that a contribution to the materials for a decision will be more useful than any deductions which I could formulate.

Whatever conclusions have hitherto been drawn from the phenomena of the Indian village have proceeded, almost unavoidably, from a slender basis of fact; they have been drawn, too, in disregard of a number of circumstances, the importance of which in forming a just opinion will be obvious as soon as those circumstances are explained. I confess, therefore, to have felt more concerned about marshalling the facts of the case and setting forth the conditions under which those facts are found, than with elaborating arguments and conclusions. Nevertheless, the book will, I venture to think, bring out with tolerable distinctness the view that the 'joint-village' of India is not the universal or the most ancient form; and that the common-holding of land (where it is not the result of some special voluntary association) is traceable only among the superior tenures of the Hindu-Aryans and the later tribes who settled in Northern or Upper India. Or, if I may state the matter somewhat more particularly, that the so-called joint-village followed, and did not precede, the village of separate holdings; and that in those cases where it represents a section of a tribal or clan territory, it derives a rather delusive appearance of being held 'in common' from certain features of clan life and union; while in the very numerous cases in which it is a small estate connected with an individual founder, the joint-ownership depends solely<sup>1</sup> on the existence of the 'joint-family'—

<sup>1</sup> That is, allowing (as above) for certain cases where a group of colonists or others has been formed by voluntary association and has cultivated on a joint-stock principle—a matter which has obviously nothing to do with 'archaic' custom.



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*i.e.* on the law or custom of the joint-inheritance of a number of co-heirs in succession to an original founder or acquirer. How and when the joint-inheritance and the joint-family came to be invented may be a difficult question; but if the idea of the joint-family is not primitive, nor found among all tribes or races, and is rather the special creation of the developed 'Hindu' law and custom as such, and if it is only found among other tribes after more or less contact with Hindu-Aryans, then the joint-village cannot be demonstrably a primitive, still less a once universal, form of land-holding.

B. H. BADEN-POWELL.

OXFORD: *September* 1896.



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## MAP

India, showing Mountain Ranges, chief Rivers, and principal Territorial Divisions . . . . . To face p. 39



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*Errata*

- Page 136, line 24; *for Ahöm read Ahöm*  
„ 153, line 25; *for The Ho adds Mundā read The Ho and  
Munda*  
„ 177, note (*bis*); *for Kanāra read Kānara*  
„ 187, note 1; *for Khsatriyū read Kshatriyā*  
„ 210 (note), 219, 283; *for Dakhān read Dakhan*  
„ 279, line 28; *for mājra read majrā*  
„ 287, 311, &c.; *the more correct name of the clan seems to be  
Çandel not Çündel.*



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THE following list includes such books or periodicals as are quoted by abbreviated titles, or need explanation as to the particular edition or reprint made use of.

'S. R.' = 'Settlement Report' of the several districts. The date of publication or the author's name is added where there have been several such reports.

'D. M.' = the 'District Manuals' for the several districts of the Madras Presidency, and which contain the information found in the other provinces in the 'S. R.' or in 'Gazetteers.'

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## NOTE ON THE SPELLING OF ORIENTAL WORDS

Technical terms in the Indian languages are printed in italic letters and transliterated, as far as possible, on the system used by the Royal Asiatic Society.

The reader not acquainted with any Indian dialect will have no difficulty in pronouncing the words if he gives the *continental* sound to the vowels; or comparing them with *English* words:—

a—ā, as the *u* in 'cut'—the *a* in 'father.' The sound of English *a* in 'flat' is unknown to any Indian language.

i—ī, as 'pit'—'peat.'

u—ū, as 'pull'—'pool.'

o—always full, as in 'depôt.'

e—always as the 'ay' in 'hay'; 'ai' as the 'i' in 'fire'; 'au' as the 'ou' in 'bough'; 'y' is always a consonant.

Of the consonants, it is hardly necessary to say anything for the English reader, except to notice that the 'g' is always hard; and that the 'j' is employed with its usual (English) sound. The inverted comma or apostrophe indicates the Arabic 'ain; and the two forms of the Arabic *kāf* are distinguished, as 'k' and 'q' (in the latter case without the conventional 'u' added). The kh and gh (underlined) indicate the gutturals; ñ in a final syllable indicates the nasal pronunciation. 'Th,' it may conveniently be added, is never sibilant (either as in 'thin' or 'this') in any *Indian* dialect; it is 't' with an added aspirate. I may call attention to the *ç*, which=ch, and saves the awkwardness of writing Hindī forms when the letter is both aspirated and reduplicated, as often is the case. In familiar words printed in ordinary type, I have retained the 'ch,' as there it seems more natural.

I have used a modified spelling for the common words *raiyat* (*ra'iyat*), *Tāluqdār* (*Ta'alluqdār*), and *marza* (*marza'*). Indeed, when these words are written in any dialect that does not use the Persi-Arabic alphabet, they are actually so spelt (very nearly).

When necessary to indicate the language or dialect, an initial has been added in brackets: S=Sanskrit, H=Hindī, M=Marāthī, A=Arabic, P=Persian, Tam=Tamil, Tel=Telugu, Karn=Kanarese, or the Karnatā language.

<sup>1</sup> It may be in Burmese; and, though it is frequent and varied in classical Arabic, it is not so sounded in Indian use.



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THE  
INDIAN VILLAGE COMMUNITY

CHAPTER I

*THE INDIAN VILLAGE AND ITS FORMS IN GENERAL*

SECTION I.—THE COMMONLY RECEIVED VIEW OF  
VILLAGE-TENURES

It may safely be assumed that the term 'Indian Village Community' will not sound strange or unintelligible to English readers. As to the meaning which the term conveys, it is not so easy to feel confident. Our standard histories of India usually present us with a picture (more or less detailed) of what 'the Indian village,' as an institution, is; and some of the passages in which these accounts are contained have, not undeservedly, become almost classical. We also, at the present day, instinctively connect the idea of 'village community' with that of a survival of ancient forms of common ownership of land, a survival which the intense conservatism of Eastern countries has made possible. There is no one book, as far as I am aware, that, dealing chiefly or solely with village-tenures, contains the collected evidence regarding the details of their history and their varied forms; it is not surprising, therefore, that such knowledge of the subject as has become current is of a highly generalised and often theoretical character.

It may be useful to recount briefly what is usually held regarding Indian villages, and see how far we can accept familiar ideas as a groundwork for a more detailed examination of the subject. It is understood, to begin with, that the country dis-

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districts are almost everywhere divided up into groups of holdings which, for want of a better name, are called 'villages' or 'townships.' Here and there, and sometimes throughout whole provinces, it is remembered, the ownership of 'villages' has been absorbed by the growth of a wider landlord interest, as, e.g., in Bengal, and Oudh, and part of Madras. In these cases the superior tenure has overshadowed the villages, and they have become mere groups of tenants, or have always been so, being located by the landlord himself. Otherwise, the villages are independent, and represent, in fact, the primary form of land-ownership in general, and as such, constitute the chief agricultural feature of numerous 'districts.'<sup>1</sup> If for a moment I may illustrate the general state of things with reference to familiar English institutions, without unduly implying any connection between the institutions themselves, I might say that in some cases villages have been swallowed up in great 'manors,' under the lords of them; and in this case the village-organisation has often decayed. In other cases the villages have escaped being so absorbed, either because no 'lord' has arisen over them, or because such lords as once possessed them have disappeared, being destroyed by war or stress of times; or, more curiously still, because such villages have become little 'manors' of themselves; the lordship that has grown up has either been conterminous with the village, or has broken up into a number of fragments which are 'villages.' In all the latter cases we have 'villages' as the independent elements of the agricultural system, with no 'lord' over them except the state or the ruler.

So far,<sup>2</sup> the general idea is quite in correspondence with the reality of things. But when it is further inquired what is understood to be the nature of the 'village-community' or 'township,' it will probably be most frequently answered that the village, though existing in some variety of form, approximates in general to a single type, of which the important

<sup>1</sup> The 'District' (sometimes called Collectorate) is the administrative unit into which each province is divided. In some respects it answers to the 'county' in England. See my *Short Account of the Land Revenue* *etc. of British India* (Clarendon Press, 1894, p. 22).

<sup>2</sup> And allowing for cases where, owing to physical conditions, village-groups are not formed at all.



feature is that there is some kind of 'holding in common' of the village area, either still surviving at the present day, or which existed in former times. The village is further supposed to consist of the group of connected families which probably once acknowledged blood-relationship, but now, having lost the recollection of it, is only held together *by the land* occupied in common. For this reason the term 'village community' as applied to India has been generally taken to imply not only a local group of landholders, but something of a communistic type as regards the property in land. Some writers also have made use of such terms as 'rural communes' or 'village corporations'—terms which we may allow to pass, though they can only be used by way of a rather loose analogy.

At this point the popular theory becomes, I fear, open to several objections. The most serious is that it generalises in a way which is not warrantable; it ignores the fact that, even taking the widest possible view of the subject, two types of village must be recognised—one that has, and one that has not, any appearance of joint or common ownership. In the latter type, which for convenience we call the *raiyatwāri*, there is no evidence that the holdings were ever otherwise than separate and independent. But even in the 'joint' type, it is almost equally important not to confuse the whole of the villages together, but to recognise the very different principles or bases of union which exist: the joint-village on a *tribal* basis is very different from that which depends on succession of joint heirs to an *individual* founder, and that, again, is different from the group formed by families on no tribal and no aristocratic basis, or on voluntary association. The whole argument of this book is not so much to throw doubt on the general idea of early communal ownership, as to insist on the specific facts of Indian village history, and to the *qualified sense* in which such collective ownership as is deemed predicable can be asserted. It is especially necessary to point out that in all cases the collective ownership has nothing to do with any social community of goods; it is a question of some bond of union among conquering and superior tribes, or among a family proud of its descent from some aristocratic founder.

Even so preliminary and general a criticism of the usually



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## THE INDIAN VILLAGE COMMUNITY

received theory of Indian villages may be open to the objection that it also calls in question to some extent the general conclusions which have the authority of the late Sir H. S. Maine. May I say once for all, that in respect and admiration for the author of the *Early History of Institutions*, and of the *Village Communities*, I yield to no one? But it seems to me that the author himself would have been the very last to hold that no modification of his theory was ever possible. The results arrived at in these well-known works are professedly only probable conclusions from such evidence as the writer had before him at the time, and which he certainly did not regard as complete. It can hardly be doubted that the information available when Sir H. S. Maine wrote was very far from being what it has since become. None of the reports on the Panjāb frontier tribal-villages were written—or at least were available in print; and the greater part of the best Settlement Reports of the North-West Provinces, Oudh and the Panjāb, are dated in years subsequent to the publication of *Village Communities*. Further, the Settlement Reports of the Central Provinces, the District Manuals of Southern India, and the Survey Reports and Gazetteers of the Bombay districts, were many of them not written, and the others were hardly known beyond the confines of those presidencies. In this fact I find the explanation of the total omission in Sir H. S. Maine's pages of any specific mention of the *raiayatwāri* form of village, and the little notice he takes of the tribal or clan constitution of Indian races in general, and of the frontier tribal villages in the Panjāb.<sup>1</sup>

If, however, it has become necessary to modify our conception of collective-ownership as applied to Indian villages, and to recast some other conclusions, this modification will in no respect suggest any diminution of the value and authority of the works alluded to. They will still continue to be our lasting possessions not only as models of lucid exposition, but as per-

<sup>1</sup> This is the more remarkable because Sect. III. in the *Early Institutions* deals with the clan and kinship; but the author evidently had seen nothing directly to connect the clan and the village in Upper India; he turns away to suppose the village-group to belong to a stage when kinship is largely forgotten and when the land (always supposed to be held in common) is the chief bond of union.



manent guides to scientific method in the collection and use of materials. Indeed, it is not too much to say that we owe to Sir H. S. Maine's invaluable pioneer work the very possibility of further advance; since his work has constantly suggested the lines of inquiry which our later detailed reports have pursued.

But some readers may further be disposed to regard the Indian case as necessarily concluded by a general verdict on the European evidence as to archaic common ownership of land. It would be quite beyond my scope to discuss the wide question of early 'collective ownership' as a universal phenomenon of ancient times; but more than one of the hitherto received proofs or instances has of late years been rendered at least questionable owing to the re-examination of texts and documents; and some cases of apparent common-holding supposed to be ancient have turned out to be comparatively modern, or to be explainable on other principles. I would not, however, venture to approach the subject, except for the one reason that if it is really the fact that in all the countries of the West ownership of land 'in common' was a recognised feature in a certain (archaic) stage of social progress, then, no doubt, it might afford an *a priori* reason, inclining us to believe that the Indian evidence must support a similar conclusion in the East. But I submit that under the circumstances of doubt that exist as to the European phenomena, the Indian case may with advantage be dealt with on its own merits, and without any predisposition one way or the other.

At any rate, I think that we have every right to insist that the distinct existence of a type of Indian village in which 'ownership in common' cannot be proved to be a feature either of the past or present should be duly acknowledged; and that it is hardly possible to appeal to 'the Indian village community' as evidence in any general question of archaic land-custom or of economic science, if we first obtain a single type by leaving out of view the wide area of country which furnishes divergent forms or features. And further, when the details of the history of the Northern Indian villages are so much better known, it becomes imperative to give due weight to the fundamental differences of structure and origin which exist among the 'joint' villages themselves; for these differences must largely affect the



sense in which we predicate 'holding in common' or 'collective ownership' of any or all of them.

In the first place, then, in deprecating the absence of all acknowledgment of two broad types of village in India, I think that I do not misrepresent the opinions actually expressed by Sir H. S. Maine when I conclude that distinctive evidence regarding one type of village was not before him—that type which I have called the *raiyatwāri* village, in which the separate holders (or *raiyat*), whatever spirit of union they may have possessed, never represented co-sharers in a unit estate nor acknowledged any form of common ownership.<sup>1</sup>

The following passages appear to me to be conclusive on the subject. 'Over the greater part of the country,' writes Sir H. Maine,<sup>2</sup> 'the village community has not been absorbed in any larger collection or lost in a territorial area of wider extent. For fiscal and legal purposes *it is the proprietary unit of large and populous provinces*' (the italics here and elsewhere are mine). This may indeed be understood to allow that other provinces may exhibit some differences; but there is no hint that any such differences may involve a distinction in principle, as they really do. And in another passage in which the author emphasises his desire to recognise considerable variety, it is still evident that it is only variety within the general lines of common holding; it does not extend to distinguishing or accounting for the *raiyatwāri* principle. 'In the account of the Indian cultivating group which follows,' he says, 'you will understand that I confine myself to fundamental points, and, further, that I am attempting to describe *a typical form to which the village communities appear to me on the evidence I have seen to approximate*, rather than a model to which all existing groups called by the name can be exactly fitted.'<sup>3</sup> This unity of general type indeed necessarily follows from the way in which collective ownership is assumed to be universal as a primary stage. And the general type is accordingly presented of a group of persons not only connected (really or by a fiction) by common descent, but who

<sup>1</sup> The word *raiyat*, sometimes written phonetically *ryot*, is (correctly) the Arabic *ra'iyat*, and means 'subject,' 'protected,' &c.; hence any landholder subject to the Crown or to a landlord.

