

# **BRITISH KUMAUN - GARHWAL**

**AN ADMINISTRATIVE HISTORY OF  
A NON-REGULATION HILL PROVINCE**

**Gardner and Traill Years  
(1815. A.D. - 1835 A.D.)**

**R.S. TOLIA**

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*Dedicated*  
*to*  
*Manjula, my wife*  
*and daughters Preeti and Priyanka*

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Whatever may have been done by the Viceroys, and Governors, and great Commanders, the soldiers and civilians whose names have hardly been heard in England have done much more in building up the splendid fabric of our Indian Empire.

It is by the everyday work of administration that the real foundations of our power have been maintained and strengthened, and the steady progress of the country has been secured.

Sir John Strachey  
(INDIA : Its Administration and Progress)



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## FOREWORD

It has been a welcome development of recent years that officers serving in the administrative services of the country have taken time off from official duties to sit back and examine the actual working of the system - past and present. The administrative history of a region calls for special study. The establishment of regional universities has tended to increase such curiosity. The British have left volumes of administrative records well preserved and documented in the Collectorates, Commissioner's offices, office of the Boards of Revenue and Provincial or State Archives.

2. In 1989 R.S. Tolia of the Indian Administrative Service (1971) took study leave to examine how the first British administrators set up the rudiments of a modern administrative system after annexing the districts of Kumaun, Pauri Garhwal and Dehradun from the Gorkhas in 1815. Gardner, the Second Assistant to Sir Charles Metcalfe, Resident at Delhi, was selected by Lord Hastings to be Commissioner for the affairs of Kumaun and to act as the Agent of the Governor General. On 13th April 1816 Gardner was sent to Kathmandu as Envoy and Traill was appointed in his place. Gardner and Traill thus were working directly under the Governor General as the personal agents for the administration of British Kumaun. The Bengal Regulations were not applied to Kumaun and all administrative, judicial and revenue powers were centralised in the hands of the Commissioner. In other words the Raja tradition was continued where the ruler

looked after the interests of his subjects as if they were his own children.

3. The narrative in the present book covers the period of early British administration in Kumaun, when it was governed by whatever orders the Commissioner issued subject to the control of the Governor General alone. The author has quoted primary sources to achieve precision and to describe how and where the administration departed from the Bengal Regulations.
4. The present study will be of great help to officers and others who will be serving in the hill districts of Uttar Pradesh in the coming years. What is needed is sympathy and identification with the people of hills. In the case of its boundaries with Nepal, Tibet and the Rohilkhand and Moradabad Divisions, Traill fought for the rights and privileges of the Kumaunese and ultimately won his points. Since Independence the gigantic administrative machinery of the state has been crushing all variations with its steam-roller processes. This book will bring the peculiarities of hill administration to the notice of its readers and may prove useful when we are trying to hammer out new administrative norms for Kumaun and Garhwal districts.
5. The present narrative, as I have already said above, emphasises primary sources. In other words, generalities and erudite or profound formulations are not needed in hill areas, such as those in Kumaun and Garhwal. Not only for the Central Himalayas, but also for the entire Himalayan territories from Gilgit in Jammu and Kashmir to Lohit in Arunachal Pradesh the priorities are different, not profound but basic to the needs of the people who are much nearer to their natural surroundings. The arrangements of the topics studied namely, revenue and

general administration, civil, criminal and police administration, welfare of hill-porters, boundaries, roads and bridges, forest management, postal dak, currency and treasury and jail, medical and health administration will indicate the priorities for hill administration and their abiding importance.

I am sure the book will be useful for both our Ministers and administrative Officers.

**B. D. Sanwal**  
I.C.S. (Retd.)



## **INTRODUCTION: Gardner and Traill Years**

The British ruled over Kumaun and Garhwal for slightly more than thirteen decades. These decades fall into four distinct divisions. The first two bear the stamp of Commissioner Traill and the next two clearly belong to Commissioner Batten. Commissioner Ramsay's long tenure covered no less than three decades. Interestingly, remaining six decades account for as many as 17 Commissioners.

Edward Gardner and George William Traill laid the foundation of a totally new form of administration. George Thomas Lushington and John Hallet Batten silently ushered in several structural reforms. In the able hands of Sir Henry Ramsay not only the gains of preceding four decades were consolidated but Kumaun-Garhwal was literally propelled into the main stream of modern India. The last six decades, not very surprisingly, appear status-quoist in their character, as the officials merely followed the dictates of a highly centralised, and remotely seated systematized provincial government.

It is this predominant trait of Kumaun-Garhwal's administrative history, which compels one's immediate attention. It is very often also explained by the rubric of Non-Regulation System. Kumaun-Garhwal, for quite some time, was administered as a Non-Regulation "province". Here, the Regulations and later the Acts, in force in the Regulation tracts, were not extended for quite some time. The principal officers were literally handpicked and their total number was

also relatively very small. What is more, unlike in the Regulation districts, they exercised both executive and judicial powers.<sup>1</sup> This mode of administration, it now becomes apparent, was necessitated as much by this region's relative backwardness as by its strategic location, as a border-district.

In any study of a Non-Regulation region, therefore, a study of the principal officer's background, assumes considerable importance. Without such an examination the study of events remains less than complete. In the case of Kumaun-Garhwal, it is no wonder that the years carry the names of its catalysts, the Commissioners. This also gives the history a human character, making it very lively indeed. This singularity is also unique to this even otherwise fascinating, Palestine of the Hindus.

Only two years prior to the British annexation of Kumaun-Garhwal from the Gorkhas, the East India Company had applied to the British government for an extension for another twenty years of its trading privileges in India. The Act of 1813, left the government of the country in the hand of the Company for another stretch of 20 years. It also retained the appointments of its servants, as well as the monopoly of the tea and China trade. The British Parliament, however, abolished the Company's monopoly of India trade and asserted the sovereignty of the Crown. The appointment of the Governor General, Governors and Commander-in-Chief, could now be made only after Crown's explicit approval. The work of Christian Missionaries was also encouraged by the appointment of a Bishop of Calcutta and the expenses of his ecclesiastical establishment were to be borne by the Company.

Lord Francis Rawdon Hastings, earlier the Earl of Moira, assumed the office of Governor General, under this post-1813 arrangement. Besides, he was his own Commander-in-Chief. The Supreme Government, headquartered at Calcutta, discharged its functions through a Central Secretariat. The

Secretariat was divided into four branches, viz., General, Revenue, Commercial and Judicial. The General Branch was in turn divided into Civil, Military and Marine. Kumaun-Garhwal, thus, was a part of the Bengal Presidency, and during the first two decades of British rule, the official correspondence was directly with the concerned branch of the Central Secretariat.

As to the territorial configuration, preceding annexation of Kumaun, by Regulation I of 1809, 7 Ceded Districts (Treaty of 1801) and 4 Conquered Districts (Treaties of 1803) were merged into the Western or Upper Provinces. This was so termed in order to distinguish them from the Lower Provinces of Bengal, Bihar and Orissa and the intermediate Province of Benares. The Sudder Diwani and Nizamut Adawlut (SDNA) came into existence in 1801, at Calcutta. The control of revenue administration, so far in the hands of the Board of Revenue constituted in 1786, passed first to the Board of Commissioners in 1807, and later to a Special Commission in 1821. Only a year later, the Board of Revenue was redesignated as the Sudder Board and the Board for Bihar and Benares, as the Central Board. For the majority of districts coming under the Ceded and Conquered districts, a new Board of Revenue or Western Board was formed. Dormant activity of this Western Board and the urgency attached to effective supervision of settlement operations, undergoing in the newly acquired territories, gave rise to the institution of Commissioners of Revenue and Circuit in 1829. Under this arrangement, Bengal Presidency was divided into 20 Revenue Divisions, each supervised by a Commissioner of Circuit and Revenue. These Commissioners also discharged the function of Superintendent of Police and they were directly responsible to the Sudder Board of Revenue. The powers vested hitherto in Special Commission were split up between the Sudder Board of Revenue and the new Commissioners, according to their jurisdiction. Very soon, the exigency to supervise the settlement operations in the Ceded

and Conquered districts, forced the constitution of a Sudder Board of Revenue on Deputation, in the Western Provinces. This Board on Deputation was stationed at Allahabad, in 1831. In 1831 it was redenominated as the Western Board and all the powers so far exercised by the Sudder Board of Revenue were conferred on it. With added territorial jurisdiction of Benares, Sagar and the Narbudda Territories, this Western Board was also known as the Sudder Board on Deputation.<sup>2</sup>

Between 1815 to 1929, Kumaun Commissioners corresponded directly with Calcutta. With the constitution of Rohilkhand Commissionery of Revenue and Circuit, at Bareilly, in 1829, Kumaun Commissioner started communicating with the Presidency through that office, on revenue matters only. Before, relinquishing his Kumaun charge, Commissioner Traill, even held the additional charge of Rohailkhand, Commissioner of Revenue and Circuit. The exact status of Kumaun Commissioner, vis-a-vis Rohailkhand Commissioner, was not to be determined; at least not before Commissioner Traill's departure from the scene. It was left to Robert Mertinns Bird, the redoubtable Senior Member of the newly constituted Board of Revenue, to precipitate the issue, after his hurricane visit to Almora. Bird's exhaustive report on the state of affairs in Kumaun, throws as much light on the administration of the day; as its extensively misquoted excerpts have hitherto prevented any meaningful assessment of the pre-Gowan years. We shall discover all this, but later. Let us now begin at the beginning.

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## EDWARD GARDNER

Edward Gardner entered Company's civil service as a Writer in 1800, and as Senior Merchant he was the Second Assistant to C. T. Metcalfe, the Resident at Delhi. Lord Moira selected him as his special agent for negotiations with Bum Shah; management of all political affairs in Kumaun; and eventual introduction of British authority after its annexation from Nepal. This order issued on the 23rd October 1814, made it clear that annexation of Kumaun had been finally decided, in view of its important position and resources, as a compensation for the war forced by Nepal on the Company. All the information furnished by Rutherford, Captain Raper and Moorcroft on Kumaun-Garhwal, accompanied this letter. Gardner was instructed to assume total charge of civil administration of Kumaun just as Fraser, the First Assistant, had been asked to do for Srinagar and Dehradun. On the 2nd November 1814 Gardner received necessary instructions from Metcalfe and handed over his Delhi Residency charge to Wilder.

The Governor General, accompanied with C. M. Ricketts, John Adam and Swinton, had himself left Calcutta towards the end of June 1814 and reached Lucknow in October 1814. Lord Moira's entourage reached Moradabad on the 13th December 1814 and the very next day Edward Gardner received formal instructions "to distract attention of Gorkha troops from Garhwal by forcing an entry into Kumaun by troops under Colonel Gardner and Captain Hyder Young Hearsey." Gardner was also authorised to issue a proclamation declaring the intention of the Company to enter Kumaun.

Lord Moira closely followed the fluctuating course of the Gorkha War from this point onwards and received the news of surrender of Almora on the 27th April 1815 while camping at Fatehgarh. On the 3rd of May 1815 Lord Moira approved the terms of the convention concluded with Bum Shah and formally appointed Edward Gardner Commissioner for the Affairs of Kumaun and Agent of the Governor General. He was authorised to draw a salary of *sicca* Rs. 1,500 per month, exclusive of his salary as the Second Assistant to the Resident and actual expenses (sumptuary allowance). His emoluments were given restropective effect from the day he was authorised to issue a proclamation to the people of Kumaun.<sup>3</sup>

### POLITICAL AGENCY OF KUMAUN

Although Almora had fallen in April 1815 political settlement between the Company and the Court of Nepal was far from complete. The existing maps in possession of the government were so incomplete that no clear directions could be issued to Gardner to achieve the important object of securing the trans-Himalayan trade by suitable adjustment of boundaries with the Gorkhas. He was asked to ensure this while negotiating with the Gorkhas the terms of the Treaty. A similar stipulation was to be necessarily made in the western sector while negotiating the restoration of territories to the former ruling family of Garhwal.

The Governor General with his team of senior most civil servants remained at Fatehgarh, from the 10th of March to the 21st of August 1815, during the course of this settlement. The Supreme Government supplied a draft Treaty to Gardner in May 1815 of which a copy had previously been supplied to Lt. Col. Bradshaw, the Political Agent at Kathmandu. While negotiations continued between Gardner, John Adam and Lt. Col. Paris Bradshaw, respectively projecting the views of Choutra Bum Shah, the Supreme Government and the Court

of Nepal's emissaries Gajraj Mishra and Chandra Shekhar Upadhyaya, a decision was taken on the 21st July 1815 in respect of the boundary between British Kumaun and Tehri State. Annexation of all Garhwal territories east of Alaknunda-Bhagirathi was finally communicated to Gardner and he was asked to assume its control immediately. The decision with regard to the territories lying to the east of Bhagirathi was to be communicated later.

Protracted correspondence over fixation of boundary along the foothills and rehabilitation of Bum Shah took the negotiations to the month of December 1815. Col. Ochterlony informed Gardner in March that a treaty had been concluded between the two states on the 2nd of December at Sigauli and the hostilities had ceased. The Treaty was ratified by the court of Nepal on the 5th March 1816 when Col. Ochterlony had reached the valley of Makwanpur in view of intransigence displayed in its ratification. On April 13th Gardner received orders to assume the charge of Political Agent at the Court of Kathmandu, where he remained till his retirement on the 1st May, 1829.<sup>4</sup> Much of Gardner's time was spent in political negotiations and it is primarily his Political Agency work which could rightly be called as his contribution to the foundation of British rule in Kumaun. Other branches of administration accordingly receive a less significant notice.

## REVENUE AND GENERAL ADMINISTRATION

Establishment of new *tehsils* and *thanas*, the Sudder Office, settlement of land revenue, investigation of *lakhiraji* (*mafi*) lands and *nankar* lands were completed. Soon after his arrival in Almora in May 1815 Gardner went ahead with the task of establishing new administrative jurisdictions and new institutions. He submitted a rough estimate of the gross revenue Kumaun was likely to yield. The government accepted his proposal to continue the existing system of

revenue-settlement and collection during the first year of occupation. The government specially drew his attention to the various mines in Kumaun and asked him to furnish detailed information on the trans-Himalayan trade. Gardner requested for the services of an Assistant.<sup>5</sup>

An immediate and complete introduction of British authority in the newly acquired tracts was Gardner's first priority. In Kumaun he set up 7 *tehsils* at Almora, Kali Kumaun, Pali Pachaon, Kota, Shor, Phaldakot and Ramnagar. As many as 5 *thanas* were opened at Almora, Kota, Kathkeemau, Chukata and Timla. A Sudder Office of Kumaun Commissioner was also set up. All these institutions meant a monthly burden of Rs. 4,986, for the Kumaun part alone.<sup>6</sup>

In July the erstwhile Garhwal territories east of Alaknanda were annexed to Kumaun and the new Assistant, George William Traill, joined his duties on the 22nd August 1815. In October he was deputed to Garhwal for settlement of 1815-16 and full introduction of British authority. In Garhwal only two *tehsils* at Srinagar and Chandpur were opened. In view of near absence of any crime in the interior the Tehsildars were also entrusted with police responsibilities of their respective jurisdiction. Due to frequency of robberies in the forests below Kotdwara a *thana* was opened at that place. The Thanadar was also given the task of collecting transit-duties and supervision of *chowkis* established at Bhoori, Bilasni, Chaki and Siguddi, all hill-passes. A Sayer Jamadar was also appointed to visit these *chowkis*. A Sudder Office for the Assistant was also established. These arrangements for Garhwal could be finalised towards the end of December 1815 and entailed a monthly expenditure of Rs. 740. Traill filled up most of the posts by the Garhwalis and it was only due to ignorance of Persian (Urdu) language that he could not fill up some posts by them.<sup>7</sup>

Traill made the first revenue settlement of Garhwal or, 1815-16, and sent it to Gardner in March 1816 for his approval and inclusion in the overall settlement of Kumaun province, as it was then called. The last settlement of Garhwal was undertaken in 1811 and prior to that no regular settlement had taken place. The rates had been so high that the zamindars found it difficult to honour, and hundreds of zamindars' family members were sold into slavery in satisfaction of the arrears by the Gorkhas. Cultivation declined rapidly and villages were deserted. As directed by Gardner settlement was primarily made with the Sayanas or where none were present with small zamindars. Actual revenue receipts of the year 1813 were taken into consideration but it fell far short of the demandable jumma which had been fixed by the Gorkhas. The Gorkhali jummas for the last 3 years had been Gorkhali Rs. 87,724, whereas the actual realisations had been merely Gorkhali Rs. 71,819, Rs. 57,735 and Rs. 51,623, respectively.

In Painkhanda sub-division, constituting 22 Bhotia villages, the jumma stood at Gor. Rs. 4,037, half of which was paid in cash and half in the form of merchandize. When the Sayanas were offered a lease of Gor. Rs. 3,500 corresponding to Farrukhabadi Rs. 2,625, on the old terms, it was discovered that in the first *kisht* (instalment) many of the items deposited in kind had no sale value whatsoever, or it was far less than the market price, compared to the rates exhibited in the engagements. Traill divided the kind-part into three divisions and asked the Sayanas to pay for just one division in cash. Other two divisions were allowed by Traill as probable loss in sale. The jumma of Painkhanda was thus brought down from Fur. Rs. 2,625 to Fur. Rs. 1,750.<sup>8</sup> Traill leased sayer-duty (custom) at Tapoban, *abkari* and intoxicating drugs for Srinagar town, minting of pice at Sayer Sudder *chabutra* and Nayar-*ghat* ferries. An iniquitous tax on the Chamars, called Mujhari and a *nuzzerana* levied on every marriage solemnized at Srinagar were abolished by him. Fifty

per cent exemption on all duties granted to Brahmins was withdrawn while duties on all items of necessities for Badrinath and Kedarnath temples were exempted on the request of temple authorities. Custom duties were levied on all imported items at Tapoban, at the base of Painkhanda, and all goods passing through Srinagar-town and Kotdwara.

In Kumaun considerable difficulty was experienced in collecting authentic documents relating to actual realisation owing to the Gorkha system of assigning *parganas* to their troops. Records were either lost or destroyed during war-operations. Kali Kumaun and Baramandal, the two *parganas* which bore the brunt of the recent war, suffered maximum destruction and were accordingly allowed liberal reduction in their jummas. In several villages of these *parganas* the fields remained untended rendering any settlement impossible. The Timashi and Gorkha Malli coins also suffered considerable devaluation and Gardner allowed a discount of 25%. Traill's measures in respect of Garhwal Bhote *parganas*, i.e., an overall reduction in their demand and conversion of kind part into cash, was recommended by Gardner. Gardner thus made the first settlement of Kumaun, including Garhwal, for Sonat Rs. 1,23,360 for the year 1815-16 (Sambat 1872). Separately speaking, Garhwal was settled for Rs. 37,792 and Kumaun for Rs. 86,071.

Gangoli and Sira mines were leased for Rs. 2,700 and Gardner expected other duties to bring in another sum of Rs. 12,000 to Rs. 15,000. The total Kumaun receipts were estimated at Rs. 1,38,863. Gardner anticipated no difficulty in realisation as the demands had been pitched low.<sup>9</sup>

*Lakhiraji* or *mafi* tenures of Garhwal were investigated by Traill. Bakshi Dashrath Khatri and Kazi Bahadur Bhandari, who had been deputed by the Nepal Court in 1811 A.D. to settle Garhwal, had nearly resumed all individual *mafi* -lands and whenever they made an exception in any case the grantee

had been issued a document bearing a seal of one, or jointly of both, the Commissioners. As the whole of Garhwal was assigned as *jagir* to the troops no subsequent grant could be issued except by the Court itself. Accordingly all the grants issued by Kazis Amar Singh and Ranjor Singh were invalidated by Traill, as the former were not authorised to do so. Two such invalidated lists were forwarded by Traill to Gardner and the former was authorised to attach all such lands, till further orders. Gardner recommended resumption of all such lands originating from the grants issued by Choutra Bam Shah, Kazi Amar Singh, Hasti Dal and other Gorkha Burhadars. ~~Existence of a large number other Gorkha Burhadars.~~ Existence of a large number of similar lands in Kumaun was admitted by Gardner but he pleaded his inability to furnish details due to his preoccupation with other important matters.<sup>10</sup>

The erstwhile Duftrees or Kanungos of Garhwal also possessed certain rent-free lands, called *nankar*, which had been awarded to them partly in consideration of past services and partly present. Traill reported that Rama and Dharni, held the office of Duftrees and they were important members of late Raja's administration. Due to their traitorous correspondence with the Gorkhas both of them were put to death by the Raja. The Gorkha government, on their conquest of Garhwal, granted *nankar* lands to Gajadhar and Kishandutt, the sons, and Krishnanad and Harakhpati, brothers of Rama and Dharni, amounting to a revenue of Rs. 6,000. Later the amount was reduced to Rs. 2,000 in 1811 A.D., and Rs. 1,500 in 1812 by the two Nepal Commissioners. When the Commissioners found these lands over-assessed Dashrath Bakshi compensated it by an additional grant of eighteen villages, six of which now lay to the west of Alaknanda in Tehri State. Traill recommended resumption of these lands and money-payment in lieu to the Kanungos in order to secure their efficiency and allegiance to the British government. He rejected their additional claim of *dustoori* of

one *anna* to a *rupee*, as these did not bear attestation of Nepal Court. Krishnanand and Harakhpati had accompanied Fraser to Delhi from Srinagar and later returned with the Raja. A son of Krishnanand was working with Traill as a Hindi Writer.<sup>11</sup> Gardner, however, recommended a full claim of Rs. 1,500 without the usual depreciation of 25% and an additional 3% on collections, to compensate them from other losses, they might have been deprived of, on account of possession of *nankar* lands. It was also made subject to their residence in the province and efficient discharge of duties assigned.<sup>11</sup>

The zamindars were now engaged in Farrukhabadi *rupees* after allowing a depreciation of 25%. Gardner was allowed funds from the neighbouring treasuries in Company currencies for the payment of troops. Current inferior coins were ordered to be withdrawn gradually from circulation and sent to the Company Mint at Farrukhabad for recoinage.