<sup>2</sup> *Vill. Comm.* pp. 12, 13.

<sup>3</sup> *Ibid.* p. 107.



also own the land in common or collectively. This typical community is distinguished by the absence, originally, of any one headman superior to the rest, the co-sharers being represented by a council of heads of families or houses. Recognising also that there often are inferiors and dependents (tenants) included in the village group, the author considers that these also formed part of the 'brotherhood.'<sup>1</sup> The brotherhood, in fact, forms a kind of 'hierarchy,' the degrees of which are determined by the order in which the various sets of cultivating families have amalgamated with the community.<sup>2</sup>

In another place the author, speaking of ideas of ownership in land as prevalent in India generally, remarks that ownership was understood, 'but joint ownership by bodies of men was the rule, several ownership by individuals the exception.'<sup>3</sup> And in an interesting passage in the *Early History of Institutions*, the village group in general is traced to some form of expansion of the single family, in which the sense of common descent is gradually lost, and 'the assemblage of cultivators is held together solely by the land which they till in common.' In India, even where division of the culturable holdings has introduced separate ownership, and the waste only is held in common, *the Indian village community is a body of men held together by the land that they occupy.*<sup>4</sup>

Now, such a general typical description cannot be applied at all to one class, and that by far the largest, of Indian villages. The form of village of which it is to a great extent a true representation is confined to India north of the Vindhyan Hill series—i.e. to the Panjāb, the North-West Provinces, and Oudh, probably in former times including the northern part of Bengal known as Bihār. A few villages of the same kind are found in Upper Western India (Gujarāt), and there are wide-spread

<sup>1</sup> *Vill. Comm.* pp. 123, 175, and compare p. 179, where some interesting remarks are made on the position of the grain-dealer in the village.

<sup>2</sup> *Ibid.* pp. 176, 177. This is something quite different from there being merely different grades of social rank in the village, such as landlord, tenant, farm-labourer, low-caste menial, &c.; it is something within a general 'brotherhood.'

<sup>3</sup> *Ibid.* p. 222.

<sup>4</sup> *Early History of Institutions*, pp. 77-82. (The italics in all these passages are mine.)



traces of formerly existing shared (or landlord) village estates in the Dakhan and in certain parts of South India. But, broadly speaking, this form of village was never universal: it always implies, as I have said already, the growth of some individual overlordship or some settlement of conquering clans or expansion of families with their own notions of equal right and superiority to inferior races: it never extended generally over the greater part of Eastern, Central, Western and Southern India.

A better idea will be formed about the relative importance of the areas in which the *joint* and the *raiyatwari* villages respectively are the prevalent kinds, if we set down the Provinces, with their area and population.

	Provinces	Area in square miles	Mean density of population per square mile
Joint villages prevalent	{ The Panjāb	110,667	188
	{ N.-W. Provinces	83,286	411
	{ Oudh	24,217	522
	Total . . .	218,170	
Separate ownership or <i>raiyatwari</i> villages prevalent; traces of joint-villages once in existence locally, and from special causes	{ Bengal	151,548	471
	{ Bombay and	77,275	207
	{ Sindh	47,789	117
	Madras	141,189	256
	Ajmer <sup>1</sup>	2,711	200
	Coorg	1,583	109
	Central Provinces	86,501	125
	Berār	17,718	163
	Assam	49,004	112
Total . . .	575,313		

As to the second point—the real nature of the collective ownership that is observable in the northern Indian joint-village

<sup>1</sup> In Ajmer and in the Central Provinces the revenue system has produced artificially a new proprietary title to the villages; but it is undoubtedly the fact that, in both, the villages were naturally *raiyatwari*. I have alluded to the probability of joint-villages once existing in the Bihār districts forming a part of Bengal. On the other hand, the sequel will show that in Oudh and the old Hindu kingdoms of the North-west the *raiyatwari* form of village was originally prevalent among the lower castes and aborigines when the Hindu Rājās held the dominion; so the one case at least balances the other. If I added the Native States of Rājputāna, Central India, and the Nizām's Territory, the *raiyatwari* area would preponderate still more.



—my observations must be reserved to a later stage. Before any remarks on the subject would be intelligible it will be necessary to consider a number of other matters. It will be desirable, therefore, at once to present the reader with a sketch which aims at placing before him the two forms of village in contrast. It is easy to describe the *raiyatwāri* village, because in the nature of things its form is one: more difficult is it to sketch the other type, because its forms are several—that is to say, putting aside minor modifications in details of internal constitution, there are some fundamental distinctions which co-exist with a certain outward appearance of uniformity.

Without further prelude, however, the attempt to present each type of village in its proper character must be made.

## SECTION II.—THE TWO FORMS OF VILLAGE-TENURE

### A. *The Raiyatwāri Village*

In this form of village, so widely prevalent, the group of holdings in no sense forms a 'proprietary unit;' and the term 'community' is properly applied to the group of landholders only so long as it is employed to indicate the connection which a group of cultivators must have when located in one place, bound by certain customs, with certain interests in common, and possessing within the circle of their village the means of local government, and of satisfying the wants of life without much reference to neighbouring villages.

It is quite possible that when the first Dravidian and other tribesmen formed villages on this pattern, there was some general idea of tribal union, and that every member of the clan was entitled to receive an allotment sufficient for his wants; but there is no trace of any common holding of the land occupied; the several portions of the village are allotted or taken up severally, and are enjoyed quite independently from the first. I make this allusion to the clan or tribe, because in the countries marked by the prevalence of villages of this type we are almost always able to note evidences of a tribal stage of society which will be described in due course. There were clan-divisions of territory, containing a number of villages, each under its own headman or chief, who was a natural and essential part of the



institution. This alone places this form of village in contrast with the other form, in which, as Sir H. S. Maine has prominently remarked, the 'headman' is not originally a feature of the constitution. It may be concluded with reference to any possible numbers of the earliest agricultural tribes, as well as to the immense area of the country, that the villages were at first scattered over the jungle-clad plains at considerable distances apart, but within certain general boundaries of clan-territory. Each village group contained a number of household or family holdings, the holdings being larger or smaller as the means and the requirements of each suggested. In the oldest customs we shall find special allotments of land reserved in each village for the chief, for the worship of the deity, and so forth; but there is no community of interest in the cultivated lots.

The cultivated area is naturally surrounded by waste and woodland, which may extend for some distance before the 'sphere' of another village is reached. We have no evidence, as far as I can discover, of any formal tribal or other procedure for allotting the several *village* areas within the territory occupied by the tribe or clan. The area available for tillage was very large in proportion to existing tribal numbers; and the naturally connected groups of families could settle where they pleased within the general area recognised as belonging to their clan. As the headman or chief of each village was always an important personage, it was doubtless by his influence that the site for clearing and settlement was selected; and several neighbouring headmen in consultation could prevent any clashing of interests, even if such occurred, which is not likely.<sup>1</sup> Under the influence of established custom—that potent factor in Indian affairs—we find in later times that the headman regulated subsequent extensions of the cultivation and disposed of disputes about the occupation of fresh lands. When a *Rājā* was (perhaps in still later days) established, it was always understood that there was no appropriation of waste land without permission, though in practice such appropriation was often tacitly allowed, and indeed

<sup>1</sup> I am alluding, of course, to the earliest agricultural villages founded by the original settlers, who could hardly have found any human enemies, but must have found the available area enormously in excess of any possible requirements.



freely encouraged; for the early State authorities were only too glad to see more land cultivated, because the King's revenue share of the produce, which was from very early times his chief resource, was thereby increased.

Thus, the waste adjoining the village was not the 'common property' of the village, any more than it is at the present day. And consequently in early times the boundaries between village and village were rarely, if ever, defined. It was only if one village was at enmity with the next that some definition of 'spheres' would be made. There is reason to believe that only the *clan* territories were more definitely demarcated, and that encroachments on these would have led to resistance. I have been told of cases among the Assam clans, where one group would turn out in war array to prevent a neighbouring group trespassing on their grounds. This is in the hill country, where each group-area consists of a large tract of 'jungle' and only a certain part of it is taken in hand at a time, by reason of the practice of shifting cultivation.<sup>1</sup>

It is only reasonable to suppose that from the earliest times of tribal settlement the several tribal or clan areas were jealously guarded. But a general sense of right of some kind over a given neighbourhood is quite consistent with very vague ideas of actual ownership; and there is not the smallest reason to believe that in any early non-Aryan village the adjacent waste was ever regarded as a definite property available for partition at the option of the resident group of cultivators; nor was it supposed that each man had a right to an area of waste proportioned to his arable holding, or any other share such as is always recognised in case of the waste belonging to joint or landlord villages. All traces of early custom show the villages just in the same condition in this respect as *raiyatwāri* villages of to-day. It should be remembered that the waste was always used for grazing, and that hay-fields and hay-cutting are still generally unknown;<sup>2</sup> hence there would be no need for dividing

<sup>1</sup> This is described at p. 53, *post*.

<sup>2</sup> In the hills between Simla and the plains, where there is no forest but a large expanse of hill-side which does produce hay, there is an exceptional custom of marking out the area into 'doles' or strips (*ghāsnī*), which are allotted among the landholders; and the area is only used for



grass lands into 'doles' for hay, as in the English village of former days. Hence, too, there would be no opportunity for a sense of ownership to develop. It is doubtless this absence of definite claim to anything beyond the appropriated and cleared holding that made it so easy for the first rulers to assume their (very ancient) right to the waste. But wherever a village was made over by a Rājā, who of course professed to assign the State-rights only, to some courtier or other grantee, the latter immediately seized on the adjacent *waste* as one of the most useful parts of his grant, and cultivated it, as far as the necessary area for grazing, &c., permitted, for his own profit.

So little was the waste adjacent to the old *rājyatwāri* villages deemed a 'property,' and so rarely was it demarcated, that in the Revenue-settlement arrangements of the Mughal Emperors, or possibly at a still earlier time, it was sometimes necessary to define the limit of waste attached for grazing or other uses to a village; and this process was effected by the primitive expedient of sending the village watchman to stand on the edge of the cultivated fields and shout. The waste reserved to the village use was then held to extend as far as his voice could be heard.<sup>1</sup>

common grazing when the hay is cut. These lands are not the property of the hamlets, and pay dues to the Rājā. I do not know of any instance in the plains where artificial cultivation of grass is resorted to. No doubt there are places where the natural grass, which springs up chiefly during the rainy season, is subject to a certain customary protection before grazing or grass-cutting is allowed. But, speaking generally, hay-culture is unknown.

<sup>1</sup> It is curious to note that the origin of the familiar Indian measure of length, the *kos* (2 *kos* = 3 miles), is in this rough method of estimating distance. The word *kos* (*kroṣa*) meant the distance to which a voice would reach (*J. R. As. Soc.* April 1894, p. 238; and for an illustration see the paper on the Burmese version of the *Sāma Jātaka* in the same number, p. 222). The indefinite length was gradually converted into a fixed measure by substituting a given number of *danda*, or poles, of four cubits each. In the *Ayīm-i-Akbari* (Jarrett's *Trans.* ii. 414) there is an elaborate account of the imperial *kroh* or *kos*. In Hunter's *Bengal Records*, i. 87, there is an interesting notice of the subject; but the learned author is perhaps only speaking generally when he calls the waste within earshot the *joint property* of the resident husbandmen (in Bengal). It was only when a village was made over to a grantee that the waste was



So much regarding the *waste* area. As to the *residence* of the landholders, a central village site is usually established within the group of arable lands. But circumstances may cause outlying hamlets to exist also. In this village-site the headman (called *pātel* in Central India, but there are many other local titles) had a residence larger and better built than the others. In the Central Provinces the headman's residence is often spoken of as the *garhī*, or fort; and in former days, at any rate, it was large enough to afford accommodation for the whole of his family and its dependents. Instances have occurred where the headman made his house a veritable fort of refuge, and defended his village against marauders or the attacks of enemies.<sup>1</sup>

It is sometimes stated that the headman was at first the nominee of the ruler, and that the office *became* hereditary.<sup>2</sup> This is certainly not the case; the hereditary headman is a distinctly original feature, and is traceable to old tribal times. But it was inevitable when the plan of taking a revenue by means of a share of the produce was introduced, and some kind of public administration was organised, that the ruler should enlist the efforts of the headman on the side of the State and recognise his office and give him some additional privileges. As a matter of fact, I believe it will be found that the first action of the Rājā, when that stage of society was reached, was not so much to deal with the existing headman and his old tribal authority, as to introduce a sort of second headman (*māhato* of the Dravidian villages), who rather overshadowed the original chief, because he was necessarily literate and could keep accounts. In time it was found that both were useful, and both were officially recog-

claimed as distinct property under the grant. For an ordinary *raiyatwāri* village of old times, as at the present day in Bengal, the waste was only *used* by the villagers; it could not be broken up, still less partitioned or alienated, without leave of the authorities, or later of the landlord.

<sup>1</sup> See *L. S. B. I.* ii. 464 (note), where there is a reference to the Chānda S. R.

<sup>2</sup> See, for instance, Elphinstone, *Hist.* (6th ed., Cowell), p. 69. It will often be noticed in villages of Dravidian origin that the 'headman' is regarded as too dignified for executive duty; he gives orders and decisions, but has a deputy (*caughala*), also hereditary, who attends to practical business (Grant-Duff, i. 28 and note).



nised. However this may be, the second officer was the prototype of our modern village *paṭwārī*; <sup>1</sup> his office, like everything in India, became hereditary; it is still allowed to be so to some extent and on condition of the efficiency of the heir. On him the cultivators rely for a knowledge of the official entries in the Records, and the survey details of their holdings; he it is who makes out the receipts for their payments, and is the general adviser. All village accounts and village statistical returns are made out by him. He also is the village notary for matters requiring written documents such as bonds and land-transfers. The antiquity of this office is only second to that of the headman.

The headman was always, at least nominally, the superior, for he had, and still has, small magisterial powers and various duties of police and protection. The office was remunerated by an important holding of land—often the best in the village—which, in some cases, the ruler allowed him to hold free of revenue. Besides this there were various much-cherished privileges and precedence rights. The aggregate of these rights and privileges (*mānpān*), together with the official land, constitute what was afterwards called the *waṭan* (dialectically *vatan*). As the whole was hereditary, it could be partitioned; and in some cases of necessity was even sold or mortgaged.<sup>2</sup> Otherwise, so strictly hereditary and held by the *family* was the *pātelāī* (headmanship), that in former days the male heirs of the last *pātel* sometimes held the office jointly; and as, of course, its actual duties and responsibilities could only be performed or discharged

<sup>1</sup> This officer is commonly called *paṭwārī* in Bengal and Upper India; in Madras he is *karnam*, and has other local titles; in Bombay, *kulkarnī*; or, if stipendiary and not hereditary (in certain parts), *talāī*.

<sup>2</sup> There is every reason to believe that the village chief's *ex-officio* land was always hereditary; but of course these special features of family ownership followed from the general adoption of Hindu social and religious ideas. In *J. R. A. S.* iii. 350, Colonel Sykes has given a translation of a long award relating to a dispute about partition, which incidentally shows what a number of rights and privileges there were to be divided. The headman's precedence was laid down in detail: *e.g.*, he had a right to throw the first cake into the *Hotī* festival fire; the right to have the pipes played first at his house at the *Dasahra* festival; and to have his cow's horns first gilded at another festival, and so on. He also had certain dues of grain (so many *scr* in each *maunā*), called *gūgrī*; certain dues in oil, hemp, pots, shoes, cloth from the weaver, &c.



by one at a time, they adopted a sort of rotation. The hereditary land was a much-cherished family possession. Similar holdings were enjoyed by the accountant and, on a smaller scale, by the artisans and menials of the village, to be described presently. But it is worth while mentioning that the Arabic name used for this special holding (*watan*) superseded any older indigenous name, as this institution was wisely preserved by the earlier Muhammadan kings of the Dakhan; and the revenue- and land-terms employed by them became locally current.<sup>1</sup> The Marāthās, on the other hand, used to impose a heavy *joḍī*, or rent-charge, which must have destroyed the value of such holdings; and in some districts their harsh arrangements for revenue collection caused the wholesale disappearance of the old *pātel*s, and with them of course the *watan*. Indeed, in the central districts, land held on this tenure is *now* almost exclusively found in certain districts in the Central Provinces and Berār.<sup>2</sup> It is well known in the Southern Presidency, where, however, the term *watan* does not seem to be in use.

<sup>1</sup> *Watan* means 'home'—that which is the hereditary and intimately valued property of the family, as opposed to any land they might hold by purchase or on managing lease or other slighter tenure. When such a holding and privilege was attached to any hereditary official or member of the family he was said to be *waṭandār* = holder of a *watan*. The very fact of this distinctive possession shows that the headman was never owner of the whole village. The strong attachment and loyal adhesion to the *Pātel* in Central India is vividly portrayed by Malcolm (*Memoir of Central India*, i. 12, and ii. 60). Great Marāthā chiefs valued the title of *Pātel*. If deserted villages had to be re-established, strenuous efforts were made to discover some descendant of the original headman (Malcolm, i. 18, note).

<sup>2</sup> We shall see in the sequel that the plan of setting apart a special holding in virtue of office for the headman and other village officers can be traced back to early Dravidian times. In the Laws of Manu we find the King directed to let the headman of the village, as well as the officer of larger revenue divisions, have a certain portion of his land free of revenue charges. The *watan*, it will be remembered, was not a State grant of land, but an old customary hereditary holding in virtue of office; the only connection of the State with it was the privilege of remission of the revenue dues. It may be well to add that, in some reports, the terms *watan*, *waṭandār*, are used as synonyms for hereditary land and its holder in general; but this is not strictly correct. Owing, however, to the sale, &c., of *watan* lands, it is possible that plots may be claimed as



Besides these two principal officers, who usually in large villages had deputies or assistants, there were others, such as the village watchman, and the guardian of boundaries, and the messengers. In irrigated villages there would be also an official to regulate the distribution of water.

But something else was wanted besides officers to make provision for the self-contained life of the 'community.' A village group established perhaps in the forest at some distance from any other village, to say nothing of larger towns, would need some purely local means of providing for the simple wants of daily life. And therefore villages of this, and, naturally, of the joint type also, have always solved the difficulty by attracting to themselves a body of resident craftsmen and menials, who are not paid by the job, but are employed by the village on a fixed remuneration, sometimes of a bit of rent-free (and perhaps revenue-free) land, sometimes by small payments at harvest, as well as by customary allowances of so many sheaves of corn, millet, &c., or certain measures of grain,<sup>1</sup> and perquisites in

on this tenure, though there is no existing connection with any headship or other office.

As may be expected in a Dravidian country like Madras, the *ex-officio* holdings of the headman, and also of the *karnam*, or village accountant, and sometimes of other members of the village staff, are well known throughout the villages of the Presidency. As to the special holding of the headman in Madras, see *Mirāsi Papers* (1862), p. 396, and many other places. We find the village watch enjoying this remuneration (*grāma-kūvel*), and a similar privilege to certain district police. The *vattiyān*, or sweeper, has his hereditary land, and so has the *panjāngan*, or village astrologer, who fixes the propitious dates for ploughing, sowing, and reaping (pp. 180, 405).

<sup>1</sup> This custom of paying the artisans and menials by allowances of grain (taken out before the division of the crop between the King's officers and the cultivator) is very ancient. It is found in every province, either accompanied by a small grant of land or as the sole allowance. So various are the modes of payment that I can only select one or two characteristic examples, which in this instance I take from the joint-village provinces. Details will be found for Madras in Maclean's *Administration Manual*, i. (Ethnol.), 102 (note), 154; *Mirāsi Papers*, pp. 180 ff, 405, &c. For Bombay, any district *Gazetteer* may be consulted: e.g. Ahmadābād (iv. 47), or Ratnagiri (x. 139), Broach (ii. 385), &c. The usual features occur of small land '*vatans*,' or allow-



kind. Each is also given a house-site in the village, or in some cases, as in Madras, in a group outside it, forming a sort of suburb.

The list of artisans varies in different parts, though of course some, being indispensable, are found in all cases, such as the blacksmith, potter, shoemaker or cobbler, carpenter, washerman, sweeper, and a barber, who also is surgeon, and is the proper person to carry messages connected with negotiations for betrothals. In some villages there is a dancing-girl; in others an

ances in cash or grain or both. (See also *Berār Gazetteer*, p. 205 ff. It may be necessary to explain that the villagers supply the materials for the work to be done, but do not pay for the labour; a stranger getting a job done would pay for both.

As a case in point I may instance the Gujrāt district of the Panjāb (*Gazetteer*, Gujrāt, 2nd ed. p. 97). The village servants are paid by grain-fees, with allowances of so many bundles of the crop before threshing, as there described: and the 'bundle' (*bhari*) of wheat or barley means the bundle tied by a string of *three straws length*. The blacksmith affords a good example, as his work requires a supply of iron and also charcoal. He never provides the iron for the tools he makes (reaping-hook, spade, ploughshare, &c.), but he does provide the charcoal for the forge, unless, indeed, an unusual quantity will be required—as in making a great pan for sugar-boiling. And in general, it is noted, the blacksmith is allowed as a perquisite, the roots and branches of any tree cut by a village proprietor. As a sample of the custom of grain payments in the North-West Provinces, I may quote from Mr. Hooper's *Basti S.R.* (1891), § 64. In a village called Dhebaruā, the following persons take shares of grain (called *jeora*) amounting to four *panseri* (measures of two *sers* or four pounds avoirdupois each) for each 'plough' of cultivated land in the village: the barber, washerman, carpenter, blacksmith, and cowherd. These also receive a further allowance (called *kalyāni*) when the 'business of the threshing-floor is over.' Another series of smaller shares are allowed to the *Pandit* or astrologer who determines the propitious seasons for sowing, &c.; to the *kahār*, who attends on visitors, such as the *dāroghā* of police, the revenue officer (*chaprāsī*), and the 'exorcist' (*sokhā*) who secures the village from evil spirits, and sets up the little posts called *Jāk* and *Jākni* outside the village. This person, by the way, is often of the aboriginal tribes, *because these are supposed to have the power of exercising the spirits of their old country*. The three last-named only get half a *jeora* and no extra *kalyāni*. Besides these regular allowances, certain other deductions are made from the grain heap before it is divided between the tenant and landlord; for example, five *anjuri* (double-handfuls) go for charity to Brahmans and *faqirs*. The ploughman's wife is allowed to take up as much as she can hold 'for luck.'



astrologer to announce the propitious seasons for agricultural operations; in one account of the primitive villages in south-west Bengal I find mention of a 'witch-finder.' And in Berār (in the Amrāoti district) some of the villages pay a *gārpagūri*, whose duty it is to *avert hail* by his incantations.<sup>1</sup>

This residence in a more or less isolated group, with the common use of the adjoining waste or grazing ground, submission to the village headman, and common employment of a local staff of artisans and menials, were the chief circumstances which formed the bond of union in a *rāiyatwāri* village. Probably at their first foundation the village families were more closely connected by clan ties than they are now; and there may have been some further feeling of 'community' on this ground. The nature of the revenue-system which early Governments adopted in dealing with these villages must have greatly influenced their solidarity. When the old custom of the State grain-share was quietly followed out, the headman managed the whole, and every holder in the village knew what he had to contribute. But in after times, when this system, with its natural complications caused by deductions and allowances on this account and on that, and by the calculation of average yields, proved too troublesome, the practice arose of fixing lump sums in cash, for which various speculators contracted, and thus elements of oppression were introduced. The government of the village by its own headman was interfered with; lands were sold and mortgaged to the bankers and others who advanced, or were security for, the revenue; and in general the old order was upset, lands abandoned, and the original holders ejected. The result of Marāthā mal-administration especially must have been to disturb greatly the old holdings, and, in fact, in the long course of years, to make the village population a very mixed one.<sup>2</sup> I am unable to trace

<sup>1</sup> Berār *Gazetteer*, p. 206. In *L. S. B. I.* i. 150, I have given some further lists of village craftsmen and servants. In the Marāthā villages, the complete number was supposed to be twelve, hence the term *bārabalūte* for the body of village artisans and menials. *Balūta* (M.) is the grain-fee or allowance = *merāi* of the south.

<sup>2</sup> It is one of the things much to be desired as regards village statistics that we should have some means of knowing how far the western and southern villages under the *rāiyatwāri* system still consist of land-



at any former period, anything resembling a community of property between the different holdings, or anything in early Dravidian custom that may have led to it. The individual holding now passes, on the death of the holder, to the descendants jointly, under the Hindu law; and they subdivide it, as far as circumstances permit. If the family is too large and more land cannot be had, the sons come to terms, and some sell their shares and seek new homes or other means of livelihood. There is, of course, no joint responsibility of the separate families for the Government revenue.<sup>1</sup> The headman alone is, or was, responsible for such village expenditure as entertaining guests, celebrating a festival, and the like. In former days he, and the officers of the superior revenue charges above him, used to levy a tax, or cess, called *ṣādir-wārid*,<sup>2</sup> to meet such expenses.

It only needs to be added, in conclusion, that the *present raiyatwār* holder of land has, legally speaking, a somewhat peculiar position, which is the result not of his original rights, nor of the intrinsic nature of his tenure, but of subsequent historical developments, especially in connection with the later claim of the rulers to be superior owners of all land. This point, however, will be more easily explained at a later stage; and as the modern legal nature of the tenure in a *raiyyatwāri* village holding does not affect either the character of the village form or its principle of constitution, there is no occasion to pursue the question at present.

holders of the same clan or caste; it may be that there is more of this than *prima facie* we should be disposed to expect.

<sup>1</sup> The head of each family is alone responsible for the revenue of the holding; the revenue system also has its rules for allowing partition among the heirs on the death of a landholder, and for the separate shares being erected into separate 'numbers' on the revenue register, provided they do not go below a minimum of size.

<sup>2</sup> This means literally 'going out and coming in'—referring to the arrival and departure of guests. The levy seems to have been the occasion of many abuses. See Elphinstone's *Minute* (G. W. Forrest's Reprint, p. 280). 'The expenses of the *patel* on public affairs . . . are defrayed by a tax on the village. . . . This tax . . . is a great source of profit to the *pātels* and *kulkarnis*.'

### B. *The Joint-Village*

If we now turn to the joint-village of Upper India, we have no longer a simple form to deal with. Without any previous knowledge of details, it will be obvious that, there being a *joint-tenure* of the village, that which is joint may be in time wholly or partly divided or partitioned: this alone will produce some variety of condition. And when estates are *joint* the principle of union need not be the same throughout. The former incident produces only minor varieties, including such as arise when the strict scale of shares gets forgotten or altered. The latter, in fact, produces important classes, in which the *principle of sharing* is different. Some indications of such a difference are given by those writers who speak of the 'aristocratic' and 'democratic' constitution of villages. This distinction is not a convenient one; but it is quite true that some villages are so far 'aristocratic' that they hold in *fractional* shares which indicate a family property held in descent from a dignified (possibly once princely) ancestor; others are 'democratic' in the sense that the groups of families have a real common descent, but have adopted a more equal mode of sharing, or that they are voluntary associations of settlers. Neither term, however, serves to indicate the important class of villages whose joint constitution is due to some form of *tribal* union and to surviving *tribal* or clan custom. I mention this fact, and only mention it, at this stage, because there is some obviously consequent danger of error in any generalised account of the joint-village, even when it has been acknowledged as a separate type. There are, however, certain features which all forms of joint-village possess in common, and these may be usefully described.