The Gorkha Government had continued the practice of making offer of clothes, oil, etc., at the annual opening of Badrinath and Kedarnath temples but reduced the contribution to Gor. Rs. 280. Gardner, in anticipation of Government's approval, allowed Traill to disburse Rs. 210, as a customary allowance. The articles of consumption meant for these two temples, and of Kamaleshwar, were also exempted from all transit duties.

### MILITARY, HILL-LABOURERS AND FOODGRAINS

In order to consolidate annexation, and owing to a totally unstable political situation in Kathmandu, a heavy contingent of troops was maintained both in Almora and along the Kali, a Champawat. The Artillery Detachment, 1st battalion of Native Infantry, 8th Company of Hill Pioneers, Engineers and Military Commander's Headquarters staff was stationed at



Almora, four battalions of Native Infantry and two battalions of Grandiers were kept at Champawat. In addition the Kumaun Provincial (Local) Battalion, mostly for guard-duties and under control of the civil authorities, was headquartered at Hawalbagh. Most of the irregular troops were disbanded as soon as Almora fell to British troops on the 3rd May 1815. Even after conclusion of the Treaty at Sigauli, in December 1815, delayed ratification of the Treaty raised the need for a second Gorkha War and Col. Ochterlony was ordered to march to Kathmandu Court. The war operations and continued presence of heavy military contingents stretched the fragile resources of Kali Kumaun. The condition of roads was pathetic and it did not permit any carriage through the beasts of burden.

Military equipments and hardware, supplies and foodgrains were all carried by the hill-porters. The number of non-combatants was as large as the actual troops and the burden of their supplies also fell on the hapless hill-porters. The Kumaun Provincial Battalion, stationed at Chaupukia, was making recruitments but “the ragged and uncomfortable state of the men composing the Battalion” and the pittance they received as salary drove the prospective recruits away. They were also frightened by the prospect of being posted at the hill-passes. Even though the entire Kali Kumaun tract had been razed by the last war and cultivation, whatever little was practised, had nearly ceased, no able-bodied person offered himself for military service. Desertion even from the regular troops was also increasing at an alarming rate, an urgent need for civilian intervention was requested by the military commanders.

Provision of hill-porters (Khusseeaha, in correspondence) became the most pressing problem for the civil authorities. The Commissariat, who provided the military supplies, made such a huge demand that Gardner made it clear that it was beyond the capacity of the province to provide such a large

number. The Kali Kumaun hill-men habitually migrated to the Bhabur during the winter months which reduced the number of available hands considerably. Work-men were also needed at the same time for various construction and building activities which had been commenced and could not be deferred or stopped.

All the *parganas* of Kumaun, excepting the distant Bhotia *parganas*, from where no such assistance could be procured, were assigned for various public works for the supply of labourers. Additional hands were eventually procured from the contiguous *parganas* of Garhwal. Gardner refused to accept Capt. Raper's demand that *pudhans* be asked to remain present in person to ensure adequate supply of labourers, as such a measure was likely to adversely affect cultivation and over-all economy of the villages. On being further pressed Gardner ultimately directed that the *pudhans* should nominate a person to act as a Jamadar for supply of indentured labourers. Even those who reported for work, fled the site on first opportunity, if supervision was not adequate. Commissariat demanded adequate number of guards to prevent the labourers from running away, a request which was not possible for Gardner to fulfill.<sup>12</sup>

An unprecedented scarcity of foodgrains soon hit Almora in March 1816 as the rabi crop failed to meet such a huge additional demand and reduction in the cultivated area reduced the output. This was taken by the military authorities as a machination by disaffected persons. The prospect of a second Gorkha War meant further marshalling and mobilisation of troops at Almora which deterred zamindars from resorting to Almora for fear of being conscripted as forced-labourers. This further reduced induction of foodgrains from the neighbouring *parganas*, which would have taken place under normal circumstances.<sup>13</sup>

Dak arrangements, to carry official correspondence, were improved between Almora and Srinagar. A list of post-offices was submitted to the Post Master General. He was requested to send dak via Bareilly instead of Moradabad, as practised hitherto, saving 2 to 3 days in postal communication. Dak-runners were established at Champawat-Bilheri road to facilitate faster dak movement via Pilibhit. This facilitated faster communication with the military commanders, manning the eastern border of Kumaun.<sup>14</sup>

That the British rule was now taken for granted by the local people was demonstrated by the arrival of deputies sent by the Rawuls of Badrinath and Kedarnath at Almora in December 1815 to pay their respects to the new regime. Gardner presented to each of them, as was customary, a turban and a pair of shawls.<sup>15</sup> The trans-Himalayan trade was apparently not much affected as the military operations had been undertaken at a time when the Bhotias were still in the Tibetan marts and in the process of coming down to their winter-camping ground and to the foothills. Supplies of borax, the premium commodity of the period, was definitely delayed and was perhaps also reduced in quantity this year as Gardner had to request Rutherford to ensure that his employees did not interfere with the mercantile operations of the agents of a Mirzapur borax dealer, stationed at Kashipur.<sup>16</sup>

Edward Gardner handed over his charge to Traill on the 13th April 1816 reporting to the Government "the ready and valuable aid" he received from him, both in the management and settlement of Garhwal, which was under his immediate superintendence, and in the general local duties of Kumaun proper.<sup>17</sup>



## GEORGE WILLIAM TRAILL

Traill's family came from the city of Bath. Born on the 2nd October 1795 at Bailley near Versailles in France he was nominated to Haileybury (1808-9); Traill was awarded for his proficiency in classical literature. Out of his 25 years' service in India he spent 20 years in Kumaun, retiring on 1st December 1835, as Commissioner for Kumaun. He was one of those officers who never availed any leave. Unmarried during his tenure in India he, however, sired a son and a daughter through a local unmarried woman. While the daughter was born in January at Hawalbagh and baptised in September 1834 at Almora,<sup>1</sup> the son seems to have died in Hawalbagh the same year.

After completing his training at Haileybury he joined Company's service as a Writer. As an Assistant to Magistrate of Farrukhabad he attracted the attention of Lord Moira and when Gardner asked for the services of an Assistant, Traill was the natural choice. His posting as Commissioner for the affairs of Kumaun on 13th April 1816 was definitely at least two years ahead of his colleagues (confirmed in August 1817) but his subsequent raise in salary, as a Senior Merchant, was at least 5 year later than due. He took over temporarily from Melville as Commissioner, Revenue and Circuit, Rohilkhand Division in April 1829 and handed over to Robertson in September 1830. Traill proceeded on 3 months' leave preparatory to retirement, from 1st December 1835. Back in London he had a quiet retired life among old Indian friends, and died suddenly at the Oriental Club in November 1847.<sup>2</sup>

Whalley considered Traill's administration as essentially paternal, despotic and personal. It resisted the centralising tendencies which the policy of the government had developed. But at the same time, though arbitrary, it was a just, wise and progressive administration. According to Whalley, Traill had left the province orderly, prosperous and comparatively civilized, but his machinery was not easily worked by another hand. He was an administrator of tried ability and equal to all emergencies. Bishop Reginald Heber, who had occasion to meet several Magistrates and Company officials and observe the behaviour of Indians, during the course of his travels through India in 1823-24, could not help compare "the crouching manner and flattering address" of the Hindus of Calcutta and Benares with those of Kumaunese.

"It is pleasing to see," wrote the Bishop of Calcutta, "on how apparent good terms Mr. Traill is with all these people. Their manner in talking to him is erect, open, and cheerful, like persons who are addressing a superior whom they love, and with whom they are in the habits of easy, though respectful intercourse." Traill had told the Bishop that he loved the country and people where he had been thrown and Sir Robert Colquhoun informed him that Traill had declined several positions of much greater emoluments for the sake of remaining with them. Heber also learned that he travelled throughout the dry season and it was a mere chance which gave the former an opportunity to meet him at Almora. "Bishop Heber did not know everything about Mr. Traill," added Philip Mason (Woodruff) almost 110 years later "as he could not possibly guess that more than a hundred years later the people of the hills would set finality on discussion with the words: It was so in Traill Sahib's day". Philip Mason personally experienced it as the Deputy Commissioner of Pauri Garwal, in late 1930s.

In the higher official circles, Lord Hasting's "satisfaction of the fulfilment of his anticipations of Mr. Traill's peculiar

fitness for the confidential situation in which he was placed", continued to be shared through two subsequent Governor Generalships of Lord Amherst and Lord William Bentinck. His own service colleagues considered his knowledge of hill-districts and hill-revenue system as unrivalled. Similarly, the proceedings of the Board of Commissioners and the Western Board are anything but a long series of testimonials of Traill's able management of the revenue affairs of Kumaun. The government of the day was not prepared to accept the recommendations of even the Board of Revenue over what Traill had recommended for Kumaun hills, in respect of revenue-settlement, even after his departure from the scene. Even decades later Kumaun officials were asked to give due weightage to Traill's decisions in respect of *mafi*-lands. Officials even of the status of Sir Ramsay, did not hesitate to show Traill's rulings, as if they were the 1st words on the subject.

Robert Merttins Bird, acknowledged think-tank behind the new mode of settlement under Regulation IX of 1833, found the title of Kumaun Commissioner quite confusing and of very undefined powers, "originally constituted expressly for Mr. Traill". Kumaun Commissionership, in his view, was specially assigned to Commissioner Traill and special powers were conferred on him with reference to the seclusion of Kumaun from the rest of the provinces and the peculiar qualifications possessed by him for its management.

P. Barron, the discoverer of Nainital, was amazed at Traill's "most extra-ordinary influence among the natives of the hills" and highly critical of his "peculiarly illiberal ideas regarding the influence of European visitors into province". Barron had heard anecdotes of Traill's jealousy of European travellers which exceeded even that of the Chinese ! Batten recounted his own experience of an assembly of hill-men at Haldwani where he was told how Traill did not allow the

slightest *dukhul* (interference) of Rohilkhand officials and his strong resentment of any attempt of the plain's people even to cultivate Kumaun Bhabur. "Had Mr. Traill", wrote Batten, who was himself to become Commissioner Kumaun one day, "been born and bred a Kumauni Joshi, he could not have shown a greater partiality to the hill-side of the question, nor stickled more for every inch of ground in his controversy with Mr. Halhed. Mr. Traill spoke, acted, and wrote as if it was a distinct Rajaship." F.J. Shore, a zealous preacher of righteousness and a vehement critic of administrative callousness of his brother-officers singled out Traill's administration of Kumaun, as a solitary exception. Strachey (later Sir John) held that Garhwal had derived more advantages from the construction of hill-roads by Traill and his successors, than from all the measures put together that had been undertaken for the improvement of hill areas, since the inception of the British Government upto 1815.<sup>3</sup>

Whalley, Bishop Heber, Philip Mason, Lord Hastings, Bird, Barron, Batten, Shore and Strachey paint for us a portrait of Traill from which he emerges as a strong pro-people administrator who was quite willing to go to any extreme to enforce what he considered beneficial for them. Later, Batten himself and Sir Ramsay tried to out-Traill, and that appears to be Traill's biggest achievement.

### REVENUE AND GENERAL ADMINISTRATION

Traill's observations on hill-revenue matters acquire an almost unchallengeable character for the simple reason that he had better means of judging of the tenures which prevailed under the Rajas than any one since his times. All important works on hill land-tenures like Batten, Ramsay - Beckett, Pauw, Goudge, Upreti and Stowell only illustrate this simple maxim. Lesser, but administratively equally important, notice



has been taken of the manner in which he re-organized the revenue administrative structure, converted feudalistic office of Duftrees into comparatively efficient Kanungos; introduced a multi-disciplinary village official called the hill-Patwari; and included a far superior system of village-responsibility. It is, surprisingly enough, still less acknowledged that it was he who first dovetailed revenue-*kisht* payments with the paying capacity of the zamindars, years before the Board of Revenue prescribed it for the entire N.W.P.

The "Aggregate to detail", or "Back-Process", considered to be the break-through in the history of revenue-settlement, and concretised by Regulation IX of 1833, was actually nothing but a plain's version of the "Dursar-system", practised by Traill during the course of his seven settlements of Kumaun and Garhwal. Notwithstanding Batten's critique of Traill's settlement-methodology, totally delinking it from the state of art of settlement-philosophy which existed in the Upper Provinces prior to early 1830s, and the plain's system in the hills, it was finally Traill, whose methodology appeared most suited.

"The old story is really told," wrote Commissioner Stiffe in 1931, finally vindicating Commissioner Traill, "in paragraph 102 of Mr. Pauw's report. Any attempt to fix the revenue on the same considerations that apply in the plains is clearly impossible." Without making any attempt to belittle Batten's judicial-results of settlements, or introduction of *khasra* - measurements by Beckett-Ramsay-Strachey, or the Circle rates, it would be safe to conclude that Traill implemented for several years what his far better-assisted successors were to learn later at tremendous cost initially to the government treasury, but eventually to the poor hill-peasantry. Stiffe is, in fact, a bit too recent an authority to quote, as it was Batten himself who admitted it as early as 1842. After quoting Traill liberally in his settlement report of Garhwal, Batten acknowledged that, "the opinions of Mr. Traill on any subject

relating to this province, must be of higher importance than any which I can offer.”<sup>4</sup> Traill’s separate and distinct treatment of the Bhoté Mehals was equally based on sound revenue principles and not on “political considerations”, as Batten’s remarks might lead one to believe. The revenue appeals of the Bhotias of Garhwal and *paragana* Johar of Kumaun, both upheld by Commissioner Lushington against excessive assessments, underscored the fact that Traill understood the fundamentals of revenue-assessment far better than any of his successors. The Western Board of Revenue went as far as to even pull-up Batten on this score.

Traill inherited a revenue-cum-police establishment which was formed on a disproportionately large scale, to facilitate speedy introduction of the British rule in Kumaun. The annual charge of 9 *tehsils* alone amounted to Rs. 20,216 in 1816. To economise government expenditure, the *tehsils* were reorganised four times by him, excluding two occasions when they were reorganised due to territorial changes ordered by the government. These re-organisations were effected in 1816; 1818; 1821; 1825; 1829 and 1834. In 1816 three *tehsils* of Pali Pachao, Phaldakot and Ramgarh were merged with Almora and the new *tehsil* was redesignated as the Huzoor Tehsil. Traill was able to effect this change as revenue collection was relatively easy and people peace-loving. Additional expenditure was adjusted against savings effected in the Sudder Office. As Srinagar *tehsil*’s jurisdiction was unwieldy, a part of it was placed under an official at Kotdwara, who was also given charge of police and sayer-collection. These changes brought down the cost of establishment by Rs. 888 monthly. As Kota *tehsil* primarily collected sayer-duties, with the abolition of sayer-duties in 1818 it was also merged with the Huzoor. Huzoor *tehsil* Peshkar’s salary was raised by Rs. 10 per month, 15 Chaprasis were added to Huzoor *tehsil* but still a monthly saving of Rs. 45 was effected. In 1821 Shore *tehsil* was merged with Kali Kumaun, Gangoli *paragana* went to Huzoor, and Sira at Askot was incorporated into Kali

**Table : I**  
**Pargana-wise no. of villages & houses in 1823**

<i>Parganas</i>	<i>Details of Villages</i>				<i>Details of Houses</i>			
	<i>Khal- sa</i>	<i>Rent Free</i>	<i>Reli- gious Assign.</i>	<i>Total</i>	<i>Khal- sa</i>	<i>Rent Free</i>	<i>Reli- gious Assign.</i>	<i>Total</i>
1. Pali	1101	02	23	1126	2889	02	140	3031
2. Baramandal	768	45	56	869	3625	176	133	3934
3. Changarkha	409	25	91	525	1847	47	157	2051
4. Phalda Kota	188	02	03	193	1314	16	1	1331
5. Dhaniakote	87	0	0	87	1152	0	0	1152
6. Darpur	342	5	71	418	835	8	109	952
7. Gangoli	435	37	53	525	1018	44	67	1129
8. Kota Chakata	310	0	2	312	2220	0	10	2230
9. Katoli Marori	0	4	125	129	0	18	669	717
10. Juar Bhote	153	8	1	162	887	78	4	969
11. Darma	61	14	0	75	515	34	0	549
12. Kali Kumaun	547	6	29	582	3474	26	215	3715
13. Dhanirow	107	0	1	108	1108	0	8	1116
14. Shor	217	0	8	225	1425	0	30	1455
15. Sera Askot	238	0	9	247	913	0	22	935
<b>KUMAUN</b>	<b>4963</b>	<b>148</b>	<b>472</b>	<b>5583</b>	<b>23222</b>	<b>444</b>	<b>1595</b>	<b>25266</b>
16. Baraseo	569	8	47	624	3013	24	259	3306
17. Dewalgarh	173	4	22	204	1536	21	97	1654
18. Choundkot	315	0	27	342	1690	0	151	1841
19. Nagpur	351	7	221	579	2356	64	1547	4007
20. Ganga Salon	441	0	11	452	1831	0	54	1885
21. Pain Khande	28	0	18	46	461	0	13	474
22. Chandpur	338	0	15	353	1964	0	43	2007
23. Badhan	248	0	32	280	1234	0	113	1347
24. Talla Salan	265	0	19	234	1066	0	58	1124
25. Malla Salan	196	0	1	197	996	0	13	1009
26. Dassoli	0	8	88	96	0	43	606	649
<b>Garhwal</b>	<b>2929</b>	<b>27</b>	<b>501</b>	<b>3457</b>	<b>16147</b>	<b>152</b>	<b>3004</b>	<b>19303</b>
<b>Kumaun Province</b>	<b>7902</b>	<b>175</b>	<b>973</b>	<b>9040</b>	<b>39369</b>	<b>601</b>	<b>4599</b>	<b>44569</b>

Kumaun. In Garhwal, Kotdwara experience did not prove successful and therefore it was abolished. The third round further saved Rs. 147 per month for the government.

In 1823, popularly known as Sun Assi (Sambut Assi, 1880), Traill brought about whole-sale changes in the existing revenue structure. A large number of local sub-divisions were re-organised, into better defined revenue *parganas* numbering twenty-six, fifteen in Kumaun and eleven in Garhwal. The basic re-organisation of revenue units effected in 1823 is given in Table I.<sup>5</sup>

By 1823, the number of *tehsils* had been brought down, from nine to just four, and numerous local revenue sub-divisions given a concrete shape of twenty-six revenue-*parganas*. For the first time a massive revenue-survey, called *Nuzzur Undazee* (Guess Estimate), was also undertaken throughout Kumaun. At this juncture of time the *tehsil* jurisdiction, annual land revenue and cost of revenue establishment was as given in Table II.<sup>6</sup>

**Table II : Revenue Tehsil Jurisdiction & Juma & Cost,  
Kumaun, 1823**

<i>Tehsil (Region)</i>		<i>No. of Villages</i>	<i>Annual Jumna Rupees</i>	<i>Ann. Exp. Rupees</i>
Kumaun:	Hazoor Tehsil	4,421	90,253	3,030
	Kali Kumaun	1,162	28,940	2,106
Garhwal:	Srinagar	2,241	28,149	2,148
	Chandpur	1,210	29,321	2,148
Total		9,034	1,76,663	9,432

The fourth and fifth modifications were necessitated, first by annexation of Dehradun to Kumaun in 1825 (Regulation

XXI of 1825) and later in 1829 due to placement of Dehradun in Meerut Commissionery (Regulation V of 1829). Francis Shore was made as Assistant to Kumaun Commissioner and invested with the powers of a Magistrate in criminal cases and a District Judge in civil matters. Dehradun was separated from Saharanpur and Chandi *pargana* of Moradabad, and four *parganas* of Kumaun, viz., Ganga Sulan, Choundkot, Dewulgarh and Rajpur, were added to this new charge. With the constitution of Revenue and Circuit Divisions, all over Bengal Presidency, Dehradun was added to Meerut Circuit while Kumaun was kept under Rohilkhand Division. Chandi *pargana* and the four *parganas* of Kumaun reverted back to Kumaun.