In all cases the entire area of the village forms something like a unit estate.<sup>1</sup> The adjoining waste is here an integral part

<sup>1</sup> The village is not always, strictly speaking, itself the unit estate. It may happen that a connected group of co-sharers have come to be owners of an estate comprising several geographical villages, and that the different branches of the family have not divided the whole so as to make the separated shares consist each of one or more entire villages. Each branch may have taken its share partly in one place, partly in another. Hence the real unit, for revenue purposes at any rate, is the



of the property, and is at the absolute disposal of the owners as much as any other land. Consequent on this universal and ancient fact of unity, the waste is included by the Survey in the boundaries of the village, as well as the arable; and when the waste comes to be partitioned, it will be so on a definite principle, usually, but not always, having relation to the existing shares in the arable area.<sup>1</sup>

It is also in consequence of these essential features that the modern Land-Revenue Administration is able to treat the village as one estate, liable for one lump sum of revenue which is distributed over the holdings or among the co-sharers according to their own principle of constitution: the whole body is jointly responsible, until what is technically known as 'perfect' partition severs the bond.<sup>2</sup> It is quite possible, and in former days was usual, to partition the holdings for several enjoyment without dissolving the common responsibility.

The body of owners who thus, whether their lands are partitioned or not, still hold together and have a certain joint interest in the village, arises in various ways, which will appear

*mahāl*, or group of lands held under one and the same title; and registers are prepared to show the list of lands brought together for this purpose on paper, but actually lying, some here and some there, possibly, through half a dozen *mauza* on the map. Still, there are a very large number of cases in which a single village is also a *mahāl*, or estate. In the Panjāb it is quite usual.

<sup>1</sup> In provinces like the Panjāb and the Central Provinces, where the area of waste was very great, and it would have been impossible to suppose it all really appropriated to one or other village, a special rule was laid down at the Land Revenue Settlement for allowing a liberal portion to each village; the surplus was reserved to Government on the general principle that waste not occupied belongs to the State. Such surplus areas (called *rakh* in the Panjāb) are utilised for grazing reserves, for forest purposes, and for colonisation when a scheme for irrigation can be carried out. In the North-West Provinces, except in some special districts, the whole of the waste was included in the village boundaries; and the Revenue Law contains some special provisions about the area in case it is so large as to be beyond the requirements of the village.

<sup>2</sup> 'Imperfect' partition merely defines the severalty holdings, leaving the body still jointly liable for the revenue. 'Perfect' partition goes further, and in fact constitutes so many new and distinct estates. The law may differ in different provinces as to the freedom with which this 'perfect' partition can now be applied for.

presently. I wish first to repeat once more that in all cases they are either a ruling, conquering, and often non-agriculturist caste, who have taken the superior or landlord position *over an earlier existing village group of cultivators*, usually of aboriginal or some mixed or humbler descent; or else *they have founded their own village in the virgin waste*, either by their own exertions, if agriculturists by nature, or by aid of tenants and dependents. But in either case, the village owner, or body of village owners, has the same sort of superior title. It depends on the locality which origin is the more common. The North-West Provinces official is extremely familiar with Rājput and other village owners, whose lordship was established over existing villages by various means, and not unfrequently has resulted from the prior existence of a territorial chiefship, which being afterwards partitioned among the family has left a number of individuals or families in possession of single villages. To the Panjāb official such a proceeding is less familiar; the joint-villages in the plain districts are much more frequently the direct foundations of individuals and clan-groups and colonist associates, who were agriculturists by nature and themselves cultivated the land; but they have the same ideas of united and superior ownership.

It is not at all necessary that the joint-village should be actually held undivided. In some cases it is so held; and the reason for it is plain; but in the majority of cases there is a complete separation of the individual or household holdings, and this may have been so from the moment of first settlement. Very often the arable is divided, and the waste not, either because it is more conveniently kept as a common grazing ground,<sup>1</sup> or because it is not yet wanted for the extension of cultivation.

As to the extent of land included in the 'village,' in many cases the estate is of what I may call a normal or average size, varying from a few hundred to a thousand or two thousand acres; it represents the limit to which the original grant extended, and to which the body of descendants have succeeded by in-

<sup>1</sup> As I have elsewhere remarked, *grazing* is usual, unless, from the absence of grazing land, stall-feeding has to be adopted, with such grazing on fallow fields as is possible. Hay-growing is not practised in the plains; hence divided meadow-land is not known.



heritance, or the limit of the settlement of the particular group who own it, or it is the result of a distribution of a larger area among certain branches of a family. But we shall meet with some cases where a great area (of many thousand acres) has been occupied by a whole clan and divided by them into certain main divisions for each of the minor clan groups; and it is only gradually and ultimately that separate 'villages' have emerged. There are also cases in which an extensive area was originally acquired by one family which has in the course of time multiplied into a clan, and so covered the whole, also without the intervention of any proper 'village' grouping at all. Here, again, time usually produces a fission into 'villages'; but there are instances of great areas still held directly in numerous individual equal shares, and to these it is difficult to apply the term village. Taking, however, the average-sized village, there is little in external appearance to distinguish the *joint* from the *raiyatwāri* form.<sup>1</sup> There is, of course, the group of residences—sometimes a central compact group, but often several scattered hamlets.<sup>2</sup> Close to the village is a tank or pond, hollowed out by the process of digging the clay to make the sun-dried bricks of which the cottages are built; there is a dry dusty space around the group of houses where the cattle stand and where the weavers stretch and prepare their webs. There is also the village tree or grove, and the meeting-place of the villagers, sometimes with a raised platform of masonry to sit on. And the village will have its mosque or temple, and its cemetery, if Muhammadan. The conditions which attract a group of permanent menials and artisans to serve the village are the same as in the *raiyatwāri* village.<sup>3</sup>

But with the village officers there is a difference. The *patwāri*—whose native title we inadequately attempt to translate as

<sup>1</sup> Except that in Bombay and Madras, the revenue system being different and adapted to the *raiyatwāri* village, there is now a method of demarcating field or holding boundaries which is peculiar and strikes the eye of anyone familiar with the system, telling him that he has come into a *raiyatwāri* district. Perhaps also the *raiyatwāri* village has oftener the central residence of the headman as a prominent feature.

<sup>2</sup> In the next chapter will be found some account of the village buildings and the circumstances which produce compact residence-sites or the contrary.

<sup>3</sup> See p. 16.



'accountant' or 'village registrar'—is, of course, to be found. Receipts have to be given, village accounts kept, and statistics prepared, as much in joint-villages as elsewhere. But, as Sir H. S. Maine has pointed out, there is no real 'headman.'<sup>1</sup> The management of the affairs of the joint body is properly by a committee of heads of houses, or *panchayat*. But some one must represent them at the Collector's office and be their spokesman, and also be responsible for the duties which the State may require of the village owners. Hence, at any rate, in modern times, a headman, whose hybrid title (*lambardār* = holder of a 'number')<sup>2</sup> indicates his recent origin, is appointed; and his office is allowed to be in some degree elective, while it also tends to become hereditary if the next heir is qualified. As most villages are divided into certain main sections or *pattī* (of this hereafter), there will be a *lambardār* for each section. In the Panjāb, where the *pattī* are often numerous, it has been found necessary to have a further single representative of the several section-headmen; such a person is called the '*alā-lambardār*, or chief headman. These officials, as I may call them, have now certain duties under the Criminal Procedure Law with regard to reporting and aiding in the discovery of crime, and in surveillance of bad characters; they have also certain responsibilities connected with realising the revenue; otherwise they have only such authority as their public duty and their family dignity and personal character give them: they have nothing of the formal supremacy and precedence of the genuine old *pātel* of the *raiyatwāri* village. Nor have they any holding of land in virtue of office. The *panchayat*, at the present day, has indeed lost much of its ancient power; partly owing to the partition of lands, partly owing to the facility of reference to the district law courts. In most cases it is hardly

<sup>1</sup> *Ante*, p. 7.

<sup>2</sup> The name dates from the first quarter of this century; the 'number' refers to the Collector's list of village landholders with a serial number attached to each name, showing who is directly responsible for bringing in the revenues of each section of the village. The Mughal system of revenue management, which was in most cases essentially *raiyatwāri*, unless a landlord or some definite superior was dealt with, recognised the principal man in the village (or more than one), without, however, defining any official functions, as the *muqaddam* = the first or forward man.

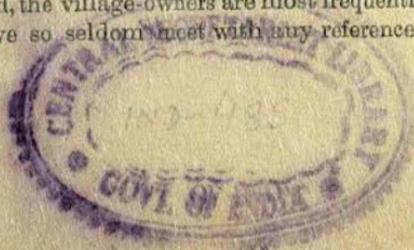


in existence at all ; but it will still assemble in connection with some social or caste dispute. I confess, however, that I do not know what is meant by the *panchayat* controlling the course of cultivation, except in the comparatively rare case of some peculiarly situated colonist villages, where the associated members preferred to determine at the beginning of each year what lands each could and would cultivate.<sup>1</sup> For by far the greater number of villages the cultivating holdings are either partitioned (and in one large class of villages have *always been so from the first*) or are held year after year in severalty by tacit consent, and nothing of the kind is required. Perhaps the most frequently surviving occasion of the *panchayat's* action is in connection with the adjustment of accounts which, in some villages, still takes place annually or after each harvest. Then the proportion in which the revenue-dues are to fall on the different holdings may need to be adjusted ; and in any case the headmen (*lambardārs*) have to recover their expenditure under the head of *malba*—*i.e.* common expenses of the village, such as entertaining strangers, repairing the *patwāri's* office, expenditure on the village mosque or temple, charities, religious offerings, and the like. The co-sharers may object to some items as not properly common expenditure.

One other feature deserves to be remarked on, as it may occur in any kind of joint-village. In the many cases in which the co-sharing proprietary body are of non-agricultural caste, or of such a caste as regards farm-work, or at least handling the plough, as degrading, or where they have established their landlord position over the heads of an earlier cultivating body, the larger part of the land will necessarily be held by tenants.<sup>2</sup> The co-sharers will only have taken into their own direct possession the several home-farms (*sīr*) which each enjoys. Some of these tenants, no doubt, will be in a privileged position in virtue

<sup>1</sup> And there are also certain villages *situated on the banks* of a variable river, where a portion of the land liable to unforeseen changes from river action is never permanently allotted, but managed from year to year for the joint benefit.

<sup>2</sup> This is quite common in the North-West Provinces. In the Panjāb, on the other hand, the village-owners are most frequently also the cultivators. That is why we so seldom meet with any reference to *sīr* lands in the Panjāb.





of their possibly exproprietary character or other circumstance as defined by the Tenant Law; in other words, some may be 'occupancy-tenants,' others, 'tenants-at-will.' In some cases, especially in the Panjāb, there are tenants who not only are allowed to have occupancy rights, but they pay nothing beyond the Government revenue on their land; they owe this position most frequently to their having consented in former days to come and help the village body in cultivating enough land to meet the heavy assessment of some rapacious Sikh Governor. But I am not aware that in any case tenants form part of the 'brotherhood,' or that they can be represented as occupying a grade in any sort of hierarchy formed by the 'brotherhood.'<sup>1</sup> The proprietors alone have a voice in the management. Tenants, even when they are of so privileged a class as to pay no rent beyond the Government dues, usually pay a nominal fee—perhaps a load of manure annually—for their house-site; they often cannot sell the cottage; and it is a question of local custom whether, on leaving the village from any cause, any tenant or artisan can sell the house-timbers. No doubt good tenants will be under the protection of the co-sharers; but they have no voice in the village council, no concern with profits or losses, nor any share in the waste, beyond a probable right by custom of grazing their cattle there. Still less are the artisans and menials part of the 'brotherhood' in any degree whatever: they are always of different (usually lower) caste. Indeed, the idea that, *e.g.*, a body of proud Rājput co-sharers would acknowledge their cultivating tenants, and *a fortiori* the potter, the carpenter, or the *ṣamār*,<sup>2</sup> as part of their brotherhood, only in a lower degree, is something quite grotesque.

<sup>1</sup> *Ante*, p. 7. It is quite possible that a person may have been in past days formally admitted as a co-sharer (*khātūdār*), and in time gets supposed to be of the 'founder's kin;' but that is quite a different matter from coming as a tenant, however independent and however valued.

<sup>2</sup> The low-caste cobbler, who has as a perquisite the skins of cattle dying in the village. So far from the brotherhood including anything beyond the actual co-sharers, absconding members who have returned and got readmitted to the village and yet have been unable to pay up the arrears on account of which they formerly threw up their holding will very often not be allowed to resume their full position, but be admitted as a sort of tenant without voice in the management or share in the profits.



The co-sharing body, especially if they are of one clan, or are the joint successors to one man who founded or acquired the village landlordship, are often desirous of excluding strangers, as well as securing to themselves the chance of augmenting their own holdings. This desire gives rise to a custom of pre-emption, which is not inconsistent with the fact that, in former days, the pressure of a heavy revenue-assessment compelled them to take in special tenants, or even grant shares in the village to outsiders. Nor, of course, does the feeling prevent the custom (in some localities) of admitting the family Brahman to a share. In general, the intending vendor, whether of his whole share or of any field or plot, must offer it at a fair value to one of the existing co-sharers (usually in order of blood relationship to himself), and then to the members of the same subdivision, before selling to any outsider.<sup>1</sup>

So much may be said regarding the features of joint-villages in general: but it is impossible to form a just idea of such villages as they actually exist in the different districts, without understanding the principles on which the body of proprietors who own the whole village are united together, and on which the real or apparent collective ownership depends. The matter cannot be fully stated or illustrated, because some other matters have first to be considered. But I have already indicated, as a ground for caution in attempting a general description, that, apart from all those minor varieties which are the result of what I may call 'wear and tear'—the alteration of the strict shares, and the more or less complete partition of joint-lands—there are several clearly-marked principles of joint-constitution. The application of one or the other is at once indicated by the *mode of sharing* the village. It is hardly necessary to add that the

There are various customs regarding this readmission of absentees; for, especially in former days, sharers often found themselves unable to pay the revenue and live on the holding; they would go away until better times, and seek, perhaps twenty years later, to return.

<sup>1</sup> The custom varies locally. It is only effective if the other co-sharers are able to buy, or are willing to redeem the mortgages which are sure to have been made before the sale is proposed as a final measure. It may be doubted whether the custom has done much to prevent the lands of the less successful passing into the hands of money-lenders or capitalists.



difference of constitution implies a corresponding difference in the mode of origin or foundation.

The first principle of formation depends on there being a *considerable clan*, of which the village is part; indeed, in these cases, the 'village' is often, as I have said, a very secondary consideration, and the co-sharing extends over the whole of a clan-area, or over some primary divisions of it much larger than ordinary villages.

The second principle is always connected with the normal *village* area, and is observed in that large class of cases where the village body is a group of descendants from an *individual* founder.