The sixth change came in 1834, when Traill merged Srinagar and Chandpur *tehsils* into one, and made Kainyur, on Almora-Srinagar road, as the new *tehsil* headquarters. Only a small police *thana* was retained at Srinagar. The additional expenditure was met from the savings provided by the merger of two *tehsils*. This re-arrangement was without any net savings in the cost of establishment and came into effect in January 1834.<sup>7</sup> From nine *tehsils* in 1816 the number was brought down to just three, over a span of 18 years, reducing the cost of establishment considerably.

The *tehsils* were housed in former public buildings used by the Gorkhas, and no new kutcheri buildings were constructed. Kali Kumaun *tehsil* was housed in an old stone-fort, while Srinagar was in the middle of the town and Chandpur, before its merger, on a hillock.

All told six police *thanas*, five in Kumaun and one in Garhwal with four *chowkis*, had been set up during the first year of the British rule with a monthly expense of Rs. 761. Changes in police *thanas* followed those in revenue department. Kotdwara, Kathkinau, Chukata and Kota were closed in 1816, sayer-collection work of Kotdwara police was

given to Kotdwara Tehsildar and police was replaced by small parties of Kumaun Provincial Battalion. Kota *thana* was abolished in 1818 and added to Bamouri, the latter now had assumed considerable significance demanding heavy calls from all the travellers entering Kumaun. Now, there remained four *thanas* at Almora, Bamouri, Dhikuli and Timila, with a total monthly charge of Rs. 455.

The tarai-forests in the early 1820s were unhealthy and the haunts of dacoits and bad characters. Boulderson, the Magistrate of Bareilly, had informed Bishop Heber that not only monkeys “but everything which had the breath of life instinctly deserted these forests and not so much as a bird could be heard or seen in the frightful solitude”. Ayeen Khan, Naheen Khan and Torub Khan led the gangs of depredators and levied *chowkidari* dues. Seton, the Magistrate of Moradabad, having failed to curb their depredations brought them round to levy *chowkidari* dues and stop all acts of violence. They were supposed to guarantee safe-passage to all persons and merchandize against these dues which were officially fixed. Towards the end of 1822 Halhed was appointed Magistrate of a newly carved district called Northern Division of Moradabad. He put an end to the notorious system of Heeris and Mewatis, i.e., the *chowkidari* dues, and also abolished the *jagirs* which had been given to the Sardars of the gangs. Halhed took up the matter of fixing Kumaun-Rohilkhand boundaries with Traill. In 1829, Kotdwara, Dhikuli and Timla were replaced by Chandi, Sunnea Mandi and Patli Dun, as a part of re-arrangement of 1829, saving Rs. 53 per month. The last change took place in 1834 when Srinagar was equipped with a small *thana* and the solitary *tehsil* shifted to Kainyur. The six police *thanas* and four *chowkis* of 1816, were converted into seven *thanas*, i.e., one at Almora, five at the foot-hill passes, and one at Srinagar.<sup>8</sup>

Kumaun was placed under the Board of Commissioners in October 1816 but regulations were not proposed to be introduced into the hill-tracts. Kumaun Commissioner, in the capacity of Collector of the revenue, was placed under the Board in all matters connected with revenue and collection. Kumaun was divided into two Kanungoships, manned by the Joshis and Choudhuries. They performed the duties jointly and there did not exist a formal division of *parganas* amongst them. In 1819, like in Garhwal, the *nankar* lands of Kumaun Kanungos were also resumed and a consolidated money-payment of Rs. 1,500 per annum sanctioned in lieu. The *parganas* were formally divided between the Kanungos Joshis and Choudhuries. Pali Pachao, Oochor, Baramandal, Phaldakot, Katyur, Kutoli, Ramgarh, Deorsed, Riuni, Agar, Khaspurja, Dhaniakot, Onchkot, Chiomichautha, Simulkha, Kota and Chukot *parganas* were assigned to Mana and Narain Choudhuri, Kali Kumaun, Chowbinsi, Dhianirow, Shor, Sira, Gangoli, Askot, Danpur, Khuria, Bisodh, Chaugarkha, Salum, Muhrori, Silkhana, Johar, Darma and Byanse were assigned to Ram Kishan, Tilakchand and Ratanpati Joshi. Their allegiance to the British government was secured by fixing money-payments, i.e., Rs. 30 per month for Ram Kishan Joshi, Tilakchand Joshi and Mana Choudhuri; Rs. 25 for Ratanpati Joshi and Rs. 15 per month for Narain Choudhuri. They now became government servants and their designation was also changed from Duftrees to Kanungos. In 1829, the Kanungos were also made Munsifs to try civil cases.

The office of Kanungos was considered hereditary for all practical purposes, being confined to a few families, i.e., four in Garhwal and five families in Kumaun. The Dwarahat Choudhuries furnished two Kanungos, one for Shor, etc., and one for Chougarkha, etc. Khanduris alone provided Garhwal Kanungos. Traill found all the Kanungos, by and large, active and intelligent officers. As there was no age limit for

retirement of the Kanungos, like Ram Kishen of Shor, kept on working, in name, although the actual work was discharged by their near relatives. Some of them were down-right corrupt, like Kanungo of Pali, who had to be removed from service. The four Kanungos, who were employed as Munsifs after 1829, were reportedly doing satisfactory work.<sup>9</sup>

There was no institution of Village Patwari in Kumaun, as existed in the plains. Only Udaipur, Badhan and Nagpur of Garhwal a functionary styled as Likhwar or accountant, who was a kind of sub-Kanungo. The Kumeens or the Sayanas themselves wrote the accounts of the *pattis* for which they engaged Doods for collecting government dues from the Pudhans. The Doods in turn received a small remission in jumma for the services they rendered to assist the Sayanas.

When Traill resumed the *nankar* lands of Kumaun Proper Kanungos in 1819 the jumma of the land added upto Rs. 1,978 and a surplus of Rs. 500 was expected after the revision in process. He made use of this surplus fund to create nine Patwaris for the largest *parganas* of Kumaun Proper. Baramandal, Pali, Phaldakot, Kota, Kali Kumaun, Johar, Danpur Dhianirow and Shor were the first *parganas* to be given one Patwari each on a monthly salary of Rs. 5.

The Tehsildars and the Kanungos resided at the Sudder Kutcheri and Traill realised during the course of his fourth settlement that it was futile to expect correct information from or through them. Without a government revenue functionary on the spot it was impossible to know the real state of the potential of the *parganas*. He added five more Patwaris in 1821 and met their expenses from the increased jumma. All the fourteen Patwaris had been appointed in Kumaun Proper. He also increased the salary of Bhote Patwari from Rs. 5 to Rs. 8 when he realised the difficulties of these tracts and higher cost of living. For the next four years a



relatively dormant Western Board failed to respond to Traill's recommendations. Traill under the impression that perhaps his demand appeared excessive to the Board even diluted his demand from additional five to just three Patwaris, and assured to meet the extra expenditure by surrendering posts of four Chaprasis.

Suddenly, however, in 1825 instead of just three Patwaris he received a sanction for eight Patwaris. He had found the institution quite useful, as the migration of the zamindars had diminished greatly. Where they had been located they were found using their good-offices in resolving petty disputes, which in the past had led to serious dissensions. The same year, he added sixteen more Patwaris and surrendered twenty-four *tehsil* Chaprasis, raising their number to thirty-three. By 1830, their number went up to sixty-three, covering both Kumaun and Garhwal. All through a corresponding saving in Chaprasis-expenses were offered. The exercise was to substitute Chaprasis with "a more efficient and responsible class of revenue-collectors". Traill informed the Board that the job was readily taken up by educated and respectable persons who considered it infra-big "to wear a badge as a peon".

Their duties included collection of revenue, measurement of the villages under court's instruction, prevention of desertion of villages by the zamindars, adjustment of quarrels and reporting of disputes immediately to the Sudder Kutchery, care of police, apprehension of offenders, reporting crime, casualties, suicides and notes of all estates through the Tehsildars. This is what ultimately became the Revenue Police of Kumaun and continues to this day, full 170 years after its constitution. The hill-Patwari was quite a distinct entity from the Village Accountant of the plains, constituted under Regulation XII of 1817. While the former was a government agent, paid by the government, charged with multifarious duties in all departments, quite independent of

the villages placed under him, the latter was nominated by the zamindar and supported out of the revenue of the village.<sup>10</sup>

It was not before Lord William Bentinck assumed Governor Generalship (1828-35) that Indians were inducted into higher echelons of administration. Deputy Collectorship was opened to Indians only under Regulation IX of 1833. Before 1833 the highest post an Indian could reach and occupy was that of a Tehsildar. This post was usually manned by persons with proven record of efficiency, good and loyal service to the British Government. Parmanand Choudhury, Tehsildar of Huzoor Tehsil and Mangal Sein, Tehsildar of Kali Kumaun, had served the British faithfully for years before they became Tehsildars. The Tehsildars were transferred locally by Traill and it was only in 1820 that his attention was drawn towards the provisions of Regulation of 1804 and VIII of 1809, which required Board's prior approval before doing so.

The Kanungos were hereditary officials, and if ever any departure was made it was again from amongst collateral families. The Patwaris were proprietary land-holders, influential in their areas, hardly requiring any salary and Rs. 5 was, at least in the beginning, more of an honorarium than a remuneration for their services. Most of the posts were manned by Brahmins and other upper castes of Kumaun, and in Garhwal by Khanduris or Rajput castes, mostly the latter. The other posts were those of Mutsudis or the Jemadars. The menial classes consisted of the Chaprasis, Purkayees and Sayer Mutsudis, the latter meant for the *Sayer-chowkis*. The Chaprasis were common to revenue and police establishments. Unlike in the plains no Tulubana-fee was levied but the revenue Chaprasis enjoyed other perquisites, like a specified quantity of grains at each village they halted during their government duty. Although officially prohibited repeatedly, it seems to have become customary.

Then, there were the *Sudder* establishments of the Commissioner and his Assistants. *Serishtedar*, *Robkar Navis*, *Hindi Navis*, *Nazir* and *Stamp Daroga* (for some time) was open to the Indians and predominantly manned, as the field-posts, by the upper castes and dominant families of Kumaun and Garhwal. All the Government servants drawing a salary above Rs. 10 per month were confirmed by the Board. Until a short time before his departure Traill reported that he could trace no instructions relating to the qualifications of *Tehsildar* or *Kanungos* in his office. This was collectively known as the *Native Establishment* and Table III gives a comparative expenditure under this head during 1815-16 to 1829-30.

**Table III: The Native Establishment Expenses & Savings, 1815 to 1830**

<i>Year</i>	<i>Sudder Estb.</i>	<i>Revenue</i>	<i>Police</i>	<i>Total (Rs.)</i>	<i>Decrease</i>
1815-16	9,840	20,216	10,464	40,520	—
1822-23	7,488	9,432	4,344	21,264	19,256
1829-30	7,752	13,140	2,868	23,760	16,760

Considerable savings had been successfully effected in this expenditure. Instructions to Lord Bentinck were to economise in public expenditure as Lord Hastings's Gurkha War (1815-16) and Third Maratha War, and Lord Amherst's Anglo-Burmese War (1824-26) had drained the Company's coffers substantially.<sup>11</sup>

The revenue and police functions were primarily carried out by non-official village functionaries like *Pudhans*, *Sayanas*, *Kumeens*, *Thokdars* and *Burhas*. While there appears hardly any doubt in respect of the position and duties of the *Pudhans*, the original nature of the *Sayanas* or *Kumeens* or *Burhas* and *Thokdars* had got quite mixed up by the time British took over in 1815. During the *Raja's* time a clear distinction existed between the *Sayanas* and the

Thokdars but it got blurred to such an extent later that a general appellation of Thokdar has been used by Batten, while describing these functionaries. The Thokdar's ascendancy during the early British rule is most apparent in the fact that Batten admitted them certain *dusturis* over and above the prescribed 3% on the jumma. It is surprizing that investigation made by Ramsay and Strachey in 1853, was not taken note of by Whalley and it is still more surprizing, that further investigations made by Ramsay in 1855, fully clarifying the status of Thokdars more particularly, has been totally ignored so far. Contrary to what Batten and Whalley have asserted, the greater Sayanas or Burhas of the northern patts of Kumaun-Garhwal, and Kumeens of southern Garhwal, were heads of proprietary families, who during Garhwal Raja's time and Gorkha-rule, possessed much greater influence, and very often during the course of settlement, engaged with government for the whole sets of villages, sometimes even *pattis*. Their ministerial duties in reporting offences, casualties and deaths of individuals without heirs, seizing criminals, searching for stolen properties, assisting the government Patwaris at inquests, collecting coolies and supplies for public-service, were the same as the so called Lesser Sayanas or the Thokdars. The latter class was purely a public-official, charged with almost same duties, paid by a fee of one rupee on the marriage of the daughter of each Pudhan, a leg of the goat killed by the said Pudhan.

Obviously while the distinction was clear to the villagers and Traill, it was not to Batten and the host of others, who went by Batten's official Settlement reports, including Whalley. Ramsay in 1855 fished out Traill's proceedings of 12 July 1825 by which he had relieved all Sayanas (the Greater Sayanas) and Thokdars (the Lesser Sayanas) of all police and revenue responsibilities and compensated them by money-payments. All the dues received by the Sayanas, Kumeens and Thokdars, as *dustooris* were stopped in 1825 (Gulab

Singh Thokdar of Putalya) except what Traill had prescribed in the *patta*. Thus during 1825 to 1835 the Sayanas and Thokdars received only money-payments, realised with land-revenue and paid through government. Obviously, by 1825 the Patwaris had been enrolled in a large number and there was apparently now no need to duplicate and double-charge the zamindars for the same set of services. Ramsay, however, fails to mention this obvious development. Anyhow, from 1838 to 1855, the Kumaun revenue-officials did labour under the impression that these classes continued to remain entitled to the dues they received prior to 1825, and in a way the same received Batten's sanction through his settlement *pattas*. While a submissive and ignorant peasantry paid what was demanded from them; after Batten's settlement operations a collusive band of Kanungos, drawn from the class of illegal beneficiaries themselves, played deaf and dumb. Commissioner Ramsay restored back Traill's orders of 1825 and issued further injunctions, which will be dealt with later.<sup>12</sup> Every Sayana and Thokdar, after 1825, was required to furnish a stamp-paper on which a copy of Traill's order was given in respect of Thokdari-dues to which only they were entitled.

The Pudhan was a village ministerial officer, mostly one from amongst the *hissedars* (co-sharers) of the village, appointed with general consent, and removable for proved malversation or at the request of the majority of co-sharers according to an agreed quota, beyond which he was forbidden to make any demand. While he paid rent for his own share of land he was remunerated for his duties by fees on marriage and a small piece of land. Although the post was not hereditary generally the son succeeded, unless there existed an opposition due to his immaturity or lack of talents. If no other suitable co-sharer was available the assistance of Sayana or Kumeen or Thokdar was sought for searching one. The land set apart was called "Pudhan khangee" or "petoonds". If it turned out to be less than the Pudhancharee

*hug*, he received rent from the rest of the share-holders. Uncultivated lands were managed by him and he distributed the rents rateably amongst the share-holders. It was not rare to see land revenue falling in arrears as the co-sharers refused to pay the agreed jumma to a Padhan about whom there was some disagreement (Bije Singh Pudhan of Johar in 1816-17).<sup>13</sup>

“The emancipation of the petty landholders,” reported Traill in 1823, “from the thralldom in which they were held by the Kumeens and Sayanas, has invariably formed a most particular object of my attention. In the greater part of the province this measure has, through the medium of village settlements, been entirely effected.” Traill evidently used land-revenue settlements as a tool to restore Kumaun-Garhwal peasantry back to good health which of late had been devastated by the excesses of Gorkha military Burhadars. He made light assessment the corner-stone of his revenue-assessment policy. The fact that year after year Kumaun exhibited no-balance proves his relatively light assessment and a prudent handling of collection-process; two significant areas in which he definitely scored over Bird-Thomason school of “the levellers”. In the maze of new experiments in settlement theories (1833 through 1957) Traill’s innovations appeared primitive, but which in fact were far in advance of his times.

Interestingly, Traill did not consider the Gorkha assessment as excessive or unreasonable but the fault lay in the process of collection. While the authorised demand was just the absence of controlling power on the spot rendered an act totally nugatory. The military chiefs evaded the instructions with impunity and imposed fines indiscriminately. In Garhwal, these unauthorised exactions became intolerable and according to one source upwards of 30,000 males and females were sold or carried into slavery in satisfaction of the arrears and nearly 80,000 men and women

emigrated in 1811-12. "A young jungle", says an eyewitness in 1814," was already in a thriving condition, where beautiful cultivation existed in 1808."<sup>14</sup>

Traill carried out seven out of a total eleven settlements conducted in the history of British Kumaun division. The first two were Annual, the next two Triennial, and the last three Quinquennial. The Special Commission had advised against a Permanent Settlement and it was not before 1822 that a modicum of methodology was decided upon and even this failed to deliver the goods. It was not before 1833 that the "Aggregate to Detail" methodology was advocated by Bird. In 1833 Traill was already giving final shape to his Seventh settlement following a pragmatic Dursar System, i.e., a hill-version of Back Process, without any scientific survey and precise measurements which were simply not possible in the hills.

In 1823 "preparatory to a new settlement a general measurement of the whole province" had been undertaken under the supervision of the Tehsildars, Kanungos and Pargana Patwaris. The nature of the arable land had rendered the ancient form of "measurement by estimate of seed" unavoidable. The mode of measurement followed in the plains (Regulation districts), due to terraced nature of the fields, was "far too complicated and difficult" for the hill-men who were unaccustomed to such duty. However, the first ever measurement of Sambat 1880, in the eyes of the hill-men, was such a novelty that it was destined to remain firmly etched in the memory of generations of hill-men as the "Great Measurement of Sun Assi", a reference point for all times to come. After completion of the Great Survey in 1823 Mouzawar Registers were prepared with a separate Book for each mehal having been dispensed with. The hill-villages were quite unlike those in the plains and the proprietary holdings were very small owing to divisions and sub-divisions, over the course of years under the Hindu Governments.

Financial results of the seven settlements conducted by Traill (The first of Kumaun Proper excepted) are given in Table IV.<sup>15</sup>

**Table IV: Financial Results of Revenue Settlements 1816-33**

No.	Year	Duration	Garhwal Rs.	Kumaun Rs.
First	1815-16	Annual	37,792	86,071
Second	1816-17	Annual	44,587	93,722
Third	1818-20	Triennial	45,548	99,199
Fourth	1820-22	Triennial	54,995	1,08,858
Fifth	1823-27	Quinquennial	64,900	1,19,989
Sixth	1828-32	Quinquennial	67,725	1,23,164
Seventh	1833-37	Quinquennial	69,244	1,25,589

Traill adopted the mode of his revenue settlement according to the peculiarity of the country. The hilly nature of the terrain and "known partiality of the officers" compelled him to address to the gross body of the Malguzars themselves. Actual inspection of each village was ruled out by him as it would have taken years and Traill, unlike his successors, did not have the services of a civil Assistant before 1830. In addition to the information provided by the officers he made use of the last settlement made by the Gorkhas in 1807 (Kumaun) and 1811 (Garhwal), as the basis of capabilities of each village and *pargana*. The Gorkha assessment, conducted by a Commission sent by Nepal Court, was based on actual observation of each village.

All the Malguzars of a *pargana* or a *patti* were assembled at one place, after due notice, and the sum total of their last year's jumma was given to them for equalisation amongst them on the basis of the land under cultivation and the number of *asamis* in each village but without reference to the former jumma. After this the signatures of the Malguzars



were taken on the results, as a proof of their assent and fairness of estimate. To this a proportionate gross increase was added for the *pargana* and divided among villages. As the *parganas* were small and the native officers were not involved in this exercise at all the mode of settlement turned out to be satisfactory and quite equitable. The gross jumma was communicated to the zemindars and they fixed up detailed assessment themselves. This the villagers did with much equity and fairness.