A third principle, which involves a variety of forms of sharing, may be also spoken of; and it applies to all cases where the *clan* or tribal principle does not appear, and where also the special features of the sharing in descent from a single aristocratic founder are not observed.

The two salient cases of *clan*-settlement, and of *individual* or *joint-family* settlement, may be a little further explained, something in this way:

I. A whole clan has conquered or occupied a suitable district. Under the guidance of its patriarch and chiefs, the land is apportioned in the first instance in large tracts for its several main sections, or minor clans; these effect among themselves the final allotment to households and groups of households, which ultimately form villages. More commonly, however, the appearance of a *clan*-settlement is due to the fact that a single enterprising family, having no pretensions to nobility or territorial rule, had originally located itself on a wide area—which good fortune preserved to it intact; on this the existing clan-group has gradually grown up till it has filled the whole. At first there was perhaps only a father and four sons; but now, not only do the descendants occupy the whole territory, but they may have split up into villages all of the same clan. In these cases, some rule of equal division, such as we shall hereafter describe as the BHAIĀCHĀRĀ method, nearly always occurs. It is quite a distinct and characteristic method.<sup>1</sup>

<sup>1</sup> The term *bhaiāchārā* itself has unfortunately become misused in our offices, and has got applied to other forms also; but this is a detail which I cannot here enter into.



II. In the other principal form, the estate originated with one man (or possibly two or three brothers), to whom the village was granted, or who simply usurped the superior position, or who gained a footing as farmer of the revenue or as purchaser in later days at an auction sale for arrears of revenue, or otherwise established himself in the management. New villages, too, have been constantly founded by individual enterprise, with or without the grant of a Rājā or local potentate.

Very frequently, too, under this head come the cases, occurring more especially in the North-West Provinces, where the village bodies are descendants of former chiefs or of Rājās, or of scions of princely houses or adventurous chiefs who once had a regular (or irregular) territorial rule; but the rulership has long passed away, and remnants of the family, represented by two score or more of descendants, have clung to a village here, and two or three villages there, and have then become peasant *landlords* where they once were *rulers*. In all this class of cases, the principle of sharing is, or originally was, not one of 'democratic' equality of right in the area obtained, but one depending on *the place in the table of descent from the founder or acquirer*, the different heirs each taking the 'legal' share that belongs to him by the law or custom of inheritance. This is what is called the *PATTIDĀRĪ* principle of sharing.<sup>1</sup> Properly speaking, each takes his share in the land or in the proceeds, if the land is undivided, and pays the corresponding fraction of the revenue and other burdens.<sup>2</sup> If the waste has remained undivided and is afterwards partitioned, the owners will share it in exactly the same fractions as have determined their holdings in the arable. This is the admitted theory; but naturally it often happens that in the course of years the strict shares have been forgotten or changed, and members not really of the founder's kin—perhaps members of the wives' families or other 'helpers in time of need'—may

<sup>1</sup> See diagram at p. 81, note.

<sup>2</sup> In estates of this kind the joint heirs may hold undivided for a long period. But the profits and burdens will be shared on the same principle (*pattidārī*). From a *tenure* point of view there is not the slightest distinction between the joint-landlord and the severalty-landlord village, as long as the ancestral share principle is followed in sharing the profits in one case or the fields in the other.



have been admitted to shares. Shares may also have been sold to outsiders under stress of necessity. Accordingly, where *all* remembrance of the correct fractional shares is lost, and each now holds simply on the basis of his *de facto* possession, and pays the share of the revenue and charges according to an acreage-rate agreed on for the number of acres actually held, the village is officially put into another class—it ceases to be *pattidārī*, or ‘ancestrally shared.’ It also is often the case that a part of such a village has been divided and part not; *and* the divided part is held in modified shares, or on mere *de facto* possession, and the rest still on the strict shares. All these are what I have called minor varieties, which must not detain us at this stage of our inquiry. This principle (*pattidārī*, or ancestral sharing according to the law of joint inheritance) is simply the result of the joint succession of all the heirs together. It is in villages of *this* class that it can truly be said that the village is the group which is held together *by the land* which it occupies ‘in common’—*i.e.* as joint-heirs or co-sharers. It is also in villages of this class, as distinguished from those first mentioned, that we hear of a person being a ‘4 *āna*’ sharer—*i.e.* owning one-fourth of the estate, or being a ‘2 *āna* 3 *pāi* 15 *karurī*’ sharer.<sup>1</sup> These terms could not properly be used of the other estates where the shares are so many equal lots, or are expressed in terms indicating the peculiar method on which the clan or family has arranged the valuation of its land for the purpose of equitably distributing the revenue and other charges; nor where the holdings are merely so many acres, or so many ‘plough’ lands, not being *shares of the unit estate area on any principle whatever*.

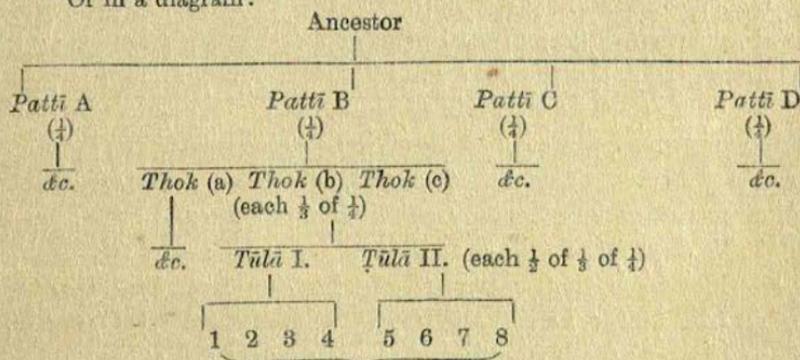
When a *pattidārī* village is divided—and this may have

<sup>1</sup> In these cases the whole estate is treated as ‘one rupee;’ occasionally the whole is ‘one *bīghā*’ (land measure); but as the usual divisions of the currency or the square measure would not suffice to meet the numerous small fractions of a much multiplied body of co-sharers, various artificial sub-divisions have been invented. If the strict ancestral principle is maintained, the fraction indicates also the share of revenue payable; and to say that a man owns a ‘4 *āna* share’ in the village is synonymous with saying that he pays ‘4 *ānas*’ of the revenue; it indicates not only that he owns one-fourth of the village, but is consequently responsible for one-fourth of the assessment.



occurred many years or generations ago—as soon as the existing co-sharers were numerous enough to require it, it is found that there are major and minor divisions. Sometimes there will be a primary division into *ṭarf*, either because one whole section became Moslems and the rest remained Hindus, or because two different parties originally founded the estate together, or both got hold of it together, by conquest. But more ordinarily the first main divisions are called *pattī*, and these often represent the original shares of the sons of the founder and, naturally, are considerable in extent and limited in number.<sup>1</sup> Of course it is only in a very few cases of late foundation that the present representatives of the *pattī* have any personal memory of their head. Inside the *pattī* are the next grade of divisions called *thok*, and then the *ṭulā*, (or *ṭolā*). Under one or other of such final or 'primary' divisions are grouped the many subordinate later families; but their divisions receive no new designation. So much may be ventured in this preliminary statement, as to say that in all probability the general prevalence of the three primary, or larger, divisions in descending grade is essentially connected with the close-kindred of the first founders—representing the shares of the founder's son (*pattī*), grandson (*thok*), great-grandson (*ṭulā*).<sup>2</sup> In all families, and in clans as well,

<sup>1</sup> Or in a diagram:



and later descendants down to the existing holders of ultimate shares (*khātādār*)

<sup>2</sup> These names are local, and are varied in different districts. I have met with the following series:

- Ṭarf, thok, naglā*
- Pattī, thok, ṭulā*
- Pattī, thok, behrī.*



this series forms the natural basis of the grouping of the after-coming kindred. When occurring in villages, it marks the *completion of the first group* of close-kindred; and as the descendants from each branch multiply, they retain their own close-kindred connection subordinate to one or other of the 'primary' groups. It may often be observed that long after the primary partition has been carried out, some of the subordinate groups remain 'joint' among themselves. The different sections of the estate may also have different customs of sharing: one may have lost knowledge of the proper shares, and adhered to *de facto* holdings and so on.

Exactly the same primary divisions may be observed in clan or tribal settlements, and in those areas held on the *bhaiūchārī* principle, where a commencement was made with a single family which (in the first instance) could only divide on this principle. But here the areas for each branch were calculated, not as equal fourths, or other *fractions*, of the unit area, but in some other way. And when there is the clan feeling in operation, it may happen that, subsequent to these primary divisions, no further attention is paid to precise shares, but all get, as far as possible, equal lots, according to the number and requirements of each family—as long as the area available admits of such a plan. In rarer cases we shall find an entire clan (*e.g.* on the Panjāb frontier) following the ancestral fractions throughout—in fact, carrying the *pattidārī* principle through the whole body; whereas in most cases it is only found in the limited group of descendants of a single founder in a village. Within either of these two great classes of joint-village—these groups illustrating each a different principle of formation—there may be several minor varieties, as I have already indicated.

III. Where the village is not tribal, and also not *pattidārī*, there may be several modes of sharing the land, the detail of which had better be reserved until a later stage; but one of them may perhaps be mentioned here—namely, when the village is formed by a voluntarily associated body of colonists, who agree to be 'joint' as regards their liability to the ruler, or for the general purposes of aid and defence, and who may also hold the land on various plans. One is a kind of joint-stock cultivation, in certain known shares, each sharer taking for the year



only, a certain area of land to cultivate; or the produce of the whole might be divided according to the shares. Another method of association will be described, in which the holdings were made out from the first and were distributed by lot. I will only add that villages originally *raiyatwāri*, and which did not happen to have fallen under any superior family, may in modern times become 'joint-villages' by the action of the Land-Revenue system; and so joint-villages may be artificially created.

This general sketch will suffice to call attention to the real distinctions that may exist under the general denomination of 'joint-village.' It is right, also, to remember that these different kinds, with their minor varieties, in the Upper Indian Provinces, have long acquired an additional appearance of uniformity by reason of the application to them all of a system of revenue management which, varying much in detail, is essentially the same in all the provinces, and by reason of the uniformity of the nomenclature applied in the official records and returns.

But before closing this chapter of preliminary statements, it will be well to explain how it comes about that the primary distinction insisted on between the two diverse types of village—the *raiyatwāri* and the joint-village—has not hitherto been more fully recognised, or, if recognised, has not been allowed due prominence.

In the first place, most of the extant accounts or notices of villages in histories and memoirs are based upon the earlier published Minutes of various administrators which obtained celebrity, and have thus got copied from book to book. Now, in the first instance, these original documents were written solely from the administrative point of view, and to justify or recommend a certain practical course of present action; and it is often forgotten that our earlier Indian worthies were great masters of administration, but this did not necessarily imply that they had a special knowledge of historical details or an aptitude for land-tenure investigations. They had not either the means or the time to examine village-tenures from the point of view of the student of ancient institutions or of the historical economist. Moreover, each was usually closely connected with some one part of India, and his remarks properly apply to that part only. Locomotion was not then as easy as it is now, and public officers

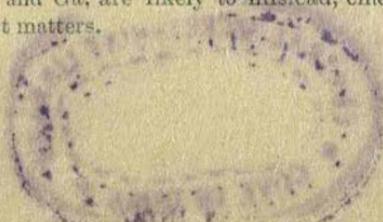


had not either the opportunity or the need to pass frequently from one province to another. Elphinstone, for example, was able to give us a good picture of the *raiyatwāri* village of the Dakhan, but he was not familiar with the details of the northern village; on the other hand, Holt Mackenzie (and after him Thomason) knew well the village of the North-West Provinces, but evidently had not studied those of the South or of Central India. Indeed, in Holt Mackenzie's time, the Central Provinces were not yet annexed, and the Dakhan was only beginning to be settled provisionally.

Various later writers, especially those not practically acquainted with land-tenures, have endeavoured to combine together the different accounts of village-tenure which they found on record; and, seeing that each of the existing authorities spoke of one kind of village—that which was characteristic of the province under his care or observation—they naturally supposed that there was one kind only, and that they might regard the different features described, as all belonging to varieties of one species. Thus in the elaborate treatise on the *Law Relating to the Land Tenures of Lower Bengal*, forming the Tagore Lectures for 1874-5,<sup>1</sup> the author, living in Bengal Proper, where the village system (originally *raiyatwāri*) had fallen into decay under the influence of the *Zamīndār* landlords, and having no direct experience of villages, collected with exemplary diligence all sorts of materials, and combined them into one picture of 'the village'; with the result of presenting in his pages a form of 'community' which does not, and never did, exist.

But some still later writers, having perceived that the *raiyatwāri* village, as now existing, is obviously different from the joint-village, have attempted to argue that it is a form

<sup>1</sup> Calcutta, 1876: Thacker and Spink. Another example, one easier to refer to, is in Elphinstone's *History of India* (Cowell's 6th ed.) At p. 69-70 is an excellent account of the *raiyatwāri* village which the author knew directly, and at p. 71 he has added a general account of the northern joint-village, which, though unfortunately wrong in some minor points, yet clearly explains the essential features of the co-sharing landlord class. But the editor's notes in Appendix V., especially those marked E, F, and G, are likely to mislead, chiefly through mixing up totally distinct matters.





which has resulted from a natural 'evolution' of common ownership into severalty; and they set forth the stages of this process in a manner which, plausible as it at first appears, does violence to many unquestionable facts. They have also found a cause for the supposed change, in the wars and intestine commotions and tyrannical oppressions which they assume to have broken up the 'communities,' and converted the villages into miscellaneous groups of now independent landholders, only loosely held together by the circumstance of local aggregation and by the authority of the headman.<sup>1</sup> At this early stage of our inquiry it would be inconvenient to go into details about the progress of ideas of ownership or the fallacy of the evolution argument, but it may be stated that, if such a view were correct, and that all villages began by being held absolutely in common, and gradually became more and more divided, till at last modern individual ownership was perfected, the *raiyatwāri* villages must all be much later in date than the joint; whereas the evidence is all the other way,<sup>2</sup> and some relics of very early Dravidian villages, *e.g.*, show no sign of any common holding; moreover, the *raiyatwāri* village gives no indication of being a decayed or altered form of anything: the position of the headman and the land-allotments held by the village chiefs—both of them foreign to the joint-village—are ancient and original features. It is perfectly true that there are in the South, and in Bombay, traces of what were apparently once jointly-held villages which have decayed; but an examination of these cases, which we shall afterwards make, will show that they were local and special tenures due to exceptional causes; and that in the Dakhan ancient local lordships had probably been established which passed away, and, the shares of the overlord-families having lost their owners, the villages reverted to what was in fact their original *raiyatwāri* constitution. But when it is attempted to be argued that the Marāthā and Mughal wars, and the oppressive

<sup>1</sup> Both these views will be found in Mr. J. D. Mayne's valuable and compact treatise on *Hindu Law and Usage*, which, when I left India, had reached a fourth edition. See p. 219 of this edition.

<sup>2</sup> We shall see hereafter, for instance, that the *raiyatwāri* was the form known to the author of the *Laws of Manu*, and that it existed in the ancient kingdoms of Oudh under the Rājas, and in Rājputāna.





government of the former, caused the wholesale conversion of the villages in the West and South, it may well be asked how it was that similar wars, and the repeated invasions that occurred, did not change them wholesale in the North? For it is notoriously the fact that the North was just as much the scene of wars, invasions, and turmoils, as Central and Southern India—indeed, as regards Madras, more so; for the Southern Presidency was never really subdued by the Muhammadan conquest, any more than it was reached by the original Aryan invasion; and, though there were local invasions and cruel oppressions, there were still parts where no great changes could have occurred. Yet *raiyatwāri* villages are there universal in all the districts alike.<sup>1</sup> The joint-village community, we have often been told, is peculiarly strong, and able to withstand the shock of armies and the fall of empires; how was it, then, that it survived all over the country north of the Vindhya, and generally succumbed in the east, west, centre, and south?

I do not, of course, doubt that it is quite possible for a shared-village to fall into poverty and ultimately to present a series of repeatedly alienated and now miscellaneous owned fields, the cultivators of which have lost all sense of union; but such a possibility does not account for the wholesale change, over wide areas, of the strongest form of village into another form; nor does it explain how the supposed decayed form comes to be uniformly endowed with special marks and features which we are able to trace back to very early times.

On the other hand, it will be observed, it would be quite easy for *raiyatwāri* villages to be changed into joint-villages, as doubtless they were in many northern districts, by the simple fact of conquest and the consequent establishment of overlord-families who formed a new *stratum* of superior co-sharing owners, and so constituted the village community, the older cultivators

<sup>1</sup> And where joint-villages appear they are exceptional and are assigned to special causes and origins. In any case it is remarkable, on the view I am combating, that the 'Jaghire territory' (Chingleput district) of Madras happens to be a district more cruelly ravaged and desolated under special attacks, than almost any other part of the Presidency; yet this is the very part of Madras where the (exceptional) joint or *mirāsi* villages were best preserved in evidence!



sinking into the position of tenants. This may happen, and certainly has happened, not only in individual cases, but over whole districts at once, as actual examples in the sequel will show.

We must now proceed to that detailed consideration of village tenures which will justify what has here been asserted in a preliminary way; and I will only add to this already lengthy prefatory note that, in order to understand the real history of villages, we ought to take into account all the factors of the case. We must first note the physical and geographical conditions of India, both as regards the bearing they have on the natural inclination of *all* tribes and races who have found a home in India to form village groups; and as regards the bearing they had on the spread of the Aryan and other Northern tribes, who had so much to do with shaping Indian ideas and customs of land-holding.

We must, then, gather together what evidence we have regarding the early non-Aryan races of India and their land customs; and also proceed to notice the effects of Aryan influence on these, the real establishers of agricultural land-holding in India.

Having thus disposed of the geographical, climatic, and ethnic antecedents to the formation of village groups, we shall be in a position to appreciate various local illustrations of the actual growth and condition of villages in different parts of India, as these appear from the really authentic sources—the Settlement Reports of districts, and other similar manuals written expressly on the subject and on the spot. These will make it plain how villages arise out of *tribal* conditions of society, as well as out of *individual effort*. Finally, we shall be in a position to consider what ‘collective ownership’ or ‘holding in common’ really means when applied to the class of village which we call ‘joint,’ and how ideas of ownership in land seem really to have grown up in India.



## CHAPTER II

*THE GEOGRAPHICAL AND PHYSICAL FEATURES OF INDIA  
AS AFFECTING THE MOVEMENT OF AGRICULTURAL  
TRIBES AND THEIR FORMS OF LAND-HOLDING*

It would not be fair to criticise too closely the meaning of phrases frequently met with in books on India which seem to indicate a belief that the villages are chiefly, if not solely, traceable to 'Hindu' (Aryan) influences, or which assign to the Aryan element an almost absolute predominance in the population of India. But it will be allowable to point out that the non-Aryan races have of late years been more carefully studied, and their importance as affecting the origin of many existing castes and tribes is now generally recognised. And certainly the result of such further study has been to establish the fact that the non-Aryan races had a good deal to do with building up the existing village land-customs. Hence it is that whatever concerns the movements and the permanent location of these races, and whatever has in after times influenced the movements of Aryan and other invaders, has its interest and importance in our inquiry. And there are certain geographical features of India, more especially connected with its mountain ranges, which have had an obvious effect on the movements of at least some of the tribes—facilitating those movements in one direction, and restraining, if not altogether stopping, them in another. In the third chapter I have endeavoured to give a brief sketch of the population—past and present—of the Indian provinces, as far as it is connected with agricultural life, because the names of the different tribes and people must occur again and again in the course of our narrative, and it is desirable that something should be said in explanation of those, in some cases unfamiliar, names. This second chapter is, in fact, the natural if not necessary preliminary to the third.



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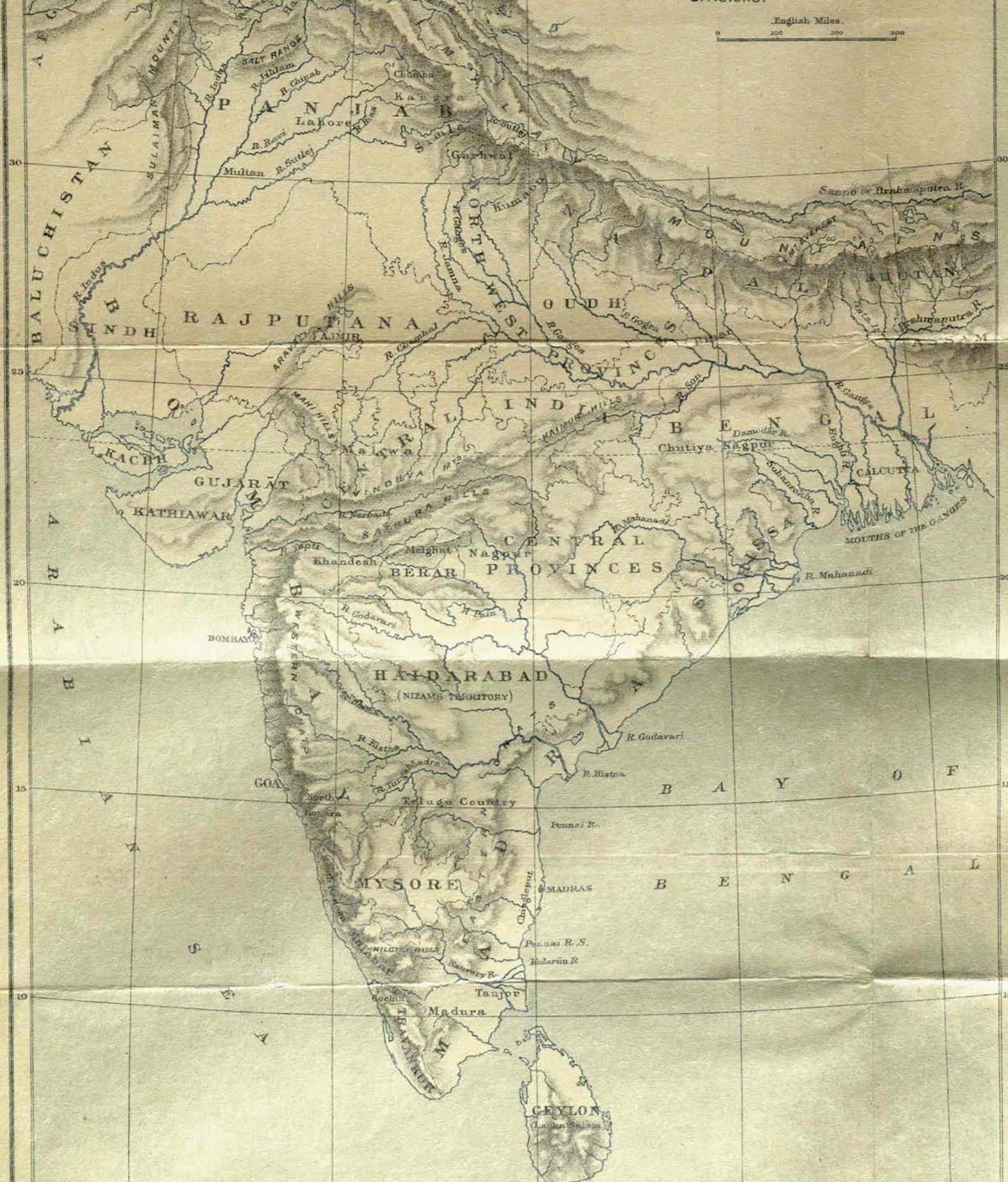
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# INDIA

SHOWING MOUNTAIN RANGES, CHIEF RIVERS AND PRINCIPAL TERRITORIAL DIVISIONS.

English Miles.  
0 100 200 300



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70 Longitude East from Greenwich 75 80 85 90



There is also another matter which comes under the head of physical features and their influence. It is impossible to doubt that while social customs, and often purely natural liens of kinship, have been the main factors in determining to what extent sections of tribes and clans, as well as closer degrees of kindred, continue to keep up their connection or effect a certain fission and separation into groups, the 'village,' regarded as an aggregate of land-holdings, was suggested, not to say necessitated, by the physical features of country and climate; indeed, this is sometimes shown by the absence of villages and the substitution of isolated homesteads or small hamlets in certain localities. Lastly, the opportunity of a general chapter on the physical factors of our problem may be taken, to explain certain forms of agriculture or modes of cultivation which indicate the stages by which permanent land-holding may be gradually introduced.

#### SECTION I.—GEOGRAPHICAL FEATURES

##### (1) *The Northern and Western Hill Ranges*

If we look at a map of India,<sup>1</sup> it will be obvious that all invasions of tribes by land must have been from either the north-east or north-west end of the Himalayan chain. Any considerable migrations across the central ranges are as little probable as they are without any traditional or historical suggestion. If we look first to the north-east corner as a convenient starting-point, it will be observed that there is nothing to prevent tribes from the north-east coming to the Brahmaputra Valley, to the central and southern hills of Assam, and to Eastern Bengal generally. How much farther such tribes would advance into Central Bengal would depend on whether they were met by other people whose presence sufficed to check their progress. As a matter of fact, the tribes from this quarter, which belong to a distinctive group, did not affect the population far into Bengal Proper, as we shall afterwards see. But many of them found a congenial home in the outer slopes and valleys of the

<sup>1</sup> Throughout this section it is necessary to assume that the reader will have a fairly good map of India before him, showing the chief rivers, mountains, and provinces. It is impossible that the remarks made can be intelligible without such an aid.



Himalayan Mountains; and it is curious to observe that these outer districts of the hill country, as well as the *tarai* or malarious jungle country below it, became peopled, albeit scantily, by early Mongoloid races. The descendants of these early settlers, some unchanged in race and much degraded, others improved by more or less admixture with other tribes, are found in considerable numbers throughout the whole of the outer ranges almost up to the river Indus itself.

But beyond the possibility of Mongoloid tribes entering India from the upper north-east end, there is little at present to call our further attention to this quarter. The chief interest lies in the geographical features of the north-west Himalayan frontier, of the Indus Valley, and of those of the broad but low ranges of mountains which divide Upper India from the Dakhan. The whole question of the facilities which existed for the advance of the Aryan invasion is connected with the north-west Himalayan passes and those more westerly routes through the hills beyond the Indus Valley. The Vindhyan Hills, on the other hand, afford an explanation as to why limits were set, as they were, to any Aryan advance *en masse* to the south, and why Southern India remained isolated and only accessible to later Aryan influence in a totally different manner. The Vindhyan Ranges, too, are interesting by reason of the curious sort of 'refuge-ground,' if I may use the phrase, which they afforded to some of the earliest tribes which occupied Indian soil, and whose institutions can still be clearly traced in the plateau country formed by the eastern terminal ramifications of the mountains.

But first as regards the northern and western passes into India. If we glance along the great line of Himalayan Mountains as far as a point about due north of where Peshāwar is marked on the map,<sup>1</sup> we shall notice that while one chief line of northern barrier mountains goes on more or less directly to the west, and bears the local names of the 'Hindū-Kūsh' and 'Safed-koh,' another series, roughly parallel to it, forms a southern or outer Himalaya, including the Pir Pinjāl, which bounds Kashmīr, and further east the Dhaulādhār, &c. At the western

<sup>1</sup> In the *Parliamentary Statement of the Moral and Material Progress of India*, 1883, will be found an excellent map of the *mountain systems* of India, and another of the *rivers*.



end this southern range branches off and turns southward, forming a western frontier for India and skirting the Panjāb and Sindh. Of this western hill-barrier there are two main lines or ranges; the outer one, next the river Indus, is lower in general elevation and terminates sooner; the inner one, or Sulāimān Range, continues, though with diminishing height and under other names, almost as far south as the delta of the Indus.

Both the northern mountain ranges (at the north-west corner) and the western (Sulāimān) barrier are traversed by several *passes*. And these passes, speaking generally, are in a double series: first crossing the highest, or farther rampart, and then crossing a second or plainward line of mountain crests before reaching the level country of the Panjāb or Sindh respectively.

Naturally, clans with their leaders, or conquering princes with their armies, coming from the more northern or north-western regions, would enter the Himalayan group of hills by the north-west passes about Kābul. It is also quite possible for hardy northern races to have remained a long time among the valleys and slopes of the mountainous region about the Upper Indus and its affluents, lying, roughly speaking, between the northern high-line of the Himalaya (represented by the Hindū-Kūsh and its continuation east and west) and the *outer* line of the same group. Once across the northern main ramparts, it would be possible to extend a settlement into the intramontane valley of Kashmīr and the neighbouring valleys of Chamba, &c., as far east as Kāngra. Whether or not the tribes made such a settlement in the Hill Country, it would still be necessary to cross the remaining ranges in order to emerge on to the plains in the vicinity of Peshāwar, or of the Jihlam River, as did Alexander.