In the border *parganas* of Bhot, i.e., Johar, Darma and Byanse in Kumaun and Painkhanda in Garhwal, Traill while refused to assess land revenue on the basis of "profit in trade" and substitute a tax on this profit in lieu of the actual capabilities of agricultural land, also rationalised the mode of settlement. The detailed assessment was made in a general *panchayat* of the Bhotias, who fixed each person's individual jumma proportionate to the actual amount of trade carried by him during the year, without reference to capital.<sup>16</sup>

The Bhote *pargana's* jurisdiction was increased by adding a few neighbouring *parganas* after the British take-over. The Bhote *parganas* had been assessed very excessively specially owing to nine year long stiff resistance offered by Johari Bhotias, even after the rest of Kumaun had been subjugated by Gorkha arms. Captain Bhakti Thapa was sent by Nepal Court to rationalise the assessment. The villages nearest to the passes derived their income primarily from the trade, the middle villages partly from land and partly from sale of herbs and wild-life, and those at the foot of the snowy range mainly from the land. With the abolition of sayer-duties in 1818 the trans-Himalayan trade received a further boost. Traill exempted the Bhot mehals from long term settlement and it remained annual, while the rest of Kumaun Garhwal became triennial in 1818. Obviously, Traill traded-off an extremely liberal land revenue on the Bhotias with the ready market they provided to the agricultural community of Kumaun

Garhwal by purchasing their grains for export to the Tibetan marts. Except Almora there existed no market offering remunerative prices for agricultural produce. Srinagar acted as a market only for the southern *parganas* of Garhwal while the border *parganas* of Garhwal preferred to go to Almora than to Srinagar. Haldwani *mandi* did not exist, Birmdeo could support only southern Kali Kumaun and the road condition was too primitive. Traill's allegedly liberal treatment of Bhote *parganas* has not been appreciated in this over-all context.

The rates, fixed on Kanch-Masha-Ratti basis (Raja Baj Bahadur Chand had fixed it @ Rs 12 to a Kanch), and the liberal jumma fixed by him in 1818 are given in Table V. Darma, which had suffered the maximum during the Gorkha War, stood considerably depopulated and received a relatively low rate. <sup>17</sup>

**Table V : Pargana-wise Jumma of Bhote Mehals of Kumaun, 1818**

<i>Pargana</i>	<i>Ruqba</i>			<i>Rate of cess</i>	<i>Jumma of last sett.</i>	<i>Jumma of 1818</i>	<i>Dec- rease</i>
	<i>Kanch</i>	<i>Mash</i>	<i>Ratti</i>				
Johar	365	3	3	Rs. 6/Kanch	5,313	2,200	3,113
Darma	353	3	4	Rs. 4/Kanch	3,409	1,400	2,009
Byanse	71	9	0	Rs. 4/Kanch	695	280	415
Chou- danse	41	9	4	Rs. 5/Kanch	532	250	282
		Dhumola		Rs. 2 Annas 8	1,005	440	565
Niti		175		Dhumola			
					10,954	4,570	6,384

Again in 1818, with sayer-abolition all over Kumaun-Garhwal, while the lower Bhote villages received a small

remission on this account the middle and upper villages got items of musk, bee-wax, and hawks struck-off totally from their available assets. The net demand came down to Rs. 4,124 and this annual demand was maintained throughout the triennial period of the entire Kumaun. The first quinquennial shows a progressive rise in 1823 but it was due to return of the tenants who had immigrated earlier during the war. Traill's priorities were so clear that he initiated the practice of camping at Bageshwar, the great trade entrepot of Kumaun and even built a Commissioner's Kutchery on the banks of Saryu where he disposed of all matters relating to the Bhotias, i.e., judicial, revenue and settlement.

The government Chaprasis collected the jumma direct from the zemindars and it was in *nukdee* (cash). Where the Malguzars engaged to collect rents in the first instance they could make no demand over the jumma. Their dues were fixed and established on long usage and consisted of a small portion of land and certain fees on birth and marriages in the village. *Battai*, or the division of produce, was the mode followed in newly cultivated village or with the newly settled *asamis* in old villages. Traill introduced just four *kishts* (instalments) of the annual demand as against eight or nine in the Regulation provinces. The Sudder Board of Revenue, it must be noted, woke up to this evil much after Traill had left Kumaun. It is no wonder that the annual demand in Kumaun was always fully realised as Traill had backed up a reasonable assessment with an equally fair mode and period of collection of government demand. The Board of Commissioners and the Western Board had nothing but undiluted praise for Traill's management of revenue affairs of Kumaun. Nothing illustrates his measures successfully than the increase in jumma he was able to show off in sixteen *parganas*, which had such a potential by way of revenue increase in established villages and new villages. Table VI shows this in full measure.

**Table VI : Pargana-wise Table of Improvement in  
the Year 1829**

<i>Pargana</i>	<i>Jumma 1815</i>	<i>Jumma 1829</i>	<i>Total</i>	<i>Increase From in Villages of Int Villages Sett.</i>	<i>new Villages</i>
Pali	21,075	32,624	11,549	9,870	424
Baramandal	9,496	17,350	7,854	4,781	512
Chougarkha	4,119	7,727	3,608	1,860	446
Phaldakot	6,432	7,919	1,487	1,010	268
Dhaniakot- Ramgarh	4,122	6,596	2,474	2,302	126
Danpur	3,489	5,610	2,121	1,100	636
Gangoli	1,851	3,530	1,679	858	705
Kota-Chukata	5,196	15,275	10,079	1,853	6,981
Kali Kumaun	8,696	16,450	7,754	5,345	1,882
Dhianirow	4,374	7,816	3,442	1,482	1,830
Shor	3,501	6,634	3,133	2,219	588
Sira-Askote	2,655	4,211	1,556	1,410	118
Chandpur	5,913	10,566	4,653	3,086	710
Badhan	3,612	6,789	3,177	2,437	740
Tulla Sulan	3,147	8,363	5,216	2,315	2,901
Mulla Sulan	4,037	6,968	2,931	2,819	112
Total Land Revenue	91,715	1,64,428	72,713	44,747	18,799

Traill's opposition to a long-term settlement in Kumaun hills was based on the prevailing migrating practice of hill-zemindars, low cultivation and existence of huge tracts of wastelands. According to him twenty year's lease was better suited for fully populated and cultivated areas. The land-man ratio of the hills was quite different from the plains and the

policy meant for the plains could not be applied *mutatis mutandis* to the hill-tracts. The third settlement was proposed by him for only two years and he made it triennial only after the Board informed him that even Dehradun had accepted a triennial settlement. He showed his pragmatism when he recommended maintenance of *thekedari* system for the turai-tracts of Dehradun, when his opinion was requested on Col. Young's measure of abolishing the *asami* in 1830. In the turai the *thekedars* provided the much needed capital for clearing the jungles, raising embankments, making periodical advances for cattles, etc., to the cultivators. The ryotwari system in turai was likely to be disadvantageous as the cultivator needed substantial capital and without it the small leases were of no use to him. The Government and the banks were definitely going to ask for a security before advancing money and therefore, under the existing circumstances the *thekedar* was the only substitute through whom this could be advanced.<sup>18</sup> The plains, the turais (Bhaburs) and the hill-tracts were three altogether different scenarios, each with its unique solution and approach. Only with the passage of time Traill's prescriptions appear near prophetic. Commissioner Stiffe commented on the last category in 1930's, and Kham-Bhabur and Turai-Kham investments in 1850's, proved his second formulation.

Traill's early views on hill-tenures are contained in his report on Pali *pargana* of March 1821, and the same were further matured in his report to the SBR in January, 1829. He himself considered the latter as his final opinion. Paramount property in soil vested in the sovereign, not only in theory but practice as well. The zemindar's rights in lands were hereditary and transferable and as they were derived from royal grants they could be also abrogated at will. As the landholders were extremely attached to their lands frequent resort to abrogatory power would have been unpopular. Accordingly, in the interior it was infrequent, but in the neighbourhood of the capital and on the borders arbitrary transfers were not an unommon feature.

The first category of land holders were those whose ancestors had received grants of lands for the maintenance of their families, in recognition of their service to former sovereigns. These lands were subjected to rents under succeeding sovereigns but the proprietary rights generally remained with the original grantees, or their descendants. Grants of this nature were quite distinct from those in tenure of *nankar* or *jeedad*, which conveyed no property in soil.

The second class consisted of those who derived their authority purely on the strength of long established occupancy. The tribal communities of the hills came under this category, while the first consisted exclusively of the emigrants from the plains. The third category of land-holders was created by the Gorkha rulers, who received zemindari rights by bringing waste-lands under cultivation. This practice had been continued, according to Traill, under the British rule.

The Dooms, almost invariably, were the property of the land-holders and they resided in the villages of their owners. However, in the villages owned by the land-holders of the first category, there were separate establishments for them, consisting mostly of carpenters, masons, potters, lohars, miners and a variety of other trades carried by the persons of this caste exclusively.

In view of the smallness of good cultivated land the majority of proprietors were also the cultivators, as it was not possible to share the small profit of land with a tenant. As a result 6/10th, of the arable land was cultivated by the actual owners, who could be termed as *Th'hatwan* cultivators. Of the remaining 4/10th, about 1/2 could be assumed as cultivated by resident cultivators with no claim in the property of the soil. This class could be divided again into two clear categories. The first or *Khaikars*, enjoyed an hereditary but not transferable right of cultivation. The second or *Kueenees*, were

the tenants settled on the estates by the proprietors. Owing to their long and continued occupancy they could also be considered as *Khaikars*, from whom they actually differed very little except in the rent they paid. The remaining 2/10th consisted of the lands cultivated by the non-resident tenants, called *Paikasht*.

Wherever a share in any estate lapsed due to desertion remaining proprietors divided it among themselves and they also became answerable for its revenue demand. To avoid excessive burden on individual proprietors the small hamlets and *paikasht*-lands were leased with the *uslee* village to which they belonged.

The *Th'hatwan* paid about 1/5th of the gross produce to Government. The *Khaikar*, in addition to the public demand in cash, paid another 1/10th to the proprietor as *Sirtee Bhent* or *Dustur*. The *Kueenee* paid in *Koot* (or kind) as the *Khaikar*, which came to about 1/3rd of the gross produce. In *Paekasht* there was no general rule and each tenant made his own bargain. As the demand for labour far exceeded that for land the terms were always favourable to the agricultural-labour. The rent paid by him, always in cash, was slightly less than that paid by the *Khaikars*.

The share of the gross produce, as enjoyed by the various classes of the cultivators, could be assumed as, *Th'hatwan* 80%, *Paekasht* tenant 75%, *Khaikar* tenant 70%, and *Kueenee* about 66.5%.<sup>19</sup>

Kumaun and Garhwal borderland is to the Hindus what Palestine is to the Christians, the home of their great gods. Right from the beginning of the British rule this point had been made abundantly clear to the British Administrators. While almost all proposals made by Traill as Garhwal Assistant were approved by the Government, it put its feet down in respect of his recommendation to resume all *Gunths*

and *sadaburt* tenures in Garhwal. It held that such an extreme measure would not be possible without exciting a feeling prejudicial to the British reputation for the respect which it paid to the rights and privileges of the religious institutions of its native subjects. No aspect of Traill's administration, not merely revenue, reveals his approach to local-administration more completely than his controversial handling of the *gunth* and *sadaburt* lands of Kumaun and Garhwal. But, at the same time, no action of his immortalised him more in the memory of the local people than his bold handling of the resources generated by these tenures. Commissioner Gardener, it would be recalled, had communicated his own inability to investigate the *mafi* - tenures of Kumaun due to his preoccupation with other important matters.

*Gunth* were lands assigned as religious endowments to the temple and attached to them, whereas *sadaburt* assigned villages were charitable endowments, the proceeds of which were primarily dedicated to the feeding of pilgrims on way to the holy shrines. *Jhala sadaburt*, in Kumaun, had been assigned on *sadaburt* to Badrinath by the Gorkha Durbar in 1795 A.D. In 1830, on receipt of news about its abuse Traill attached its revenues to Tehsil Huzur and ordered it to be kept in deposit. The worship of Nanda Devi, the principal deity of the Kumaunese, had been discontinued in 1815 on the occupation of British forces of the old fort (during which) the old temple was destroyed. On the 29th May 1832 the *chitaidar* of the temple (Manorath Tiwari) and other Brahmins moved an application for restoration of the discontinued worship and application of *Jhala-grant* to the same. Traill had made a reference about the *Jhala-grant* to the Commissioner of Circuit and Revenue, Commissioner Robertson in July 1831, but no reply was received by him about its future application. When the Brahmins moved this particular application he made another reference to the new Commissioner Campbell on the 29th May 1832, with a copy of



the application. When no reply was received again Traill ordered payment of Rs. 250 for the revived worship. This order was popularly associated by Kumaun population with Traill's supposed vow made to the Goddess on the occasion of the recovery of his eye-sight, which had been temporarily lost amongst the snows of the Nanda Devi mountains in Johar. The pass, negotiating which Traill nearly lost his eyesight, today stands named after him as the Traill's Pass, between Pindari Valley and Milam Valley, commemorating his abortive attempt to re-open an ancient trade-route.

Much more controversial was his handling of Kutali, Marori *sadaburt parganas* of Kumaun and Dasoli *sadaburt pargana* of Garhwal. The annual revenue of the first two *sadaburts* Rs. 1,173 and Rs. 1,006, respectively, assigned to Badrinath and Kedarnath, was distributed in grains-form to the pilgrims at Pipalkoti, and Putun *dharmshalas* on the pilgrim-route. Dasoli's proceeds were distributed at Badrinath in charity to the pilgrims visiting the shrine. The proceeds of Purkhandi, Bamsu and Maikhandi of Nagpur *pargana* of Garhwal were distributed to Kedarnath pilgrims. The total assessment of all these *sadaburts* amounted to Rs. 4,620 annually. Traill's interpretation was that these grants were religious only to the extent that these assignments were connected with the names of Badrinath and Kedarnath and meant to benefit only the pilgrims heading thereto, but in all other respects they were purely temporal. The grants had been addressed to the zemindars of the assigned lands directing for the administration of the charity. The quantity to be given to each pilgrim had been specified, a certain sum was also fixed for the salaries of the official functionaries and other contingent expenditures of the management. The annual surpluses were appropriated to a fund to meet the contingency of a much larger number of persons making the pilgrimage during Ardha Kumbha and Purna Kumbha.

Traill's earlier recommendation made in 1816 for appropriation of the funds and their deployment for formation

and repair of Badrinath road had been turned down firmly by the Supreme Government. Things remained as earlier under the control of the Rawuls of Badrinath and Kedarnath. The servants of the Rawul mismanaged the revenues, embezzled the proceeds and did not feed the pilgrims according to the old custom. Finally, in 1827 Traill took over its management in his own hands and decided to spend its surplus for repair of the roads from Joshimath to Badrinath and Karnprayag to Joshimath, in 1829. Two superintendents were appointed for distribution of the charity amongst the pilgrims and one superintendent was appointed in 1829 for supervising construction and repair of roads. From 1829 onwards approximately Rs. 1,800 remained available as surplus for road-purposes.<sup>20</sup>

When the control of the Board of Commissioners was extended to Kumaun in 1816, although Kumaun Commissioner was made responsible to the Board for management of revenue affairs of the tract, it was also added that no Regulations were intended to be formally introduced into Kumaun. Obviously, this left Traill to devise his own mechanism to govern day to day affairs of Kumaun. He did it in the shape of *ishtehars* or Local Notifications or Rules. Interestingly none of these *ishtehars*, except one, ever received any express sanction of the Supreme Government, nor perhaps they were intended to be. The matters covered by these *ishtehars* relating to revenue provided for compulsory signatures of the Kanungo or Patwari on all sales of land by the proprietors, failure of which rendered such a sale-deed inadmissible in a Kumaun court of law. By another all the Pudhans were required at the end of the year to settle with other co-sharers the amount of government-revenue and if any part was still unpaid he was either to secure the acknowledgement of the defaulter or realise the entire amount. If the co-sharer failed to make such a settlement the Pudhan was to proceed against him within a specified time, failing which the Pudhan could present no claims. The

Pudhans were also enjoined to settle their *Pudhancharee* dues within specified time. The other *Ishtehars* covered subjects like the complaints of cultivators about damage to their crops by stray cattles, their complaints against their Pudhan, individuals claims against any public official for bribery. Some *ishtehars* also covered certain civil actions like sale of wives by husbands and sale of widows by the heirs or relations of the deceased.<sup>21</sup>

### CIVIL, CRIMINAL AND POLICE ADMINISTRATION

For the first ten years, except for 1820 Traill handled Kumaun all by himself without a civil Assistant. B.H. Hodgson was sent to Kumaun towards the end of 1819. After a few months he joined Gardner at Kathmandu Residency as his Assistant, replacing Robert Stuart. It was after having launched the Great Survey of Sambut 1880, preparatory to the first quinquennial settlement, that Traill asked for the services of an Assistant for miscellaneous duties like issuing pay-drafts, bills, handling hill-porter requisition from various quarters, etc., and not for revenue-judicial matters. Fully conscious of the small revenue of his charge he requested for this help as all transactions were likely to be held-up owing to his long tours in the interior, making settlements. For this he secured the services of Captain Sir Robert Colquhoun, Commandant of Kumaun Provincial Battalion, available at Hawalbagh itself. From 1825 to 1829 the second civil court of Assistant to Commissioner Kumaun, Dehradun, came into existence, which stood abolished in 1829, with the annexation of Dehradun to Meerut Commissary. Mosley Smith, his first civil Assistant, joined Kumaun only in March 1830.

To be more precise, upto September 1829 there was just one civil court in the whole of Kumaun, that of Kumaun Commissioner's, for the cognizance and adjudication of all civil claims. It expeditiously settled all such claims and there

were no arrears. Gross abuses had characterized the Native courts under the preceding governments, when the administration of justice was an avowed item of public revenue. Earlier the office of the judge was sold and farmed to the highest bidder. Accordingly, it was not deemed expedient to have the lower tribunals presided by the native judges. After a passage of full fourteen years it was deemed fit that local people might now be in a position to appreciate the British judicial system. While on the one hand the local tribunals were considered necessary to meet the ends of justice and good government, on the other the increase in wealth and enhanced value of property gave rise to an increased number of litigation.

Even so, in selecting suitable officers for the discharge of the duties of Native Commissioners the main consideration was to incur as little additional expense as possible. With this view, the duties of the district Munsifs were delegated by the government to the Kanungos. By 1829, with induction of district Patwaris, they were not left with much work. By this arrangement all extra expenditure was saved and the only charge for stationery was defrayed by institution of a fee of eight *annas* on each suit. The total income out of this fee, in cases decided on investigation, or adjusted by *raazinama* or compromise, was paid to the Munsif. In suits dismissed in default the revenue was remitted to the government.

Out of eight Munsifs, seven were the Kanungos and the eighth was the Court Pandit, designated as the Sudder Amin, who resided at Almora. The Sudder Amin's jurisdiction was limited to Almora and Baramandal *pargana*. The second Munsif decided cases relating to Phaldakot and Dhaniakot Kota, Chukata, Ramgarh, Chowgarkha, Gangoli, Danpur and Katyur; Shor, Sir and Askot; Kali Kumaun and Dhianirow; Chandpur, Badhan, Dasoli, Painkhanda, Mulla Sulan and Tulla Sulan, fell in the jurisdiction of the fourth, fifth, sixth and the seventh Munsif respectively. For the remaining

*parganas* of Garhwal, viz., Nagpur, Choukot, Ganga Sulan, Srinagar, Barahsyun and Dewalgarh the eight Munsif was the civil tribunal.

The rules for the guidance of the Munsifs were framed, locally, in the spirit of Regulation XXIII of 1814. The Munsifs were authorised to take cognizance of claims for the arrears of rent of the current year and hear complaints for the damages caused by the cattles to the crops of the villages within their jurisdiction. The latter formed the most common cause of quarrel in the interior. In the beginning the Munsifs were empowered to try suits for money or other personal property upto only Rs. 25 worth of value, the ceiling was raised to Rs. 50 in 1830.

The *parganas* of Painkhanda, Johar and Darma were retained by Traill to his own civil court and he entertained all original suits of the Bhotias, who inhabited these tracts. These civil suits mostly related to the disputes connected with their trans-Himalayan trade and also civil suits connected with their transactions with brother traders of adjoining border areas, like the Protected Hill States, of what is now termed as Himachal Pradesh. In one such dispute Traill testified to Captain Kennedy, Principal Assistant of Subathu, that Fateh Singh and Deb Singh, were two of the most wealthy and respectable Johari Bhotias of Kumaun. As stated earlier, he went as far as to establish a Commissioner's Kutchery at Bageshwar, where he settled all revenue, civil and criminal cases of the Bhotias, obviating any need for them to travel all the way down to Almora, in connection with litigation of such types. This unique arrangement of making justice available at the nearest point, at the most suitable and convenient occasion, i.e., at the time of annual Baheshwar Fair, was retained by Batten and Sir Henry Ramsay, even after the Assam Rules came into force in 1839. Mosley Smith, the first Assistant of Traill, recalled its evident benefit later, as Registrar of the Sudder Diwani and Nizamut Adalut, and

issued exceptional savings in institution of original suits in favour of Commissioner Lushington. Administration by Non-Regulation evidently was far superior and beneficial for the border districts than by Regulations, which John Strachey was later to openly condemn, albeit within the bounds of official-correspondence. It also underlined an apparent need of "local experience of hill-tract", an argument Commissioner Batten was to use successfully in securing the services of Henry Ramsay, as Senior Assistant for Kumaun Proper, after there was an evident relative decrease in the salary of the Senior Assistant looking after Kumaun.

A period of four years was fixed for taking cognizance of claims; and the right to appeal, from all decisions of Munsifs, to the court of Kumaun Commissioner was admitted. Two months was the period of limitation for filing such an appeal. Land-disputes formed the greater portion of civil suits and their value rarely exceeded Rs. 100. The Sudder Amin could investigate suits upto a value of Rs. 100 and above this value suits could be entertained by the Commissioner or one of his Assistants. The civil claims of real property could be heard only by the Commissioner or his Assistants.

Plaints were presented earlier on a paper without any stamp fee but after 1829 they were graded according to the value of suits and these defrayed the stationery charges. In civil judicature, the simple procedure of the preceding government was generally retained. While the plaint was to be written on a stamp paper of Re. 1, eight *annas* or four *annas*, according to the value of the suit's claim, no other fee was charged. A summon was issued on presentation of the plaint and it was served by the plaintiff himself on the respondent. If the respondent did not turn up an *ishtehar* was issued with a fixed *meead*, or period for appearance of ten, fifteen, twenty or thirty days, according to the distance of respondent's house. A copy was stuck up in the court and the second copy was sent to the local Patwari for affixing it on the

respondent's, house-door. If the respondent still failed to put up an appearance within the time fixed in the *meead*, the plaintiff was called upon to present his claim and an *ex-parte* decision was given. If the respondent put up an appearance he was required to file a reply, after which both the parties were heard orally, their exhibits were examined, if necessary, evidence was also called for. Examination on oath was ordinarily not resorted to.

On a decision being passed, copies were given to both the parties and the decree was executed as soon as an application was made to the court of the Commissioner. In the event of a great delay in making such an application for the execution, the decree-holder was directed to enter his suit *de-novo*. Cases were not uncommon where the decree-holder just kept the decree in his possession with a view to harass the debtor.

Ejectments, attachments, plans of disputed premises, measurements, etc., were ordered through the Nazir of the Court and executed through the local Patwari. Debtor was confined only until such time as he could enter into engagements for paying the amount of the decree by reasonable instalments, providing security for the same; or if an insolvent, until his property had been wholly attached and sold. Imprisonment and sale in satisfaction of a decree was somewhat rare. The number of Diwani prisoner rarely exceeded eight or ten, at a time.

A fixed sum of two *annas tulubana* was charged for warrants for execution of decrees for land and houses "*tulub chithees*" to the respondents or witnesses were served by regular Chaprasis and the *tulubana* was credited to the *Tulubana* Fund. Out of this fund were paid twenty-eight Malguzari Chaprasis at a rate of Rs. 4 per month each. An extra allowance of Rs. 4 per month was paid to the individual who maintained the accounts of this Fund. Contingent expenses of belts, badges for Chaprasis were defrayed from this Fund.

“This omission of not examining witnesses on oath”, clarified Traill,” did not arise from any ignorance on the part of litigants of the nature of oath”, but on the contrary they were remarkably sensible of the religious obligations and thus generally averse to incurring the responsibility of an oath. Traill did not favour an indiscriminate application of it on all occasions which would have reduced its force in these hill-tracts.

No licensed Vakils, as in the Regulation provinces, were allowed to practice in the courts of Kumaun, but the parties who were unable to attend were permitted to appoint any person as their agent. This greatly precluded all vexatious litigation and prevented unnecessary delays in disposal of suits. Quite contrary to existing opinions in respect of civil, criminal and police administration of the early period of the British rule, Kumaun Commissioner submitted annual reports on the state of civil, criminal and state of police, to the Special Commissioners appointed under Regulation X of 1817, the only Regulation introduced in Kumaun for a long time, after the introduction of the British system of administration of Kumaun. Judge Master was the first such judge to be so appointed for the trial of cases committed by Kumaun Commissioner. R.T. Glyn, of course, received far better notice owing to his investigation of slavery cases and report on the condition of forced labourers. In fact, after Judge Master, every now and then, Special Commissioner were appointed, as and when a sufficient number accumulated for trial of heinous offences. After 1829, the Commissioner, Revenue and Circuit, Rohilkhand Division, at Bareilly, was especially empowered under the Regulation aforementioned.

Commissioner Kumaun, in addition to committing cases relating to heinous offences, also made a statement about civil, criminal justice, in a detailed report on the state of police and jails. Traill in a similar report to Glyn in 1822 reported that the first process called *ittalanama*, was sufficient to



produce an amicable settlement between the parties and a suit was not included regularly until the first process was returned to the court by the plaintiff. In 1821, i.e., the year under report, there were 273 suits, of which 193 were decided, 80 were withdrawn for *razinama* and 2 suits related to disputed boundaries. Upto 1821, no suits had ever been instituted for a revenue or rent except when the property or the possession on land was also claimed. The revenue was so light that it was almost invariably paid in advance. As, by and large, the proprietors were also the cultivators, suit for rent did not become a cause for a claim. Upto June 1822, only 164 suits had been entered of which 76 had been decided, 40 withdrawn by *razinama*, after evidence had been taken, 48 were still pending, and 3 suits related to disputed boundary. There were, however, numerous disputes pending along the frontier of the forests between the zemindars of Kumaun and "those parties of the plains". These suits could only be settled after the survey of Rohilkhand had reached these quarters.

The creditors of Kumaun were reported as extremely lenient and except in rare cases never required imprisonment of the debtors. Only two cases of civil prisoners were reported in 1822. One case related to the refunding of Rs. 550, forcibly extorted from the plaintiff, on an obsolete claim of 80 year's standing. Traill, however, drew attention towards the custom of payment of bride-price by the bridegroom to the parents of the bride, which customarily established a claim of the husband on the wife, as if she were a property, to be freely disposed off as such. This led to institution of several claims in Kumaun courts for restitution of wife from a seducer. Even if the wife contracted a second marriage the aggrieved husband filed a suit for the recovery of his bride-price. Regardless of a second marriage the husbands sold of their wives to the highest bidder and in the event of the death of the husbands the heirs disposed off the widow without any compunction whatsoever. While the courts entertained no such claims and set the wife free, it did not punish the

seducer or the purchaser. Traill, however, did not consider it advisable to issue a legal enactment forbidding such a practice.

Sale of children originated from the overall poverty of the lower classes who had no other assets under the former governments to satisfy the never ending revenue demands. He was hopeful that the lightness of the demand was the best check against this practice. Due to comparative opulence of lower classes such sales were becoming extremely rare and it was now becoming extremely difficult for the dancing-girls to procure young girls at any price. The activities of a few bad characters was now effectively checked by guarding of all hill-passes. Transfer of slaves was not recognized by the civil courts of Kumaun and prayers for restoration of slaves were not entertained. As any regulation to immediately free the slaves was likely to cause a great hardship he considered it essential to tolerate its continuance for some time. The courts were however to ensure "good treatment of their slaves". The Bhotias were also reported to have slaves of this description, purchased under the former government, but they too were now unable to procure any. Infanticide of the female was not known.

Year 1829 marks a watershed in the history of civil justice of Kumaun. From September the lower civil tribunals, first designated as Native Commissioners and later as Munsifs, were constituted; and just six months later, in March, the first regular Assistant to Commissioner's court (1830) came into existence. Thus, from just one civil court upto September 1829, within a span of six months nine more civil courts became available. For the limited period of 1825 to 1829 Kumaun Commissioner and Assistant Dehradun disposed off all the civil cases of Kumaun proper and the newly constituted jurisdiction of Dehradun, including Garhwal. Table VII illustrates the phenomenal rise in civil-litigation between 1821 to the year of Traill's departure (1835) from

Kumaun, *inter alia* comparing the cases pending and disposed off by the various new revenue-courts.<sup>22</sup>

**Table VII : Comparative Civil Courts Business 1821,  
1830 & 1835 A.D.**

<i>Court</i>	<i>Year</i>	<i>Pending</i>	<i>Instituted</i>	<i>Disposed</i>	<i>Pending</i>
Commissioner	1821	—	169	116	48
	1830	71	1,932	1,865	77
(Original)	1835	39	784	778	54
App. fm. Ass.	1835	1	93	90	4
App. fm. Mun.	1835	4	191	180	15
Commr. Total	1835	44	1,068	1,048	73
Assistant	1835	37	370	361	46
Munsifs	1830	—	687	532	155
	1835	904	2,987	2,935	956
Civil-Total	(1835)	985	4,425	4,344	1,075

In other words, the pendency from zero went upto 985 civil suits, institution from just 169 to 4,425 cases, disposal from 116 to 4,344 and pending cases at the end of Traill's tenure from 48 civil suits to 1,075 suits. It is only fair to conclude that Traill's tenure saw a significant rise in the value of property, both in land and other assets, and awareness among the hill-men of their rights relating to real estates, especially amongst the lower classes of zemindars. Another significant development in the history of Kumaunese civil-judicature was retention of Civil Judge powers with the local civil authority. In 1829, with the change brought about in Bengal Presidency by the constitution of the Commissioners of Circuit and

Revenue, Melville who took over as the first Commissioner of Rohilkhand Division, expressed his doubt about entertainability of appeals from the orders of Traill to his court. The government clarified that the appeals from the orders of all lower tribunals of Kumaun were to lie with Kumaun Commissioner and it did not want any change in the judicial affairs of Kumaun, which had so long been conducted so ably by Commissioner Traill, to the entire satisfaction of the Government.<sup>23</sup>

When Traill physically quit Kumaun he had doubled the land revenue in twenty years, as he stated in his last communication to the Government "without a single remission, without the sale of a single zemindar." It needs to be emphasized that at this stage of civil-judicature land disputes fell into civil-justice. The 43 Rules he had devised for the guidance of the Munsifs in May 1829 ensured that the justice dispensation was quick, without vexation and taking full cognizance of the local prejudices and shortcomings. No Vakils for action and pleadings (Rule 6); summoning of no females of rank or respectability by the Munsifs, as a witness; but forwarding of such cases to the court of Commissioner for disposal; where such contingency arose (Rule, 22), referencing of suits where the respondent did not turn up after service of the summons to the court of Commissioner (Rule 23); ultimate referencing to the court of Commissioner execution of all decrees (Rule 39); and reservation of right to recall any suit from lower courts (Rule 41) although meant an avoidable taking of suits on himself but it precluded all possible attempts at harrassment by the lower tribunals and added to confidence of the litigants in this particular arrangement. Traill fully brought to bear his local experience of hill-tracts in all innovations introduced in justice-dispensation and this ensured their painless application. It was no wonder that Philip Mason in the late 1930s was still being recounted by the successor-generation of hill-men what Traill so assiduously taught their ancestors in the course of his 7

rounds of non-formal education, stretched over two decades of revenue-settlements. Undoubtedly Traill was the greatest teacher Kumauni zemindars had ever had or are possibly likely to have. James Thomason, the Lt. Governor was only echoing the lessons of these early experiments in educating the teeming millions of Indian farmers, when he advocated an elementary education based on educating the farmers according to their priority needs in reading *khasra* and other documents.<sup>24</sup> It was more so in the case of Kumaun where formal school education had a much delayed entry compared to the plains where a cess was levied in 1833 for setting up *hulkabandi* schools.

It was in the realm of criminal-justice alone that the British deemed it prudent to introduce any Regulation in Kumaun at all. Even today, it is a matter of hot-debate whether the Revenue-police is the best agency which brings to the fore the real state of crime committed in the hill tracts. From the point of view of criminal-justice, the real issue is whether all crimes, which do get committed, are taken cognizance of and the guilty tried and committed. The issue of investigation agency is a different matter altogether. Going by the state of communication, as it existed in the first twenty years of the British rule, the mores of the society and the method of reporting crimes give an impression that the society was comparatively free from crime. True, the number of reported crimes was quite small and heinous crimes, as they were then defined, leading to wilful murder of a person, were comparatively few as compared to such crimes which were reported from the Regulation districts. But, the lurid details of crimes against hill-women, if they are any guide and which one comes across in the committal proceedings of the Assistants to the Commissioner, after 1839, provide us a positive proof that the magnitude of crimes and the meanness of the crimes committed against women especially, equalled or perhaps even surpassed those committed anywhere. The fact repeatedly highlighted by several Commissioners and

subordinate civil officers and Special Commissioners, that one half of the Kumaun population viz., women, received no better treatment than mere chattel and they were bought and sold like any property. The number of crimes against wives and widows alone, which necessarily must have been committed before they were brought before a tribunal, is a matter of independent investigation. For our purpose, it is sufficient to infer that the number of actual crimes committed against all human beings was many times over than the available figures lead us to assume. Even the Sudder Diwani Adawlut forbid Sir Ramsay, as late as 1854, to proceed against the Naik community for selling their young female children into prostitution, taking a stand that it was nothing more than *contra bonos mores*. The dancing women of Almora, the Paturs, openly bought young girls for bringing them up for prostitution. It is only with this qualification, that we approach the subject of criminal-justice in Kumaun.

Regulation X of 1817, prohibited the Kumaun officials, who were otherwise charged with the superintendence of police and criminal-justice, from awarding any punishment in heinous offences viz., murder, homicide not amounting to murder, robbery, affrays and treason. They were required to commit all such cases to a Special Commissioner, especially empowered to try such cases, by the express orders of government. Whalley, who had been erroneously picked-up by Atkinson and a host of others, mentions that such crimes were so rare that for some years it was considered not necessary to invest any officer with the powers of Special Commissioner under Regulation X of 1817. Nothing is far from this assertion and on the contrary in the first year of the Regulation itself, i.e., 1817, the first Special Commissioner, Masters, was appointed to try all such cases as committed for trial by Traill. These Special Commissioners not only tried committed cases but also furnished a report to the government on the state of criminal-justice in Kumaun and the police administration. Criminal justice was in a nascent stage; jail-deliveries were

only twice in a year; the trial of criminal cases took unduly long time and it cried out for a reform which was initiated by Lord William Bentinck, after 1829. It was a situation not particular to Kumaun but to the entire Bengal Presidency and, therefore, Kumaun administration cannot be singled out for a callous treatment of apprehended offenders, which naturally included those who were ultimately acquitted of charges. Birds' criticism, made out in 1837, has to be read with this perspective and not with the hindsight of reforms which were to be introduced only in the 1830s.

While in 1829 appeals in civil cases were retained with Kumaun Commissioner, Regulation X of 1817 did not vest him with absolute control over criminal-justice. The trial of heinous crimes remained out of the purview of Kumaun Commissioner throughout the first two decades. Masters, Elliot, Glyn, Cowell were all such Special Commissioners and R.T. Glyn, more well known owing to his deeper investigations into various aspects of criminal and police administration of Kumaun, was not the only one, as is the general impression gathered from the published accounts of Kumaun administration. After 1829, Commissioner of the Circuit and Revenue, did perform this role but they were all still specially appointed for this, under the said Regulation. Melville, Robertson and Campbell, all Circuit and Revenue Commissioners of Rohilkhand Division, were those other Special Commissioners who performed this double duty.

Kumaun Commissioner submitted to these Special Commissioners an annual report on criminal-justice, police and jails and the Special Commissioners submitted to the government their general comments on these points. The Calendar of Committed cases gave out all the particulars of such cases, including the fact of entry into prison of apprehended and committed prisoner. On several occasions the prisoner had already undergone a longer term of imprisonment than his conviction ultimately necessitated,

and the Sudder Nizamut Adawlut, who ultimately confirmed the punishment simply ordered release of the prisoner, after finding him guilty.

Muchee and few others were the first criminals involved in heinous crimes to be tried by Special Commissioner Masters at Srinagar, in November 1817, in the Sessions trial held here. Due to paucity of time, in the notice for trial, several principal witnesses could not turn up to give evidence before the Sessions Court. Judge Masters gave instructions to Traill to avoid recurrence of a similar situation in future. Traill on his part informed the Commissioner about the peculiarity of the hill-tracts, which necessitated a longer notice, as the prosecutor or the complainant and the witnesses had to be summoned from long distances and the road-conditions were very difficult as compared to the plains-situation. For oath taking a *Ganga-jali* was employed but he needed no *Korani-Mulla*.<sup>25</sup>

In his early report on crimes, in 1819, Traill informed Judge Elliot that the smallness in number of crimes was neither due to "want of information of crimes", nor due to "inefficiency of the police but because of universal detension of the hill-people against theft of other heinous offences". If any offence was committed "they themselves exerted to detect and apprehend the criminals. During the first two years of the British rule only one murder and eight thefts had occurred and these too in the cities of Almora and Srinagar. Out of the sixteen persons confined in jail majority were the "plainsmen". Sketches of Kumaun and other reports sent to the Government declared it as a branch of minor importance, as far as Kumaun administration was concerned. One has to further understand the real state of affairs in 1823, i.e., the year of the much quoted statistical sketches of Kumaun, which only details the state of criminal affairs upto 1823. While Traill's narration is more or less correct, subject to the qualification already spelt-out about the unspeakable state of



crimes against hill-women by men-folk, the *thanas* of the southern frontier presented a totally different picture of absolute lawlessness, necessitating appointment of an officer of the calibre of Halhed; creation of a new jurisdiction of Northern Division of Moradabad district of 1823. It was so serious a situation that Traill in September 1823 recommended to Walter Ewer, the Superintendent of Police for North Western Provinces, extension of Regulation XX of 1817 to meet the situation frontally. This freebootery was confined to the patch of forests, of 6 to 12 miles breadth, which bordered Afzalgarh to the Ganga tract. The southern side of this border was full of wood-culters, transporters of timber, *banjaras* and other herdsmen and *shikaris*, The patch of forests, without any water, rendered deployment of any police force or guards impossible, making it an ideal haunt of the criminals, greatly facilitating highway robbery and other crimes. While from Ghagra to Afzalgarh, there had been just two cases of dacoity during the eight years of British rule in Kumaun, in Afzalgarh to the Ganges, the dacoities were an annual feature. The timber merchants were the special targets of depredations and as many as seven villages had been plundered during the past eight years. Kalu Dacoit and his gang wrought such a havoc, from 1820 to 1823, that several marts among Afzalgarh-Najibabad axis were severely affected. The hill-people moved in the batches of twenty to hundred traders and this became a chief attraction for dare-devilry as they were all unarmed. These offences were committed without any bloodshed, but the hill traders instead of lodging complaint in the Rohilkhand courts or *thanas* preferred to "return with all speed to their homes", with their peculiar fondness for safety, even though a fair prospect existed for the recovery of the booty. The tribe of *banjaras* were notorious for highway-robbery. Ostensibly collected in the jungles for jungle-produces they stopped and stripped single passengers, specially women, of their property and ornaments. Cattle thieves mostly came from the doab, the herdmen were sometimes killed but were most conveniently

tied with the trees, to prevent any immediate pursuit. Cattle-stealing, by far, was the most prevalent crime in the forests. Main perpetrators were the Meerees and Mewatis, who were attracted by the large herds grazing in the jungles.

Special Commissioner R.T. Glyn's report covered a period of full two and a half years, January 1920 to July 1822. Traill informed him that the number of crimes was small and out of five murders, three were tried by Glyn, the 4th had died and the 5th prisoner had run away to the plains. There were no affrays and only thirty-one cases of petty thefts had taken place, in all of which offenders had been arrested. The cases which occurred in the interior were not reported due to "very simplicity of the inhabitants." The inhabitants, except the higher classes, were "in no way scrupulous regarding the virtue of wives". Except when their wives were actually inveigled away by the seducers the husbands very rarely applied to the courts for the punishment of the adulterers. Only six cases were reported and all adulterers had been punished. In 1821, four *sutees* had been committed and four suicides.