In the case of tribes coming from the north-west and following this general route *towards the plain country*, it would be possible either (1) to go south along the Indus Valley, which presents an open country, all the way to the sea; or (2) to spread over the outer hills and also the level plains of the Panjāb. Once having reached those plains, the tribes and their followers could advance eastward with no other difficulty than that of crossing various rivers, to the Ganges plain or valley, and to the rich



tracts of Oudh and Bihār. Ultimately Bengal Proper and the Ganges mouths could be reached without any serious physical obstacle. Supposing, again, that other tribes chose the Indus Valley route, or perhaps entered India lower down—*i.e.* more towards due west—these would naturally occupy Sindh or would proceed to the Southern Panjāb. If it was in their mind to go still further south, their line of progress would be by Kaçch to Western India, as we shall presently see.

(2) *The Vindhyan Barrier*

Across the middle of India, just where the continent begins to taper to its triangular form, and south of the Chambal, the Jamnā and the Ganges rivers, there is a broad but rather low series of hill ranges, which forms, as a whole, a continuous barrier almost from west to east. At either extreme end the barrier can be rounded; but the whole central portion has, as a matter of fact, for many centuries afforded a practical line of demarcation between 'Northern India' (the basins of the Indus and the Ganges), and the Dakhan and Southern India. This barrier does not strike the eye so much till its entire features are taken in. There are, in fact, a whole series of variously named ranges, which it may be permitted to generalise under the collective name of 'Vindhya.'

If we consider the main lines of greatest elevation, we shall here also observe two general 'ramparts.' The great valley of the Nabadā (or Narmadā) river forms a convenient line to guide the eye.<sup>1</sup> Along the north of this, there is one continuous and comparatively high line of hills—the Vindhya proper—which continues far eastward in the Kaimūr Hills. At the western extremity—at some considerable distance from the coast—this range turns somewhat suddenly northward, forming the line of the Mahī and Arāvāli Hills; it thus encloses a partly barren, partly fertile, table land of which the rich plateau of

<sup>1</sup> These features are especially obvious in the outline map of the hill systems in the *Statistical Atlas*, 1885, prepared by the Government of India for the India and Colonial Exhibition, and sold by Messrs. Eyre & Spottiswoode; and better still by the beautiful map of the Hill Ranges printed with the Parliamentary (periodical) Statements on *The Moral and Material Progress of India*.



Mālwā is the most noticeable feature. But it leaves the whole country west of Mālwā to Kaçch, Kāthiāwār and the coast, open to the north; the desert country being the only obstacle.

On the south side of the Nabadā, comes the second 'ram-part,' marked by the great range of Sātpurā Hills, the Maikal, Mahādeo, Melghāt, and other ranges. This southern line unites, at its western extremity, with the line of 'Ghāt' or Sahiyādri Mountains that extends southward along the western shores of India at a limited but somewhat variable distance from the sea coast. Below the junction is an opening into the Taptī Valley which would give access to Berār, and thence without difficulty to the plain of Nāgpur, in the region of the modern 'Central Provinces.'

But on passing the second or southern high line of the Vindhyan group, the country does not subside to a dead level, as Northern India does when the last of the Himalayan outworks are passed. For this reason the Vindhyan group, as a whole, does not stand out sharply and separately on the relief map; the whole of the country inland of the Ghāts and south of the Vindhyas forms the somewhat elevated but varied table-land of the 'Dakhan.'<sup>1</sup> This table-land is brought up on the east as well as on the west side, by a range of hills along the sea-coast. The range called Sahiyādri or Western 'Ghāt,' already mentioned, is higher and more continuous and in general much nearer to the sea-coast than the so-called 'Coromandel' Ghāt skirting irregularly the eastern side of the Madras Presidency.

The general result of such a conformation is, that the whole of Upper Western India is also open to an advance of tribes from the Indus Valley or by the lower passages of the Western Sulāimān frontier. The route is across the open desert of Kaçch and on to Gujarāt.<sup>2</sup> Once in this position, it would be a matter of no great difficulty either to turn eastward and domi-

<sup>1</sup> The dialectic form of 'Dakshinā,' or 'southern' country, variously written in books as the 'Dekhan,' 'Deccan,' &c.

<sup>2</sup> In early times there was, in all probability, a different conformation of the country, and the river Indus had its mouth in the Bay of Cambay. But this does not affect the use of the route spoken of. (See an interesting paper on Gujarāt by Mr. A. Rogers in *Asiatic Quarterly Review* for April 1896, p. 380.)



nate the Narbadā Valley, or, by the Taptī, to reach Berār, the Gondwāna country, and the western plains of the Central Provinces. South and east, however, of the Nāgpur Plain the country again becomes hilly and inhospitable, so the further advance will not be likely.

On the other hand, tribes reaching India by the north-west passes, emerging on the Panjāb and proceeding in an easterly direction towards the Jamnā and Ganges Rivers, would find, as I have already explained, the Panjāb and the Ganges Plain as far as Assam open.<sup>1</sup> But should such settlers have tried to extend southwards in anything like large bodies, across the wide series of Vindhyan Hills, they would be checked by interminable forests and hills. It is not until later times (apparently about the eighth century) when the country south-west of the Chambal River, Bundelkhand, &c., had been occupied from the Ganges Plain, that the Mālwa Plateau was reached, and thence northern chiefs led their armies through the Mahī Hills into Gujarāt and through the Vindhyan passes to the Central Provinces.

Thus, while the Vindhyan barrier generally restrained the Aryan advance to the south, it did not affect the western extremity of the continent; and in Upper Western India we have consequently to take account of a double series of Aryan movements. First, in remote times, Aryan tribes came without hindrance from the Indus Valley; next came Turanian or Scythic tribes; and then, in much later times, Hindu Rājputs from Mālwa or Bundelkhand and Rājputāna.

All *later* movements were facilitated by certain passes in the Vindhyan lines themselves. There are two principal openings through the higher 'rampart.' One, at the eastern end gives access to the *upper* Narbadā Valley (Jabalpur and Mandlā). The other, at the western end, not only gives access to the *lower* Narbadā Valley owing to openings, by Mhau and Indor, in the northern range, but also, by an isolated and somewhat wide opening in the southern Sātpurā range, to the Dakhan itself. This latter opening is commanded by a fine scarp and table-

<sup>1</sup> Indeed, when once Bengal was occupied and the mouths of the Ganges were reached, adventurous parties could, and did, go by sea to Arakan, Java, and Ceylon (Lankā).



topped hill, called Asirgarh,<sup>1</sup> crowned with a once extensive fort. It is not surprising that this place has again and again been the object of attack by northern armies seeking to reach the Dakhan from Delhi and Āgra. It was taken by storm, on the last occasion, in the Marāthā war (1819). The Mughal Emperors in their endeavours to conquer the southern kingdoms by an advance from Ajmer and Āgra had always to take account of this pass.

The passage at the eastern end is that now made use of by the railway from Allāhābād to Jabalpur.<sup>2</sup> Indeed, the existence of the railway and other modern roads rather blinds the tourist of to-day to the real character of the Vindhyan hill country as it must have been in old times. 'Not many years ago,' writes Mr. (Sir C.) Grant, 'the passes which would now scarcely excite notice but for the boldness of their scenery were looked forward to days beforehand with dread by cartmen, and most of the carriage of the country was effected by pack-bullocks. The valleys were sufficiently smooth and easy in fair weather, but a few hours' rain would convert the track through them into a trough of deep black compost, in which every step was a labour to the most lightly laden animal.'<sup>3</sup>

It may be worth while, in conclusion, to notice how the actual condition of the 'Central Provinces' (immediately beyond

<sup>1</sup> See *Imperial Gazetteer* (2nd ed.), i. 338. A good view of the fort is obtained by travellers on the Great Indian Peninsular Railway from Bombay to Allāhābād.

<sup>2</sup> I venture to think that Lassen (i. 112, 2nd ed.) attaches too high importance to this east-end route when he calls it the 'Hauptverbindungstrasse' ('chief line of communication) between Hindustān and the Dakhan.' It never served to do more, in early times, than enable an Aryan, or more probably semi-Aryan, royal family to establish a local lordship in the Upper Nabadā Valley (Jabalpur and Garhā-Mandlā). It seems also to have led only *into* the valley, and not given access further south; at any rate, the Haihaya kings whose dominion was early established in this region only extended their sway to the districts of Chattisgarh (Raipur and Bilaspur) in the immediate vicinity. All history shows that, apart from the access to Western India by the Indus Valley route, it was the passes at the *western* end that can be correctly described by Lassen's phrase as giving access from Hindustān (*i.e.* Upper India).

<sup>3</sup> *Central Provinces Gazetteer*, Introduction, p. xx.



the Vindhyan 'barrier') shows the effects of the geographical features I have sketched. The northern or Narbadā Valley districts contain most of the Aryan or northern element, as might be expected; not only because they are nearest the north, but because the valley was from the earliest times more or less open to approach by the western (Indus Valley) route. Here it was that one of the most ancient of the Aryan or quasi-Aryan (Rājput) rulership was established in the well-known dynasty of the Haihaya, whose first capital was at Maheswar.<sup>1</sup> After the progress of the Hindu Aryan tribes in Rājputāna and Bundelkhand and Mālwa, no doubt there would be more and more intercourse with the Narbadā districts and Gujarāt. But in reality it is known that the chief influx of Hindī-speaking people from the north of India only occurred within the last three centuries (since the reign of Akbar).<sup>2</sup> And the establishment of Hindus with their Brahman priests has resulted in the gradual absorption of many of the earlier races. But 'below the Ghāt' the country is more Dravidian, including a Marāthā element from the west, and a Telugu and Uriya one from the east and south.<sup>3</sup>

Another point deserves mention in connection with these Vindhyan ranges. Not only have the western and central hills served as safe retreats for the relics of tribes like the

<sup>1</sup> Maheswar is now in the Indor State. Cf. *Central Provinces Gazetteer*, Introduction, p. cxxvi. 'It [the Narbadā country] was ruled by chiefs called as usual Rājput, but these seem to have been days in which Rājputs had not been thoroughly assimilated with the Hindu caste system' [which, I may add, was hardly then in existence]; 'and it is quite conceivable that they may have reigned as a semi-foreign tribe directly over the aborigines without the intervention of any class of Hindus.'

<sup>2</sup> *Central Provinces Gazetteer*, Introduction, p. xv. The gradual absorption of the population within the ranks of Hinduism was, as we shall afterwards see, begun very early by Brahman hermits. Hills and woods which completely stayed the waves of tribal emigration or the advance of large armies proved no obstacle to wandering hermits and those who sought the merits of ascetic life in the forest.

<sup>3</sup> As a matter of fact (*Census of India*, Parliamentary Blue Book, 1891, p. 156), the Hindī-speaking population is now 60 per cent.; the original Dravidian-Gond element still a little over 9 per cent., while the Marāthā element from the west represents 19·6 per cent., and the Uriya from the east, 6·35 per cent.



Kolī, the Bhīl, the Māriā, and Kurkū, who have not been assimilated with the general 'Hindu' population, but the eastern extremity (South-western Bengal and Orissa) has its special features. Here there is an extensive plateau-land in the province of Chutiya-Nāgpur (corrupted into Chota-Nāgpur) and the adjoining 'Hill States.' In this we find the refuge-ground of interesting races. For the country is at once fertile within and inaccessible from without.<sup>1</sup> Accordingly we find examples of the so-called Kolarian tribal land-customs, as preserved by the *Santāl*, *Ho*, *Mūndā*, &c., as well as the *Urāōñ* and other admittedly Dravidian tribes. It was mainly owing to the local features of this region that these tribes were able to establish a permanent home, and to find land to cultivate, while they retained their own peculiar customs, safe from external attack. Hill ranges have often served as the refuge for ancient tribes; but they afforded no facilities for the permanent location of agricultural villages. On the contrary, they often directly invited a nomadic life and subsistence by the chase; and where cultivation was adopted as a necessity, it was carried on by a method of temporary clearing to be described presently. Tribes placed in these situations have ended by remaining, or perhaps becoming, quite nomadic and uncivilised, or else by descending into the plains, and more or less completely losing their individuality in the mass of low-caste Hindu agriculturists or farm-labourers. The districts of Chutiya-Nāgpur, on the other hand, though shut in by the hills, contain so much culturable land, that tribes finding a secure home within their precincts were able to establish permanent cultivation, and so to develop their natural tendencies towards this form or that of village organisation. Thus we can observe in the plateau lands, relics of early agricultural customs which we should seek in vain in the forest-clad hills of the other Vindhyan ranges, and these, under the circumstances, we may believe to be really

<sup>1</sup> 'The central table-land on which the tribes rallied is admirably adapted for defence. The approaches to it are from the north, north-west, east and south, and are exceedingly precipitous, the paths winding up defiles which a handful of resolute men could hold against hosts of invaders.' (Dalton's *Ethnography of Bengal*, Calcutta, 1872, pp. 150-235). See also an interesting article on 'Chota-Nāgpur: its People and Resources' in the *Asiatic Quarterly Review* for April 1887.



ancient, since there was no external influence (at least till quite recent times) to destroy them.

It is not, of course, claimed that geographical features explain everything; hill ranges which have proved barriers to the Aryan advance may not have always been equally impervious to other tribes coming, perhaps, from other quarters and moving very gradually, in small sections and under wholly different conditions. But the features above described had a very clear connection with the facts of the Aryan advance, the occupation of the Indus Valley, the early Aryan connection with Upper Western India by that route, and the subjugation of the Ganges Valley or Plain, as well as with the fact that no extensive Aryan movement south of the Vindhya took place.

We cannot, however, derive any definite information from such features when we try to account for the first origin of the ancient Dravidian races; and how it is that we find people with more or less distinctively Dravidian elements in their language at once north and south of the Vindhya, on the border of Bilūchistān, and throughout the Madras territory.<sup>1</sup>

## SECTION II.—PHYSICAL AND CLIMATIC FEATURES BEARING ON THE FORMS OF AGRICULTURAL SETTLEMENT

### (1) *General Remarks*

The great diversity in abundance of rainfall and general moisture which now exists must at all times have been experienced in different parts of India, and the striking differences in soil, climate, and vegetation which follow from these differences will naturally have had a great deal to do with the permanent location of groups of settlers and their customs of land-holding.