The offences which merited harsh punishments from Traill, during 1820 to 1822, show that forgery by imitating Adawlut seal (Beerooa, 1820, one year hard labour); affray with beating (Gungaram, 1820, five months); petty theft in dwelling house (Gungooa, 1820, six months); affray with death (Ram Singh, 1820, one year); adultery (Kiratna, 1820, eight months); several petty thefts (Khairati, 1821, three years); perjury (Bhimi, 1821, six months); adultery with the intention of selling another man's wife into slavery (Kunmchu alias Gangooa, 1822, two years' hard labour); receiving stolen property (Muglasi, 1822, six months' hard labour); aggravated defamation and aspersion of caste (Doulia, 1822, six months' hard labour); attempt at poisoning (Sitab Singh, 1822 one year's hard labour); enticing away four persons for slavery

(Umapati, 1822, three years) and burglary (Bhaskar, 1822, one year); fell into such categories. Defamation of caste, petty-theft, gambling, aspersion of caste, contempt of court, extortion with violence, forcible seizure of cattle, aiding offences of petty nature, assaults threatening the life of plaintiff, selling female slaves, running away from public employment, assault and ill treatment of Chaprasis, were treated comparatively lightly.<sup>26</sup>

Traill brought it to the notice of the government that since 1815 on an average three murders were committed in Kumaun annually and thefts above Rs. 50 averaged about six, and going by the sentences passed by the Suder Nizamut Adawlut an impression was gaining ground that under the British system of criminal-justice, a murder was not punished by death, unless it was accompanied with plunder. Imprisonment was viewed in Kumaun with "perfect indifference" and even banishment did not have much effect. During the native regime the penalty for murder was fine but it was much more dreaded as it usually led to confiscation of property and sale of the person of the criminal and of his whole family into slavery, in liquidation of the fine imposed. When once a jail sentry fell asleep, providing an opportunity to escape, while a criminal from the plains seized the opportunity the hill-convict under going a sentence for murder, did not make any attempt whatever.

Murders had started taking place on the slightest provocation on petty matters, like quarrel over a piece of land, and two such wanton murders took place in 1822. Traill furnished to Glyn all the information he required on slavery, treatment of hill-women, especially sale of wives and widows and forced-labour, providing his suggestions on each evil custom and the efforts made by him to reduce its incidence and malignancy.

Inclusion of Dehradun in Kumaun was sharply reflected in the crime figures of 1826, where it far exceeded those committed in the hill-tracts. It glaringly brings into focus the difference in crime-profiles of the two tracts, i.e., the hills and the *turai*-plains. As the subject of crime-management and police was being constantly shifted during 1829-1835, in the Presidency of Bengal, the criminal-justice reporting underwent frequent changes, which makes a correct and comparative assessment slightly difficult. However, Table VIII gives us a comparative position of crimes during 1820 to 1837, the last taken as an indicator of Traill's departure time.<sup>27</sup>

**Table VIII : Comparative Position of Crime**

<i>Crime</i>	1820	1824	1825	1830	1837
1. Murder	4	3	-	3	7
2. Dacoity	-	3	-	10	28
3. Highway robbery	-	-	-	31	-
4. Assaults/Affrays/Violence	24	7	11	10	8
5. Theft above Rs. 50	3	8	1	-	31
6. Theft below Rs. 50	29	18	15	-	-
7. Arson	-	1	1	-	-
8. Selling slaves	-	1	-	-	-
9. Sale of females	-	168	234	-	7
10. Adultery	3	7	1	-	4
11. Unnatural offence	-	1	1	-	-
12. Forgery/Perjury	2	-	2	23	22
13. Defamation/Petty assault and tresspass etc.	-	115	96	75	4
14. Aspersion against caste	-	27	77	-	7
Total	65	359	439	152	118

The figures of 1824 and 1825, taken from Traill's report to the Government in 1824 and 1825, term the offences mentioned in serial numbers 9, 13 and 14 as of "trivial nature" which were on the increase. Their absence in subsequent years, or relative smallness, is due to the formats for reporting which either omitted them altogether or did not lay sufficient emphasis on collection and reporting of their incidence. Another set of statistics is also available for this period which lays emphasis on persons "apprehended" and "punished" during the six months under report.

This position, which gives a comparatively more accurate information about criminal-justice during this period is given at Table IX. Years marked relate the total year's position under the concerned heading.<sup>28</sup>

**Table IX : Number of Persons Apprehended and Punished, 1824-1835.**

<i>Activity</i>	<i>1824</i>	<i>1826*</i>	<i>1829</i>	<i>1830*</i>	<i>1831*</i>	<i>1832</i>	<i>1833*</i>	<i>1834*</i>	<i>1835*</i>
Persons Arrested	23	340	70	152	118	58	207	172	155
Persons Punished	38	147	NA	110	74	40	NA	NA	123

During the early years the punishment was not only deterrent in its severity but also demonstrative. Roopooa was ordered by the Nizamut Adawlut in May 1819, convicting him of highway robbery with wilful murder of Chuttuneea, to be hanged by the neck until he was dead and "his body to be afterwards exposed upon a gibbet, at the spot where the murder was committed. "Later similar punishment do not prescribe post-death displays."<sup>29</sup>

Ordeal-trials were continued by Traill, especially in "loss of caste" cases. After the Court Pundit had pronounced his judgement such orders were treated as final. Before the judgement, however, wherever recommended, Traill allowed trial by ordeal, an old practice. No higher sanction than

Traill's himself was available in respect of such trials or the sanction of the practice. Cases of witchcraft were very common. The condition of the society being what it was in early 1820s, such allegations were allowed to be entertained by the court of Commissioner himself. Both the prosecutor and the offender were put in the *hawalat*, until they produced a *razinama* (compromise). In more serious cases the sorcerer was required to furnish a personal bond to the effect that he will not in future molest the complainant, or anyone else, with his pretended incantations. Until he agreed to tender such a personal bond he was kept in confinement. However, Traill prohibited any other court from trying such cases. Evidently, Traill believed in gradual introduction of new criminal-legislation but at the same time saw to it that the old practices did not acquire a permanent foothold.<sup>30</sup>

In 1824, the sale of wives and widows was prohibited by a proclamation on the recommendation of Traill and the practice started dying out. Still in 1831 many ingenious attempts were made to evade the Regulations forcing him to observe very strict adherence to the provisions of the rules. The new husband tried to pay bride-price feigning it was for discharging the debts of the deceased husband, devolving on the widow. Whenever such cases became known, the receivers of money were levied the same amount as fine. The proclamation issued on the subject also ensured that it was not intended to discourage re-marriage of the widows and it said so in so many words. Glyn in his report to the government lauded the efforts made by Traill in eradicating all these evils in a pragmatic way and the government also issued its approbation of the ways devised by Traill for their gradual elimination.<sup>31</sup>

Annually a large number of deaths took place due to other cases like killing by wild beasts, suicides, *suttee* and self immolation. In 1826 such deaths numbered 69; in 1827, 103 and in 1830 as many as 236. Pilgrims came all the way from

Gujarat to Kedarnath to reach a snowy peak called Maha Panth, with the avowed purpose of dying on the way, as they left behind their clothes and took no provisions with them. In 1825 as many as 20 went up and only one came back to Kedarnath.

Police arrangements were geared according to the local needs and of course gradually dovetailed the need of reduction in public expenditure. Changes in police infra structure took notice of comparative freedom of the interior from crime, which gave rise to the system of community responsibility. From 1819, the revenue-police system came into existence with the introduction of District or *pargana* Patwaris. The main towns of Almora and Srinagar had a semblance of police, i.e., of Kotwal at Almora upto 1823 and Jemadar at Srinagar, with a posse of Burkundazes (armed personnel), in view of a comparatively large civil and military population and also the only treasury at Almora and Tehsil-treasury at Srinagar. Srinagar justified such a system in view of its principal position on the pilgrim-route. The hill-passes in the foot-hills needed a still stronger arrangement. In 1822, the *thanas* at Birmdeo, Kota, Dhikuli and Kotdwara were each manned by a Jemadar and 6 Burkundazes. Almora Kotwal had 25 Burkundazes and Bamouri Thanadar 20 Burkundazes. From Provincial Battalion, a civil force raised in 1815, 16 guards were deployed at the foot-hill passes and from Ganges to the Sarda, 150 manned the frontier, only during the healthy season (middle of May to middle of October).

In September 1823, the post of Kotwal of Almora was abolished and his duty was given to the Peshkar of Huzoor Tehsil. The reason was that now Almora had gates at all the outlets of the town and it was now easier to control entry and exit from this town. In 1823, in addition to Almora, the *thanas* existed at Bamouri, Dhikuli, Sunnea, Kangra, Kotdwara and Shore. All the three decoities committed in 1824 were by Kaloo Gujar's gang near Najibabad. In these two sepoy of Kumaun Provincial Battalion were looted, one sepoy was

killed and four were wounded. With the addition of Dehradun the foot-hill police arrangement was changed once more. Now, all foot-hill *thanas* were abolished except Kotdwara, Shorepur, Lachhiwala, Khurruck, Khansrad, Mohun and Sainspur, in the newly carved Dehradun joint-magistracy.

Prior to 1823 custom Darogas were posted at Bilheri Mundi, near Pilibhit-Bareilly border, and Chilkia Mundis, north of Kashipur. As the trade had now slackened they were withdrawn in January 1823. Traill advised against posting of custom-personnel for manning upper-ghats in 1833, as in addition to being costly, it was likely to lead to avoidable molestation of traders, who already faced "too many natural obstacles."<sup>32</sup>

Kumaun's first mosque was built in 1829 and the Hindu residents had objected to its construction by submitting a petition to the government. Under the Hindu rajas such establishment were not permitted. Traill respected the sentiments of Hindus about cow-slaughter but he considered their objection to construction of a *musjid* as frivolous. The government also rejected the petition filed by the Hindus on this score. The British forces consisted of a good number of Muslim sepoy and from 1815 onwards they used a place as the *karbala*. Blinkworth, the Company's Plant Collector, had dug up some part of it as an extension of the garden. The sepoy got enraged and cleared that ground of all plants. Mosley Smith, the Assistant, was deputed to earmark the ground again as *karbala*, for burying the *tazias*<sup>33</sup>. The British troops consisted of Muslims and European officers but the Supreme Government in deference to the sentiments of the Hindus had ordered that beef should not be eaten, if sheep and goats were available. Traill asked the Assistant Surgeon Bell to give him a written security that he will not kill kine in future, when it came to his notice that he had done so. The Nawab of Rampur had also been forbidden to kill kine during his hunting expeditions in Kumaun *turai*.<sup>34</sup>



Punishment for various crimes consisted of fines or imprisonments with hard labour in irons. Usually punishments upto two to three years only were given but in certain cases Traill, as Magistrate, had given sentences up to seven years. Heinous crimes were committed and the sentences were confirmed by the Sudder Nizamut Adawlut on the recommendation of the Special Commissioner, prior to 1829, and Commissioner Revenue and Circuit cum Special Commissioner, after 1829. The only jail was located at Almora and it had a capacity to house 100 prisoners. The final orders were pronounced either at Bareilly or Moradabad. During the first two decades there was not a single appeal against the orders of Kumaun Commissioner and his orders were final, as a Magistrate. Similarly no appeal ever seems to have been preferred against an order of the Special Commissioner or the Nizamut Adawlut.

### WELFARE OF HILL-PORTERS

Freed from the Gorkha atrocities of over twenty-five years the Kumaunese, especially its lower classes, soon found themselves condemned to an equally irksome tyranny of forced-labour. No one disliked it more than Traill himself. In the Regulation districts, by Regulation XI of 1806, the Magistrates and Collectors had been empowered to requisition to coolies facilitate marching of troops and even private travellers. It became more intolerable in the hills on account of a quite heavy concentration of troops in a deficient country, a near absence of roads or the beasts of burden, the undulating nature of the lands and finally the insalubrious climate of the *turai*. To cap it all, the Military Board insisted on changing the stationed troops every three years, for which provisions had to be laid out at every halting point. The incoming troops divided themselves at Bareilly, one heading to the Sunnea Mundi, en route to Lohaghat-Pithoragarh, and the other to the Bamouri Mundi, for marching towards

Almora. It was preceded by a similar movement, requiring all the arrangements at the stages, by the departing Regiments. This requirement was concentrated during middle of October to middle of May, when the *turais* permitted a safe passage to the hills. Traill considered it a local problem and manfully handled all the attendant pin-pricks, especially raised by the Station Commander and the Commanding Officers of Lohaghat and Pithoragarh out-posts. As the Supreme Government was fully conscious of this evil he raised only policy issues. The objective was to reduce to the minimum the ill-effects of this necessary evil.

Kali Kumaun was the worst affected region. The zemindars still migrated to the Bhabur in October, as they had done for ages, and now they did it for the sake of avoiding conscription, as porters. An extensive migration to the adjoining regions of Nepal was but natural, leaving several villages deserted and a considerable fall in cultivation. This was the alarming situation Traill inherited from Gardner. Considerable time of Kumaun Commissioner was wasted reducing his authority, as Commissioner Col. Gowan was to comment later, to that of a minor "Collectorate officer."

Traill's first act was that by a government order in October 1816, all civil and military travellers were prohibited from pressing hill-porters to carry their personal baggage or performing any other service. They were asked to hire bearers or *coolies* from the plains, when they commenced their journey upwards. Traill's reluctance to encourage European travellers to undertake journeys into Kumaun hills are much better understood in this context. Barron's Kumaun o 1840's was quite different from the early 1810s or 20s of Traill, and a businessman was the least qualified person to understand the ground-realities of administration.

The Commissariat had employed a few mules for carrying military equipment and supplies. The 300 mules they had employed in the initial years had either died or became unfit for duties. Failing on his requests to the Commissariat for their replacement now Traill brought the issue to the notice of the Supreme Government in 1822, requesting for a fresh deployment of 300 mules. The two Nusseeri battalions posted at Lohaghat and Pithoragarh needed an import of 18,000 maunds of grains. But, 3,900 hill-porters could bring in only 3000 maunds and the police officers reported tremendous problems in assembling the hill-porters.

Traill's handling of the vexatious porter-management issue reveals his deep concern for the hill-people and an unparalleled skill in handling any crisis. His strategy consisted of reducing the over-all burden by induction of expensive Mules Establishment for carrying heavy military-loads, introduction of a liberal rate of hire to make portage voluntary, preventing abuses in requisitioning porters and ensuring an equitable mode of requisition. The heavy demands of Public Work, like construction of military roads, bridges and public buildings, etc., and the demands of the Commissariat and Ordnance Departments, proved injurious to the agricultural sections of the society and the hill-area as a whole.

In July 1817, Traill divided and apportioned revenue *parganas* to the various army units stationed in Kumaun and also to the Commissariat and the Engineers. The Artillery was allotted Phaldakot and Dhaniakot; the Native Infantry *pargana* of Pali Pachaon; Lobha and Chandpur to the Pioneer; Kali Kumaun and Dhianirow to the Right Wing of Nuseeree; Gangoli, Shor and Sira to the Left Wing; and Kota, Chougarkha and Khurai to the Kumaun Provincial Battalion. The Commissariat were given nine revenue sub-divisions (*pattis*) and the Engineers an equal number. Earlier, the porters could be requisitioned by an order of the Commanding

Officer of the out-posts, but they were required to direct their requisition parties to the allotted *parganas* strictly. The number of porters which each *pargana* or *patti* was required to provide was also indicated alongwith the names of the *pargana* or *patti*.

The number of houses in every village was ascertained and a porter from every four houses was fixed. Villages having less than two houses were exempted from such a porter-levy. A more liberal rate could not be adopted and it would have yielded a very small number of porters for the over-all requirement. A rotation of requisition was also followed according to the nature of the service and the place where it was required. For indents, both public and private, for less than 50 porters, the nearest and most convenient areas were selected, and of which no villages were selected further removed than one day's journey from the place for which the porters or labourers were required. In case larger indents of labourers from more distant places were pressed, it was ensured that they were not more than two days' journey from Almora. An exception to this rule was observed when the Corps were relieved from Kumaun duties and were replaced by others.

Collection of labourers and porters was never left to the Native public officers but the selection of labour-supply, the strength of men required and the nature of the services was invariably specified in the allotment-cum requisition-order. A copy of this order was also sent to the zemindars in order to prevent any abuse of this order. The bearers and *coolies* for private baggage were required to be brought from the plains and Traill expected that the liberal scales of hire would attract a larger number of plain's coolies to the hills.

The above-mentioned arrangement had come about in 1822, after constantly reviewing the experience gained over six years. The *parwana* or the order was issued to the

concerned organisation and the supplies of labourers were provided by the concerned *pudhans*. From the very beginning the police of Almora were forbidden to interfere, in any manner, in the supply of labourers and the supply of labour from the *pargana* of Baramandal and other neighboring *parganas* was made by the Peshkar of Almora.<sup>35</sup> The Thanadar of Bamouri was strictly prohibited from interfering in this respect. Only after two sick sepoy died at Bamouri in 1818 that an exception was made in favour of sick-sepoy only. In 1819, notwithstanding several *parwanas* issued by Traill the Executive Officer of Almora Contonment could not secure 750 labourers required by him at a time, and the Station Commander, Lt. Colonel Lyons took up the matter at the level of the Commander-in-chief. Traill, in the explanation referred to the smallness of Kumaun population and the fact that almost the whole area within three days' journey around Almora had been exclusively appropriated for this purpose. This was such an exclusive appropriation that porters could not be available for private purposes. Traill mentioned that even the supplies of daily necessities were frequently held up at Bamouri, for want of porters, for as many as 6 to 10 months.

Before 1819 the labour supply was not adequately looked after owing to paucity of staff on full time basis. Traill suggested some additional staff which could look after this important branch on full time basis. The *parwanas* could not be effectively enforced as confinement of defaulters, by way of punishment, held little terror for the zemindars. For, in both the cases, he was taken away from his home and as a labourer he earned slightly more at official rate than the subsistence allowance he received as a prisoner. The jail-diet at that time was on money-payment basis. As a prisoner he was at least comfortably lodged while as a porter he was forced to seek a precarious shelter in some ruined house in Almora. Imposition of fines also was fruitless, as too small a fine could be easily paid. A heavier fine, in any case, would have

resulted in as an arrear of revenue, to be ultimately remitted, on account of his inability to pay.

Frequent disputes cropped up between the civil and military authorities over this seemingly small but ticklish matter. While the military authorities complained of civil functionaries taking away labourers working inside the cantonments, the latter accused the former of "military confinement", of no less than the Peshkar of Huzoor Tehsil. Traill even had to warn against such misconducts on the part of military functionaries to the Station Commander. Doom Tulla mohalla of Almora, a ready source of labour, became a bone of contention between the Peshkar of Hazoor Tehsil and the Executive Officer of the Cantonment.<sup>36</sup>

In 1821, Traill raised the hire-rates of labourers and fixed additional hire rates in the event of detention for more than four days for a journey between Almora and Bamouri. For every extra retention-day they were to be paid 1/2 *anna* per day. The zemindars of Kumaun mostly ate *mundua* which sold at the rate of one and a half maunds to a *rupee*. The number of labourers which could be requisitioned in various *parganas* and by the Commanding Officers was also limited to a maximum of 15 at a time. This was strongly protested by the out-post Commanding Officers. He pointed out between June 1817 to March 1819 as many as 30,080 labourers were employed on public-roads excluding 8,758 boys. About 30,900 on public-buildings and 40,000 on private-buildings and 1,695 on the construction of Military Bazar godown. This gave an average of 4,897 adult labourers per month in constant attendance. According to the new arrangement hardly 400 labourers would have been available as against a minimum requirement of two to three thousand labourers per month for Pithoragarh–Lohaghat out-posts. Traill told the Commander that the hill-men were not averse to carrying loads, per se, in case the wages were reasonable. The borax-dealers, for example, experienced no problems in regard to the labourers

as they gave them as wages sufficient money to take care of their food and clothing requirement for the whole month.<sup>37</sup>

While this tussel was going on Glyn, the Special Commissioner, visited Almora to investigate the overall situation of criminal justice and trial of heinous crimes. As a total stranger to the hills he was appalled to see “the squalid, sickly, emaciated and half-starved appearance of the Khusseas”. He had expected to meet hill-men “of that strong healthy aspect which one usually associated with the idea of mountaineers.” He was startled to see “all classes of hill-men, from the zemindars to the Dooms, all except Joshi Brahmins, Choudhuries and heads of villages”, irrespective of their age and sex, employed in the hard, toilsome duty of carrying burdens from Bamouri to Almora.” He estimated that anywhere between six to eight thousand Khusseas were pressed in the transport of grains and baggage.

Traill accepted himself that even the revised hire rate of 12 *annas* for carrying baggage from Almora to Bamouri and back or of 8 *annas* for Pithoragarh to Lohaghat and 10 *annas* from Birmdeo to Lohaghat was totally inadequate, when Glyn enquired about the prevailing wages. He suggested to Glyn Re. 1 per porter, if the number of labourers exceeded 40 and 12 *annas* if indent for the labourers was less than 40, during 10 October to 15th May. For the remaining period of the year one and half *rupees*, irrespective of the size of indent. He recommended the same rates for the eastern *parganas* of Kali Kumaun.

Glyn being an outsider had the eye to compare the prevailing wage-rates of Kumaun with Bareilly, where he was stationed. He pointed out that 12 *annas* for an absence from home for as many as 13 days was totally inadequate, as it was the actual number on an average when a porter was requisitioned from his home for carrying loads between Almora to Bamouri and back. This meant 12 seers of wheat

for a detention of 13 days away from his occupation. If the porter had a wife or children or sick or aged relatives to support, 24 or 30 pounds of grain were certainly inadequate. Even at Almora, he observed, a labourer easily received one and half *annas* from the European residents and from the others, in addition some *chabeena* (parched grain). As even at Almora it was rather difficult to secure a porter at this rate the labourers had to be forced for public-service with the help of government Chaprasis. At Bareilly the wages were two and half *annas* per day and even the prisoner of Bareilly jail received more than a hill-porter for his daily sustenance. A private trader paid Re. 1 to the same labourers for one way carriage. Glyn recommended Re. 1 as hire-rate or Rs. 2 per labourer for a return-trip. The government desired that a hire schedule should be fixed with at least one and half *annas* per day per labourer. Now fully backed by the government itself Traill notified a Regulation for Supply of Coolies for the posts of Lohaghat and Pithoragarh on the 9th November 1822; and another Schedule of Rates of hire for Khusseas employed in transport, if the porters were supplied through the office of Kumaun Commissioner, on the 16th November, 1822.

Jamadar of Shor was now authorised to furnish on the requisition of the Commanding Officers only 15 labourers at a time for private works at the cantonments, for the parties of sepoy going on command or for transport of public-stores or private-bagage of military officers, between Lohaghat and Pithoragarh. For any higher requirement the commanding officers were now required to apply to the office of Kumaun Commissioner. The Jemadar of Shor was strictly prohibited to entertain any indent for higher demand without an express sanction of the Commissioner. The same rule for requisition was now made applicable to Bamouri or Almora. Now no porters were to be supplied to the *baniyas* or the traders of the Military *bazars* and they were asked to procure labourers from the open markets, as other traders did. The new hire-rates were applied to the labourers employed in carriage of



building materials such as slates, timbers, bullies and *chuna*. What is more, the grass was not to be paid at the rate of 3 *annas* per maund and *chuna* at a rate of Rs. 15 per 100 *maunds*, exclusive of carriage charge. Traill had secured the services of his first Assistant, since Hodgson and Shore, Sir Robert Colquhoun, the Commandant of Kumaun Provincial Battalion, who specially monitored the labourer-porter requirements from various sources.

Now, hire rates of porters for several routes within Kumaun were fixed, different for an indent of less than 50 porters and for a larger indent. The lowest rate of 10 *annas* per porter per day was fixed for Pithoragarh to Lohaghat and the highest of Re. 1 and *annas* 10, for Almora to Pithoragarh, for an indent of less than 50 porters. For an higher indent, 3 *annas* additional was to be paid to each porter. For the unhealthy season a higher rate of hire, Almora to Dhikuli pass @1 *rupee* and 12 *annas* and Lohaghat to Birmdeo @ *rupee* 1, *annas* 5 the lowest, was fixed. The porter bringing up stores or baggage from Bamouri, Dhikuli or Birmdeo was required to be paid immediately after the conclusion of the trip, while they were to be paid in advance if the baggage, etc., was carried out from Almora to any other point, under the superintendence of sepoy or servants. The payment was to be made in the presence of the native officer, who presented the porters. In the event of any porter absconding mid-way or not able to complete the carriage due to sickness or any other reason, the money was to be immediately restored on an application to the civil officer, in whose presence the money was paid in advance. The days likely to be taken for performance of portage from one point to another were fixed, and an extra payment of one and half *annas* were required to be paid to the labourer for extra detention over the limit fixed. A minimum of 3 days was fixed for Lohaghat-Birmdeo route, while for Almora to Pithoragarh route was given six and a half days. The additional hire charge was to be given to the porters immediately after the expiry of the stipulated period,

as the porters usually took with them provisions only for the originally requisitioned period.<sup>38</sup>

His objections to a large indent of labourers became so well known that the local military officials requested the incoming troops to very minutely re-evaluate their porter-requirement and replace as many of them with mules as possible. His solicitude to the welfare of hill-porters made him request the Supreme Government to ensure that the supplies of the Commissariat and the Ordinance (clothing) departments did not reach the foot-hills during the unhealthy season.<sup>39</sup>

Traill, however, was not oblivious of the benefit this kind of work brought to the overall economic improvement of the hill-men and his liberal hire rates were directed towards achieving that end. The *pudhans* and lower functionaries were fully aware of his strict injunctions in this regard and no provisions were made available to any outsiders, unless accompanied with a *parwana* from the office of the Commissioner. This gave rise to "several anecdotes about Mr. T's jealousies about European travellers in Kumaun", his "Chinese system of government" and a general reputation of an autocratic behaviour. So much so that a European surveyor had to remain without food for two consecutive days, as villagers refused to provide him any provisions without a *parwana* from the Commissioner. Viewed from the eyes of the hill-men Traill appears just the opposite and the same was testified by Francis Shore and later John Strachey, who also looked at things from Traill's eyes.

Closely linked with the issue of labour and porter supply was Traill's relations with the army. There had been as many as eight Commanding Officers with whom he had to deal with. In addition to the regular troops there was the Provincial Battalion, composed of mostly Gorkhas and the local hill-men. This Battalion was considered a civil force under European officers deployed in guarding frontiers, jail and doing other

miscellaneous guard-duties. The Pioneers constructed the military-roads and the Commissariat looked after the supplies of troops.

He did not agree with Lt. Col. Lyon's suggestion to reserve the entire ground lying to the north of Almora ridge for the cantonment. This was the only part where Almora city was in all likelihood to grow, as it was the capital of the province and the only market. The western end of Almora ridge, in 1817, was occupied by Fort Moira and Sepoy Lines, the southern end by the Pioneers and the eastern-ridge by a *bazar* of low-caste Hindus. Col. Lyon addressed a letter to the Commander misquoting their discussion during a joint-inspection, and to forestall a decision based on this reference, Traill addressed a direct letter to the Governor General. The Supreme Government, while agreeing with Traill's objections told him that "the determination of a point of the nature is best formed by a communication between the authorities on the spot". Both the officers were asked to work in concert, a golden maxim, valid for all times and all officers, administering the districts in whichever capacity.

Supply of food-grains for the large number of troops stationed in Almora and the eastern frontier, posed the biggest problem for the civil authorities of Kumaun for a long time. It was at its worst during the days of Traill. Kumaun was deficient in food-production and he had brought this to the notice of the government as early as 1817. Traill, to meet the situation, proposed 3 steps viz., sale of grains to the troops from the public stores maintained by the Commissariat in Kumaun; a substantial reduction in army-strength, and transfer of Kumaun Provincial Battalion to Srinagar in 1818. Initially, the government disagreed with his first two suggestions and deferred a decision on the third. But soon afterwards allowed issue of foodgrains at a rate of 20 seers to a *rupee*, subject to a total sale upto one half of the total Commissariat stocks maintained. The stocks issued were to be

continuously replenished by supplies from plains. Relations of Traill with Col. Lyons worsened further on account of his taking Lt. Fordyce's side in a controversy involving the two military officers. Traill soon received a severe reprimand from the Supreme Government, reminding him of Col. Lyon's position as the Chief Military Authority in Kumaun as important as Traill's himself. Traill's continued pressure on the Supreme Government finally resulted in withdrawal of 5 companies from Kumaun in 1818. The strengths of Pithoragarh and Lohaghat out-posts were reduced to half of their previous numbers. Locally, the rate of food-grain purchased from the farmers was fixed at 28 seers to a rupee and the troops purchased their requirement from them at this rate. The Supreme Government directed Traill to ensure that the principle of demand and supply was allowed to operate and no artificial prices were fixed. The practice of forced requisition of foodgrains, with the help of troops, was prohibited from August 1817. In June 1818, all military parties deployed in procuring foodgrains were ordered back to their barracks. In August 1818 another withdrawal order of 5 companies was received.

Col. Lyons and Traill, after they received Supreme Government's displeasure, resolved to mend their ways by not addressing to each other, through public-letter, but only demi-officially. This practice was continued during Lt. Col. Garner's time. Although strictly banned, complaints were still received from Chowbinsi, Gangoli and Danpur *parganas*, about forced requisition of food-grains by military detachments. Traill punished the defaulting sepoy and asked the out-post commanders to ensure that no recurrence took place in future.

Doom Tulla mohalla of Almora was considered by the Executive Engineer of Cantonment falling within his jurisdiction and military personnel resisted government Chaprasis when they got hold of some residents belonging to the low-castes. Traill brought it to the notice of the Executive

Engineer (Garrison Engineer) that the latter had always been considered under civil authorities and most of the office bungalows of Almora had been constructed with their help in the past, and they were required never to leave the town. Traill protested to Lt. Col. Muat against his "assumption of an authority over any part of Almora town and its inhabitants."<sup>40</sup>

Lt. Col. Muat's successor, Lt. Col. Alladin was surprized to find that even though there was no apparent deficiency of food in Pali the farmers refused to sell anything to the army without an express *parwana* from Traill. Col. Alladin was informed by Traill that the *parwana* system had been discontinued from 1817 and it was only due to some temporary deficiency of foodgrains that a small establishment had been retained at Almora and the stock of grain was continuously replenished by supplies from the plains. During the early days of British rule in Kumaun the civil authorities were responsible for supplying almost all necessities of the armed forces like foodgrains, twine, timbers, bamboos, chalk and even grass for hutting barracks.

The free market principle, as soon as it was applied, raised food grain prices so high that from 28 *seers* to a *rupee* it went up to 15 *seers* to a *rupee*, in the eastern *parganas*, forcing the commander of Lohaghat, suggest to Traill and the Station Commander transfer of a Company to Pithoragarh to meet the situation, in 1822. Traill in 1822, it would be recalled, had already requested the government for replenishing the old Mules Establishment with a totally new contingent of mules and his request was acceded to.

Traill's Schedule of 9th November 1822, in regard to restriction of number of porters, to just 15 at a time, further aggravated the problem of food-procurement in the eastern sector. With this restriction it became well-neigh impossible to procure whatever foodgrains could be imported from Birmeo and all the supplies were heldup. Time consumed in making

porters available to the military troops was one of the main reasons which prompted Traill to ask for an Assistant and after 1823 Sir Robert Colquhoun, as his Assistant, handled all these operations, while Traill attended to his Great Survey and quinquennial settlement of 1823.

Lt. Col. Duncan, the next Station Commander, was equally disgusted with the behaviour of Kumauni zamindars and he swore that in his entire career he had never "met with so disobeying set of natives, as the people of these hills." He threatened Sir Colquhoun with bringing the matter to the notice of the highest authorities, if the huts of his men were not thatched with grass before the rains set in. As he had feared, before porters were sent again, the villagers had set fire to the grass and it had to be brought in from distant places. The people refused to supply grain without a *parwana* from the Commissioner, he complained against what appeared to him "their chief delight, rendering the troops uncomfortable by refusing to sell anything without an order from you (Traill)". Duncan ultimately did refer the matter to the Commander in Chief but the situation was by now too well known to the government to cause a panic and Traill received a routine direction asking him "to endeavour to assist the officers and men of the infantry in procuring the materials", but adding simultaneously that no excesses should be committed and owners of supplies receiving a full, fair and liberal compensation.

Sir Colquhoun's own officers of the Provincial Battalion, received no favourable treatment either. The zamindars prevented labourers from taking a supply of fire-wood for the officers when the labourers were accompanied by sepoys. The officer in his explanation, called by Sir Colquhoun, complained that the zamindars failed to appreciate the mild rule of the British as they felt free to file a complaint against all acts of omission and commission. He considered it "extremely disagreeable to be under the necessity of getting

orders for every stick and every trifle", he might require. Sir Colquhoun, convinced that the standing orders had been flouted, in the present case, issued a Battalion Order strictly prohibiting sending sepoy to the villages on any pretext whatever. Lt. Whitekar, of the Pioneers, was also forced to beg for a *parwana* of the Commissioner as he had to more than once "to go to rest, exhausted with hunger and been several times in distress for want of supplies." Traill's injunctions became severer and severer, with the passage of time.<sup>41</sup> Lt. Colonels Faithful, Ward, Murray and Cock continued to struggle with this never-ending problem.

From 1829 onwards, the various military establishments were being wound up one by one. The Public Mules establishment was withdrawn in 1829 as a measure of economy, introduced by Lord Bentinck. To meet the new situation one company was moved from Lohaghat to Pithoragarh, where food-situation was slightly better. The mule-shed was handed back to the civil population, which gave rise to the issue of recommencing *Nynda Devi puja* in 1830, after a lapse of 15 years. The Artillery Lines were also vacated in 1830 to be handed back to the people by the Commissioner along with the temple and shed. The arms and accoutrements of the Native Battalions at Lohaghat and Pithoragarh were put to public auction. A general ban on fresh recruits was imposed all over the Presidencies, which created problems for Captain Corbett, the new commandant of the Kumaun Provincial Battalion. The Old Fort of Almora was handed over to the civil authorities in 1832 and the Lock hospital was converted into a hospital for the troops. All the military guns and stores were shifted to Fort Moira.<sup>42</sup> Commissariat was also withdrawn.

Monthly Courts of Requests were held for settling the debts incurred by the men from Almora *banias* and merchants before pay-day. Almora *banias* requested for frequent summoning of these Courts, especially before the triennial

change of Regiments. That Traill remained a strong and staunch loyalist to the British interests in India is reflected in his opinion of recruitment of Gorkhas in British Army. Traill recommended opening of a recruitment-depot at Pithoragarh, instead of at Lohaghat, and recruitment of all hill-men and not only Gorkhas. He informed that the hill-men possessed all soldierly qualities, as possessed by the Gorkhas. The hill-men were fond of enterprise and it would render the proposed Corps ready to be sent to any distant expedition. Significantly their "inherent distrust of low-landers" will preclude any intimate combination with plain Regiments and make a counterpoise" against the present Native Regiments, ready to act against them on an any sudden emergency". This recommendation, made in 1825, was actually acted upon by Sir Henry Ramsay in 1857, as we shall see later.<sup>43</sup>

### THE BOUNDARY OF KUMAUN

The geographical boundary of Kumaun-Garhwal, as we see it today, is a result of the Treaty with Nepal in 1815, towards the east; in the north a quiescent Tibet allowed undisturbed control of five snowy-passes in the hands of the British; in the west Alaknanda was initially taken as a general physical feature, dividing the Protected Native State of Tehri from the British Kumaun. The *turais*, towards the south, with a thick belt of forests of six to twelve miles in breadth, was yet to be precisely defined, as no precise details were as yet available about these disturbed tracts. Dehradun and Jaunsar-Bhabur were once to be linked with Kumaun in 1825 to be delinked again in 1829. Traill's correspondence for every frontier boundary of British Kumaun, most extensive on what he called Kumaun-*turai*, secured for Kumaun what was for ages an integral part of Kumaun, and no one fought for it more ferociously or emotionally.



His stay in Fatehgarh (Farrukhabad) brought him in close touch with William Moorcroft, whom he provided all assistance during his passage through Kumaun on his last fateful journey. He knew Lord Moira's mind when he secured the Lipu Lekh and Mana-Niti passes for British Kumaun. It was the British commercial interest in the so-called trade with Tartary, that made Traill demur from handing over Tinkar and Changru, two Bhotia villages of Byanse, lying to the east of Kali. After full two years of Treaty of Sigauli, Nepal preferred a claim on these two villages. On receipt of government orders the zamindars of Byanse pleaded, through a petition, that the remaining six villages, viz., Budhi, Garbyang, Nabi, Rongkali, Gunji and Kuti were entirely dependent on the agricultural production of these two villages and they would be forced to desert these villages in the event of their transfer. They even suggested that they would be forced to divert their entire trade to the Doti marts in Nepal. Traill was, however, advised to explain the inability of the government to the zamindars in not complying with their requests. Henry Strachey, when he visited these two villages in 1846, called it a mistake on the part of the government. According to him the true line should have been the range of mountains to the east of Tinkar-Nampa and Api, beyond which lay the district of Marma, the northern most division of Doti. While the inhabitants of this side of the range were all Bhotias, like the Byansis, the inhabitants of the other side were all Khasias, like the rest of Doti. Traill was, however, helpless as the geographical knowledge obtainable in 1817 was very limited. All that he secured for the Bhotias of Tinkar and Changru, through his Political Agency, was the permission of Nepal Government for the Bhotias of these two villages facility to pay their government revenue at Bageshwar.

Nepal laid further claims on Nabhi and Kuti on the ground that the western branch of Kali, i.e. Kuti, Yankti, should be considered the main stream of Kali, as it carried a larger

stream of water. Lt. Webb, who was sent up, reported that the lesser stream, flowing from the secret stream of Kala Pani, had always been recognized as the main branch as it gave its name to the river Kali. Equally important was the consideration of the two passes which led into Western Tibet, also the easiest except that of Niti in Garhwal, that made Traill reject the claims of the Court of Kathmandu. Any decision taken otherwise would have resulted in creation of a constant source of conflict between the two states, in respect of transit duties, etc., on the trade leading to the Tibetan marts through Lipu Lekh. Traill informed Bum Shah accordingly and his action was supported by the Supreme Government. The land revenue of Rs. 140, already realised from the two villages, now to be transferred to Nepal, was refunded to the Nepalese officials.<sup>44</sup>

The western boundary of British Kumaun was finalised by Fraser in 1815 and the territories west of Alaknanda, with the express reservation of Nagpur, Rawain and Dehradun, was given to Raja Sudarshan Shah on his restoration. Rawain was finally given to him in 1824. Gardner had in fact suggested handing over Rawain to the Raja but it was doubted whether he would be able to control this wild-tract. In 1816, Traill brought it to the notice of the government that there might be difficulties in future if precise words were not used in defining the boundaries between Tehri State and British Kumaun. Loose use of Alaknanda and Mandakani (also known as Kali of Garhwal) words also meant cutting off some valuable portions of Nagpur *pargana*, including *pattis* of Bamsu and Painkhanda and the mines near Dhanoli, which lay west of Mandakini. In 1818, Traill complained of the disorderly state of Rawain, where the people had commenced plundering the pilgrims to Gangotri and Kedarnath, now as they were free again from the Gorkhas and the British control. The Raja did nothing and it remained informally under his control. By now uncle of the Raja, Pritam Shah, who had been released from Nepal prison, laid claims on Garhwal and Dehradun.

Raja Sudarshan Shah also reverted back Maithana in 1816, located opposite Srinagar town but west of Alaknanda, on the basis of the agreement.

However, even in 1823, the issue of British territory along Mandakini and Rawain was not formally settled. The Raja now laid claim on the territory lying between Mandakini and Alaknanda. Traill made it clear that even Mandakini river did not form the boundary between Tehri State and British Kumaun but it included tracts in N.W. direction "full two days journey beyond the Mandakini and also included some 40 to 50 village of Nagpur *pargana*, west of Mandakini." Some of the villages in religious assignment, however, did not pay rents into British treasury. He refuted all claims of Raja Sudarshan Shah and deprecated his efforts to take advantage of geographical errors made in a transaction in which there was no reciprocity. Traill's treatment of Pritam Shah; his opposition to Raja's efforts to resume all *mafi* lands confirmed during Fraser's time; and a small issue of control of Jakhani-*ghat jhoola* (close to Srinagar town, on the Alaknanda) annoyed Sudarshan Shah to such an extent that he expressed a desire to be relieved from the control of Kumaun Political Agency. The government finally allowed annexation of Rawain with Tehri State in 1824 but once for all defined the exact boundary of Tehri and British Kumaun, as Traill had described it. This permanently secured Danpur *pargana*, the temple of Kedarnath and villages of Bazpur lying to the west of Mandakini to British Kumaun, for which Traill had to incur the displeasure of Sudarshan Shah and a temporary loss of Kumaun Political Agency.<sup>45</sup> The same boundary continues between Tehri and Chamoli districts, till this day.