<sup>1</sup> The question whence the Dravidian races came is so purely a matter of speculation that it would be altogether foreign to my purpose to touch on the subject. It may only be suggested that if they ever came from the west, following the indication afforded by Dravidian elements in Bilūchistān, they would naturally have taken the Indus Valley route and gone first to Western India and Southern India, where they would have multiplied and remained comparatively pure and unmixed; while those of the races who gradually extended to Upper India, would be largely influenced by the stream of Kolarian and Tibeto-Burman races from the north-east, to say nothing of other possible northern tribes.



Such climatic variations are accompanied by differences in the crops which it is possible to raise, and in the sort of treatment necessary to the proper utilisation of the soil. Different tribes may also prefer different climates; and if they happen to have markedly diverse customs we may find peculiar tenures in one place which do not occur in another. It has been observed in the Panjāb that the location of Muhammadan village-communities usually follows the river lowlands, where cultivation is less troublesome, and a crop more secure, though the climate is less healthy. The Jats and hardier agricultural races, on the other hand, follow the higher lands, where the soil is good but the labour of raising a full crop is more considerable; the climate, however, is drier and much healthier. The customs of these villages are not, in fact, markedly different. Yet, if there had chanced to be some striking contrast, we should have had the spectacle of customs changing with the contour lines of the map. I cannot help thinking that it is the peculiarity of Indian climatic conditions that has prevented the early agricultural tribes from following certain methods of co-aration and other customs which seem to be always found among the early Celtic and Teutonic tribes of Europe.

In Wales, for example, in a moist and cool climate, the ground is covered with short grass suitable at all times more or less for tribal grazing—and this we know to have been the principal resource; the tribes were more pastoral and predatory than agricultural. What land they actually wanted for the yield of bread-corn, they could easily reclaim every year by simply ploughing it up. Every tribesman had cattle which he brought to the work; strips representing a day's ploughing—or some similar area—were arranged; and the harvest was divided with reference to the number of strips which fell to each tribesman's share. The harvest over, the short grass and herbage would again take possession of the fields, and if the tribe moved its home, or required new ploughlands, nothing would be easier than to settle on a new site for the purpose.

Anything of the kind would be impossible under any of the ordinary climatic conditions of Indian provinces. Hence we never hear of tribal co-aration. Small holdings may be worked by people each of whom has only one bullock, so that



they must combine forces. And in some places local customs will be found of gathering together a number of ploughs to treat a large area, and giving a feast to all the helpers.<sup>1</sup> But that is not co-aration such as we see in ancient Europe. We have also instances of jointly-worked village-colonies, where no permanent allotment of the fields was made, apparently for a long period: the village heads determined each year what land each co sharer should take in hand; but that again is not co-aration.

The fact is that no system of the kind would in most cases work. In all the numerous places where dense forest has to be contended with, the fields, once laboriously cleared, must be kept clear, or the work would be undone in a few weeks or months;<sup>2</sup>

<sup>1</sup> E.g. the *atari* custom in the Akola district of Berar (*Gazetteer*, p. 65).

<sup>2</sup> It may be not quite useless to explain to English readers that the work of clearing land and keeping it safe from the encroachment of the jungle is in many parts of India a task quite beyond the experiences of European agriculture. The following passage, relating to the clearing of jungle country in the remotest parts of the Central Provinces (*Gazetteer*, Introduction, p. xxi), gives a graphic sketch of the ancient difficulties of 'first clearing.' Of course the nature of the difficulty varies from district to district; in one place the contention is only with a hard soil, for which irrigation has to be laboriously provided; in another, it is with rank deeply-rooted grass of the *Saccharum* and other species, which springs again if a vestige of root be left, and soon chokes the ground with great tufts of leaves and tall flower-stalks twelve feet high; in another, it is deep-rooted jungle of *Prosopis* and other dry species. Wherever there is 'semi-tropical' forest and undergrowth, as in the country described, the labour, as well as the risk of fever, is great. The writer of the extract which follows speaks of the life of a settler, even in modern times, being 'a constant battle against tigers and malaria.' 'At present,' he says, 'it is almost incredible how quickly the ground which the hand of man has patiently gained, inch by inch, is swallowed up again by the jungle, when the pressure of regular occupation is for a moment intermitted. Sir W. Sleeman, writing in 1826, records how a few days' ill-judged zeal on the part of a mere underling threw a flourishing tract of country out of cultivation for years. . . . There had been a bad season, and yet the collection of the revenue had been pressed on, in one of the wilder subdivisions of the Narsinghpur district, without allowance or consideration, by an over-zealous collector. The hill cultivators . . . deserted in a body; when better times came it was found impossible to repopulate the deserted villages, for they had been so grown over by jungle in a year or two, that the very village-sites needed clearing, and



and this not only invites the separate demarcation of fields and develops the sense of a strong claim to what has been so laboriously won, but it almost naturally produces a union of families in villages; for people cling together when they not only need the help of one another in the fields, but when they are liable to be harassed by wild animals, and subject to much sickness—at least till a large open space has been cleared and good drinking-water obtained—and where the demons of the woods and the spirits of the solitudes have to be propitiated, beings who excite in the minds of the primitive tribes an amount of superstitious dread which it is hard for us moderns to realise.

In other places the village lands require irrigation of various kinds; this is obviously opposed to easily shifted cultivation; it also requires fixed fields and a determination of shares in the water. We shall afterwards notice that among the earliest allusions to agriculture in the Vedas we find the water-course mentioned, and also the field measured with a reed and separated by a balk or lince from the neighbouring fields.

In the dry plains of the Panjāb and the Ganges Doāb, early cultivation was probably confined to the immediate vicinity of the rivers, where the soil was moist, and where wells, if used at all for watering the land, would have been, as they are now, mere pits in the soft soil. It must have been some time before the people learnt to cut canals inland from the rivers, or to sink deeper wells, and raise the water by some mechanical device. Here, then, we see no opportunities for co-aration and the indeterminate occupation, by whole clans, of large areas of land.

In the Hill Country and intra-montane valleys of the North Country, again, the nature of the soil would require the permanent terracing of the hillsides, the establishment of small irrigation works along the hillside—or else the permanent utilisation of all such level alluvial deposits as naturally become the sites of rice-fields. Or, again, just below the hills, we find cultivation often carried on solely by aid of occasionally flowing, or permanently

tigers had so readily occupied the new coverts thus made for them that even travellers shunned the country.' This state of things would be reproduced even more easily in well-watered and tropical parts of the country, in East Bengal, Burma, &c.



flowing, streams, which are made, by very easy and primitive devices, to water the land. There is little opportunity for changing the fields, which, moreover, are usually terraced or embanked with some labour. But the most serious and general obstacle to easily moved agricultural settlement in the plains is the labour of clearing the soil already alluded to. Nothing suggests the open-field system of shifting settlements and the co-oration of the whole.

To be sure, the extensive use of fallows is an early resource of primitive agriculture; and in the drier climates land is easily exhausted; but here it will generally be found that each holding is large enough to include an area that is fallow while a small portion of it is under cultivation; they do not shift the entire village or the entire tribal group of cultivated holdings from one location to another. Temporary cultivation is practised on alluvial lands, which are unstable, and on certain soils where either there is only occasionally sufficient moisture or some local peculiarity. And this generally occurs where the herbaceous vegetation dries up after the rains and can be removed by burning.

There is, however, one general method of temporary cultivation which is still extensively practised in the remote districts and among the less advanced tribes. It is confined, however, to the forest-clad hill country in parts of the Eastern, Central, and Southern Provinces of India. It will be worth while to devote some attention to it, for it is connected with the customs of locating tribes and the allotment of territory; and while, on the one hand, it seems to render the idea of fixed ownership of land more or less impossible, on the other hand it initiates various customs of united labour, of responsibility for keeping fire away from the clearings, and of the establishment of small family groups, as well as larger clan-settlements, in their defined boundaries. Ultimately we see how it gradually becomes modified into a permanent right in the soil.

### (2) *Shifting or Temporary Hill-cultivation*

The essential element is the existence of hills with a convenient slope and a sufficiently dense covering of vegetation to yield an amount of ash which will suitably manure the ground.



It involves also the distribution of certain beats or areas which can be taken up in rotation ; and this gives the first idea of right over a considerable territory only a limited portion of which is under treatment at any one time.<sup>1</sup> The first point is, as I have said, to select out of the wooded area the slopes that have a suitably thick clothing of vegetation and are sufficiently gentle. This latter is important, since if the slopes are too steep, the ' monsoon ' rain, descending on the surface bared of its tree-shelter, would erode the soil and wash away the seed.

On the selected area, the working members of the families, armed with their heavy knives (of the type of the Burmese *dā*), cut down all the smaller vegetation, bamboos, grass, and small trees, which are then gathered in heaps to dry in the sun ; in some cases the larger trees are not cut, but ringed or ' girdled ' and left to die standing. At the end of the hot season, and just before the summer rainy-season begins, the dry material is set on fire ; and when all is reduced to ashes, these are raked over the soft forest *humus* soil, and seed (millet, hill-rice, and sometimes cotton), being mixed with the ashes, is dibbled into the ground with a hoe. As soon as the rain falls the seed germinates, and the family labour after that consists in repeated weeding and in guarding against the attacks of wild animals.<sup>2</sup>

<sup>1</sup> This form of cultivation is known by various names. It is *jūm* in Bengal, *kumri* (or *kumarī*) in South India, *yā* or (in the Hills) *taung-yā* in Burma ; in the Central Provinces and neighbourhood it is *daiñyā* or *dahyā*, the enclosed cleared fields being called *bemar*. It was known in the outer ranges of the Himalaya, within the last century or still more recently, under various local names, *çil*, *korāli*, &c. It was by no means unknown in Europe. In Styria it is still practised under the name of ' Brandwirthschaft.' The French ' sartage ' is, however, not the same thing : that is a method of lightly burning over the soil to manure and improve it ; it answers more to the *rāb* cultivation of Western India, where the permanently cultivated rice fields are lightly covered with leaves, bamboos, small branches, &c., and burnt, partly for the sake of the ash manure, but still more, I am told, for the benefit to the surface-soil by the slight calcining action of the fire. There is an account of the *kumri* cultivation on the West Coast, in *Bombay Gazetteer*, xv. (part ii.), 188, 189, and *South Kānara D. M.* i. 209.

<sup>2</sup> Which latter is sometimes a very formidable business. For example, in the *Central Provinces Gazetteer*, an account of the cultivation as practised by the Baigā tribe is given. There they seem to rely



When the crop is reaped, the soil may be considered sufficiently fertile for another year's cultivation; but it is soon exhausted, and then a move has to be made to a greater or less distance according to locality. It depends on the extent of suitable slopes with sufficiently dense vegetation, and the relative numbers of the tribes, whether the same place is returned to after many years (20-40), or after the *minimum* number (5-7), in which a sufficient growth will cover the land and afford material for the next burning. In scantily populated ranges, no care is taken; and the fire applied to each cleared area is allowed to spread over the adjoining forest, many square miles being annually burned. But where the area is more restricted, the 'villages' have a well-understood system whereby the fire from the prepared blocks must be prevented, by cleared lines, &c., from spreading to neighbouring blocks; and a system of fines and compensations would be enforced in case of neglect.

To a great extent the allotment of these tribal areas is regulated by Nature. There may or may not have been a conflict of interests and fighting before a peaceable location is effected; but the natural barriers of river, ridge, and valley appear usually to be followed as intimating the limits of clan-territory and its sub-divisions.

It is extremely interesting to be able to trace the stages by on burning the large wood as well as the smaller stuff; sufficient being cut 'to cover pretty closely the whole of the area. . . . In May and June, just before the setting in of the rains, the wood and the brush-wood in which it has fallen is set fire to; and almost before the fire is out the Baigās may be seen raking up the ashes and spreading them over the surface of their field. This is done with a bundle of thorns or long bamboos, until there is a superstratum of about an inch of ashes spread over the ground.' The grain sown consists of millets and *Kodo* (*Paspalum* sp.) and a poor hill rice. 'When sown, the field is fenced round very roughly and strongly; small trees are felled so as to fall one on to the other; the interstices are filled in with bamboos, and the boughs are carefully interlaced so that the smallest kind of deer cannot effect an entrance.' Where bison or buffaloes are feared, which would burst through an ordinary fence, they bury a line of broad-bladed spears (*dānsā*) at about the spot where the animals would land if they jumped the fence. Watching an opportunity, they frighten the wild cattle, inducing them to rush the fence, when some of them are sure to be wounded and perhaps one or two killed; and the herd never visit the field again.



which this nomad cultivation begins to change into permanent allotment of holdings and to the fixation of villages. Such a process has been observed in parts of Burma, where the Karen population has come to press on the land and is unable or unwilling to move elsewhere. The rich soil at the bottom of the valleys first becomes permanently cultivated, and the slopes above, still cultivated by burning the vegetation, are nevertheless divided out, and worked in a strict rotation, under severe penalties and well-enforced responsibility in the case of fire being allowed to spread to the areas not yet ready for cultivation.

Sir D. Brandis has given an interesting account of the Karen tribes in the hills between the Sittang and Salween Rivers<sup>1</sup> who had attained this stage of progress. 'These Karens,' he says, 'have two classes of cultivation: along the valleys and ravines are extensive gardens of betel-palms, with oranges and other fruit trees carefully irrigated and admirably kept. These gardens are strictly private property; they are bought and sold, and on the death of the proprietor are divided in equal shares among his children.' He then describes how on the drier slopes above, *taunggyā* cutting is practised; but the limited area available and the necessity for carefully fostering the vegetable growth<sup>2</sup> which yields the ashes necessary for sowing the hill-rice renders special arrangements necessary. And he continues: 'The whole of the *taunggyā* grounds of one village are divided into a number of plots, each plot being owned by one of the proprietors of the village. Well-to-do people own from twenty to thirty plots situated in different parts of the village area.' The boundaries of each village are most distinctly defined, and jealously guarded against encroachment. The boundaries of the plots also are defined. 'These plots are sold and bought . . . and when a proprietor dies his *taunggyā* grounds, with his gardens, are divided in equal shares

<sup>1</sup> Quoted at length in my *Land Systems of British India*, iii, 508 ff. Sir D. Brandis was familiar with these tribes as Conservator of Forests, and again visited them twenty years later, when he was Inspector-General of Forests to the Government of India.

<sup>2</sup> The vegetation that springs up after a season of shifting cultivation is interesting botanically, and is very different from the original forest. In the Karen Hills, the vegetation for burning is chiefly a tall reed-grass (*Arundo* sp.) interspersed with old gnarled trees, which are pollarded so that the leaves and branches may be burned on the ground.