Far more acrimonious debate on the boundary of Kumaun was going on towards the south, the *turais*. When Rohilkhand first came into British hands the *turai*, for some time was left in the hands of Nawab of Rampur. In 1817-18 there was some correspondence about the wastelands of *turai* and application

from the Tharus, the tribals who inhabited the region for centuries, for rent-free cultivation. Whalley is of the view that at this stage even the Supreme Government did not possess exact information about the *turais*. Prior to Halhed's posting as the Joint Magistrate of the Northern Division of Moradabad district in 1823, Traill had written to the Board about the need to adjust the boundary between Rohilkhand and Kumaun. He was advised to await completion of the revenue survey of Rohilkhand. But the policing of the *turai* reached its nadir when in 1823 several affrays rocked the region, making it totally unsafe for the hill-men to graze their cattles. He reported settling about 40 villages during the last five years. The *turai* was important for the hill-men as they came down annually with their cattle in the winter months for want of any pastures in the hills. The hill-men and the plains people were already looking at each other "with the jealousy of foreigners", as he put it, and there seemed no scope for an amicable settlement between the two warring groups, calling for "the intervention of the controlling powers". Traill who considered all *turai* as part of Kumaun reported in January 1823, that right from the Kali the border with Bilheri had been adjusted, in Nanakmutta there existed no dispute except in village Luddhiora, Kilpuri; Rudrapur posed few problems and in Gadarpur there were no disputes. Near Bajpur, Bhumdarwala and Kutsan had long been lying waste due to disputes with the zamindars of the plains. Finally, the dispute near Kashipur related to only *churai* rights.<sup>46</sup>

The Supreme Government was mainly concerned with the police problem facing the *turais* and the notorious deeds of the Herees and Mewatees. Ayeen Khan's recent death was to be used as the thin end of the wedge to undo the arrangements made by Magistrate Seton of Moradabad in the past. A new jurisdiction of North Division of Moradabad was carved out and Halhed hand-picked as Joint Magistrate to reign in notorious *thekedars*. The *jagirs* given to the three Heree and Mewaatee chiefs were abolished and their bands disbanded

and so was the *chowkidari* system of the foot-hill passes. Halhed's charge included Kashipur, Jaspur, Bajpur, Rehar, Thakurdwara and some parts of the northern portion of the Moradabad district. Halhed was also authorised to communicate directly with Kumaun Commissioner, Board of Revenue and the Superintendent of Police, at the Board of Revenue headquarters.<sup>47</sup>

Halhed's brief was very clear, i.e., to get rid of the lawlessness that prevailed in the *turais*, and which was generally considered a blot on the reputation of the British administration. Traill looked at the whole issue as one of orderly development, which was bound to suppress the existing disorderliness. The *turai* problem could not be conceived purely as one of law and order. While Halhed considered it as an unadulterated nuisance, committing atrocities, after having managed to take leases from Traill of lands belonging to northern Moradabad. Traill repeatedly laid emphasis on *turai* having been an integral part of Kumaun from time immemorial. Traill termed the whole tract as Kumaun-*turai* to which Halhed took strong exception and the former finding that Halhed looked at the problem purely from the police view point" begged leave to decline entering further on the subject, in the present correspondence." As Traill himself was busy in his first quinquennial settlement he could not meet Halhed during the cold season of 1823.

Traill conceived of *turai* as a potential area for employment of "hill capital and industry for which little scope existed in the hills. By inclusion of the *turai* areas cultivated by hill-men in Moradabad these people were likely to be subjected to double-jurisdiction, as they also owned lands in the hilly tracts. The correspondence between the two officers was extensive, each refusing to budge from his stand and countering each other's arguments. Traill highlighted the dread of *turai* climate amongst the plainsmen and the number

of cattles owned by hill-men which came down annually for grazing. Halhed pointed out the dread of the summer months which made “the very few hill zamindars, who no sooner felt the approach of the hot winds fled to their retreats in the mountains”, proving an equally great dread amongst the hill men. He pooh poohed the number of hill cattles vis-a-vis the plain’s cattles, which was far greater. He also objected to Traill viewing Kumaun as if it was still a Kingdom independent of British-Indian territories.

Finally, Halhed suggested a line drawn from the extremity of each “promontary of the hills” in the lower ranges to the next, as the easiest demarcable limit of Kumaun and plains at districts of Rohilkhand. Equally exasperated by the tenor of Traill-Halhed correspondence, and increased gravity of the atrocities being committed in the *turai*, the Board of Revenue reminded Traill that Kumaun and Rohailkhand belonged to the same government and the revenue collected by either of them went to the same treasury. This intervention cooled the tempers of both the sparring parties. Traill, however, now referred the matter to the “final controlling hand”, i.e., the government, and informed Halhed that till he received the final orders he would consider Gadarpur, Bajpur, etc., as an integral part of Kumaun. Now Traill brought it to the notice of the government that the hill-men were likely to deprecate an attempt to wean them away from a lenient system of government and put under a complicated one, at the same time severing their interest and property from a tract to which they had remained attached for such a long time. Even this pleading, made in December 1823, failed to impress the government, who was mainly interested in restoring order in *turai*.<sup>48</sup>

Halhed completed demarcation in Garhwal sector by August 1824 but Traill continued to refer to Kumaun *turai* as

“disputed traict” as late as October of 1824. It was not before December 1825 that a meeting between Traill/ Halhed and Boulderson could take place regarding settlement about demarcation principles and modalities. Traill-Halhed were able to jointly report in January 1826 about an amicable settlement of a boundary from Ganga to Ramganga. They had been able to include “within hill-jurisdiction all spots where *goths* (cow-sheds) were established annually and enabling the high-landers enjoyment of all privileges of pastures on payment of grazing dues.” Both of them assured the higher authorities that “the duty has been executed, with the most perfect unanimity and without the slightest conflict of sentiments on any point.” Traill’s bitterest boundary-battle was fought on *turai*, and he now offered his services to superintend the work of “clearing an unbroken avenue throughout the whole of the tract of forest, through which the line was carried”. The government was only too happy to see the last of the controversy and granted Rs. 4,000 to Traill for establishing permanent boundary mark in January 1827. Out of this Rs. 1,000 were given to Francis Shore for Chandi Dun boundary. The total length of the boundary was about 100 miles, and giving one full month every year to this operation, Traill completed the task in next four years.

Pillars of large stones were erected at an interval of four to five hundred yards near the base of the hills. At remote points *pucca*-pillars of brick were erected and where cultivation existed the line was marked either by trenches or embankments. Traill “corrected some of the mistakes committed by the subordinate staff earlier in Garhwal sector” when he himself visited some of the boundary locations, said to have been settled by Halhed in 1824. Batten was to recall later in 1841 the amount of heat generated by Traill-Halhed boundary controversy and the indelible impression it had left on the minds of hill-people.<sup>49</sup>

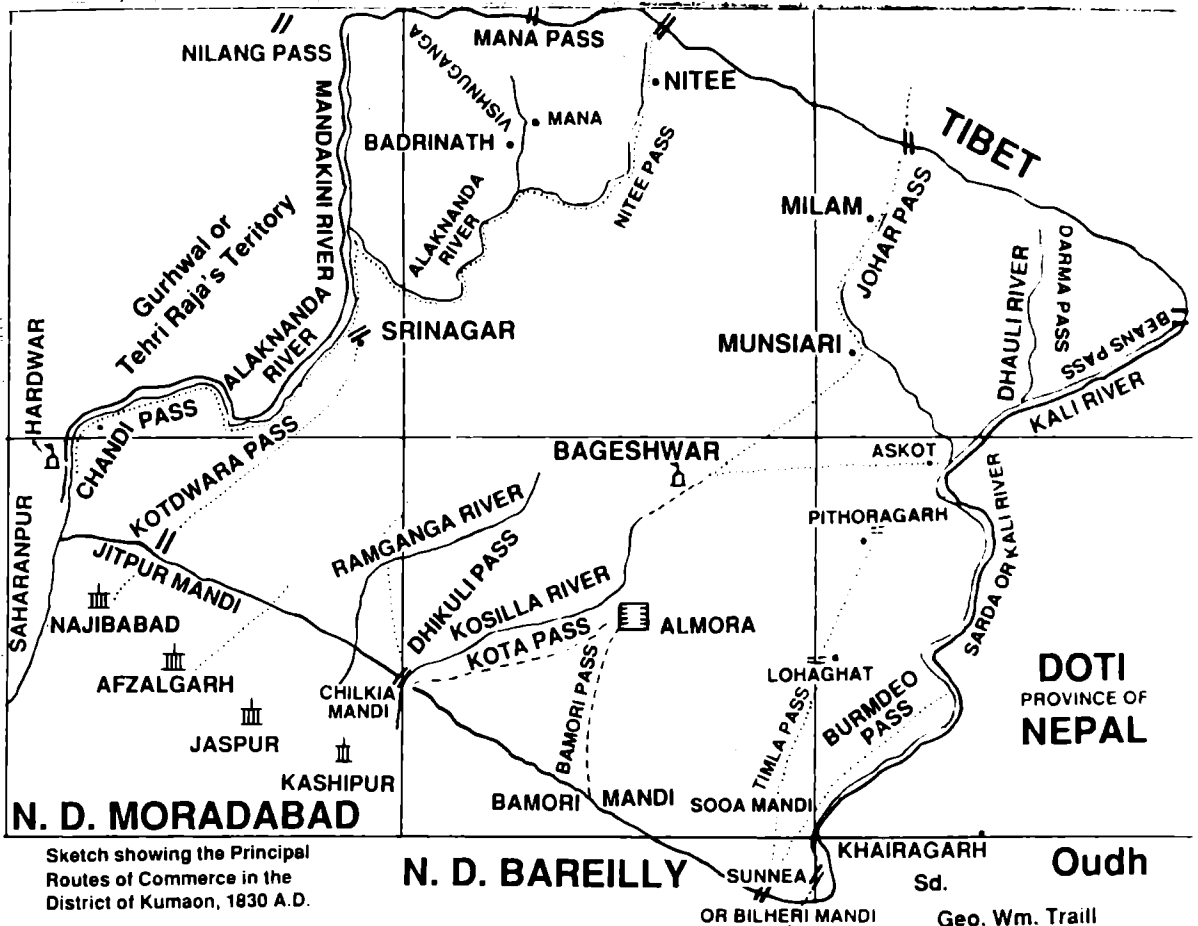
## ROADS AND BRIDGES

Inaccessibility of British Kumaun in the first quarter of the 19th century is very difficult to visualize today. Bishop Heber gives us a vivid description of the internal roads criss-crossing the interior. Even in 1844 when John Strachey joined North Western Provinces from Calcutta he had to be carried about 1,000 miles in a planquin on men's shoulders and it took full 3 weeks to toil through a journey which today takes less than one and half a days. The sketch appended gives some clue to the status of roads during those years. Then there were rivers without any durable bridges. The Gorkhas had left behind just one road which passed through Almora and Srinagar, a military road of communication extending from Kathmandu and maintained by the zamindars and neighbouring villages. No attempt had ever been made to facilitate commerce by construction of roads fit for beasts of burden.<sup>50</sup>

All public construction activity was limited to facilitating movement of the troops. Two companies of Hill Pioneers were raised simultaneously with the movement of British troops into Kumaun, one for Kumaun and the other for the Protected Hill States, in the west. The 8th Pioneer was sent from Subathu to Almora in December 1816, to assist the 7th but was withdrawn after one year. The most strategic frontier being the eastern Kumaun, military roads were constructed through the foot-hill-passes of Bamouri and Birmdeo. One linked Bamouri with Almora via Bhim Tal-Peura; and the other Birmdeo with Pithoragarh, passing through Lohaghat cantonment. Almora was also connected with Lohaghat. All these roads were made practicable for the beasts of burden, especially mules.

Traill considered it a waste of public money to construct roads purely from military point of view. In his view Almora-Lohaghat and Birmdeo-Lohaghat roads were not of much use as they had not followed the existing alignment through





Sketch showing the Principal Routes of Commerce in the District of Kumaon, 1830 A.D.

N. D. BAREILLY

Oudh

OR BILHERI MANDI

Geo. Wm. Traill

Commissioner

PHIBHIT

[Copied from Pre Mutiny Records  
U.P. State Archives, Lucknow]

which the Tibetan commerce took place. The main Tibetan trade came down to the plains through Dhikuli pass, linking Chilkia *mundi* with Bageshwar-Munsiari-Milum. Chilkia *mundi* was to the west of Bamouri and to the north of Kashipur, going up along Kosilla river. In 1821 the third road was aligned and it was the first military-cum-commercial road. It cut almost through the middle of British Kumaun. Moving from the west to the east, Biramdeo, Timla, Bamouri, Kota, Dhikuli, Kotdwara and Chandi were the main entry-points to the Kumaun Hills. Similarly, Belhari, Sunnea, Bamouri, Chilkia were the main marts at the foot-hills in Kumaun and Jeetpur (Kotdwara) the only *mundi* in British-Garhwal.

Garhwal, not being in any danger, from the military point of view, received no attention whatever, Barron, the severest critic of Traill's system of administration, showered highest praise on him for his enthusiasm for travelling and road at construction activity. Traill was the first European to visit Kedarnath and he went through almost incredible labour and danger of climbing up to the temple by the bed of the river, which in Barron's view was "an impossible undertaking". Barron was told that Traill in the estimation of hill-men was "second only to Vishnu himself" and that explains how he was able to construct "from Srinagar to Kedarnath a splendid road, with substantial bridges, over every river, both large and small". This road was continued to Badrinath "in the face of obstacles which could only be overcome by the application of all means and resources, which the art and science could muster". But there was not a single tool of any description except the axe and pick-axe or perhaps saw. There were no engineers except the hill *coolies* occasionally superintended by Traill "who, it is said, marked out with a hatchet every mile of the line of the road, in the Kedar Ganga glen". To do this Barron was informed, Traill "had to be frequently pulled up the precipices by ropes, and to be suspended over chasms, the very sight of which would make you shudder".<sup>51</sup> Traill, Barron

records, by his removal of the great obstacles in the way of safe pilgrimage to Kedarnath even hazarded his reputation as a Christian and there were imputations of his being an encourager of pagan idolatry.

The above is what a non-administrator and foot-loose traveller thought of the Pilgrim Road, as it became known popularly, later. Traill reporting its commencement in August 1829 to Bareilly Commissioner, hoped that its construction would be of considerable advantage to the agricultural community of Garhwal-tracts through which it would pass. Convinced of its benefit to the agricultural community of southern Garhwal he involved the zemindars in construction of a road "practicable for beast of burden" which was also likely to promote communication and facilitate hill-plains trade. It is indeed surprizing that it has hitherto been looked at purely as a Pilgrim Road. Lushington and his successors seem to have entirely overlooked its prime motive, and indulged in all kinds of imputations, respecting control of *sadaburt*-funds for this purpose. Strachey, another great enthusiast of good roads, considered this act of Traill as his everlasting contribution for the development of Kumaun hills and the best benefit of British rule. <sup>52</sup>

Fording of big rivers commenced in 1829-30, with the construction of the first iron suspension bridge over Ramgarh river on Almora-Bamouri road. Simultaneously two bridges were built, all iron suspension, over Suwal and Kumni rivers. Before Traill left the province six more iron suspension bridges had been constructed over Ramganga near Rameshwar, Kosilla near Hawalbagh, over Bulleea river; Saryu, Senril, on Almora-Lohaghat road, and over Ramganga on Pithoragarh road. Admittedly, they were all meant for military movement.

Very insignifiant notice has hitherto been taken of Dehradun during the short period for which it remained

linked to Kumaun during Francis Shore's tenure, viz., July 1825 to 10th December 1828, when Dehradun was again merged with Meerut Commissionery. Capt Young was the Joint Magistrate cum Superintendent of this tract. In 1822 Dun was absolutely without any roads but before departure of Shore from Dehradun, 29 miles of road, @ Rs. 300 a mile, had been made with the help of convict-labour. In addition, about 10 miles of road had been constructed by the people themselves at their own expense. Dehra's condition also improved materially. Where during the rains one had to wade through "gutters knee-deep with mud", could now be traversed with perfect comfort. Shore had also commenced work on the Hardwar road and Traill, who had seen its utility personally, recommended more grants for this construction. After Shore's departure, towards the end of December 1828, Traill himself took up its construction with the help of *sadaburt* surplus funds, one year later. The Great Commercial Road, as the Chilkla pass road was called, opened for traffic in July 1830.<sup>53</sup>

### FOREST MANAGEMENT

Traill viewed the *turai*-forests as the unquestionable property of government, only part of which could be appropriated for its own exclusive purposes, "without the slightest infringement of any rights or claims of an individual". This view, of course, he had expressed in 1826. The earliest reference to the forests occur in settlements of jungle-mehals, collection of Kutbans and Kutu-Mehal dues, and in the abuses of the collection of Sayer (custom) duties by the Mewatis and Heeris. All the timber cut within the boundary of Kumaun were liable to a duty of six *annas* per load, in 1819.<sup>54</sup>

Asked to comment on Captain Hyder Young Hearsey's claims on certain forest tracts in the *taluk* of Bilheri, situated

in extreme south east of Kumaun, Traill informed the Board of Commissioners in 1820, that the whole of it and other jungle mehals of Bareilly had once belonged to Kumaun Raj. For the Kumaunese these jungles were of considerable significance although for the government it might be immaterial whether they remained with Bareilly or Kumaun. From mid-October to mid-May, when the pastures of hills were all dried up, the hill-men were forced to bring down their cattles for grazing. They were likely to be subjected to considerable harrassment if these tracts were delinked from Kumaun. The hill-sepoys, alluded to in Hearsey's complaint, had been posted by him (Traill) to protect hill-zemindars from the incursions of the decoits and exactions of Hearsey's armed followers.<sup>55</sup>

The financial results of jungle-mehal settlements, from 1817 to 1822, before they were ordered to be made by the Joint Magistrate of Northern Division of Moradabad, Halhed, are given in Table IX.

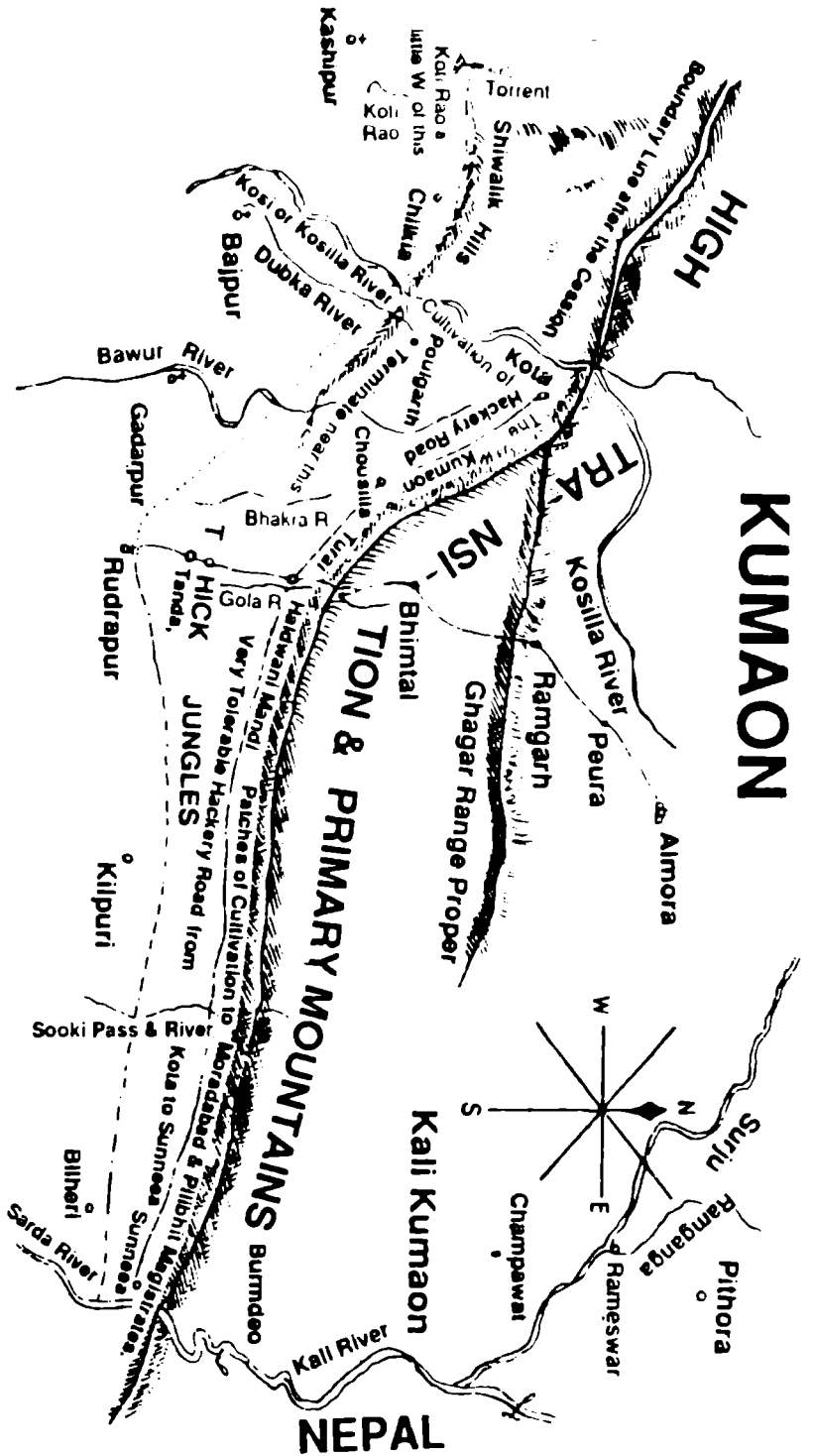
**Table IX : Financial Results of Jungle-mehal Settlements, 1817-1822**

Years	1817	1818	1819	1820	1821	1822
Rupees.	2,841	3,200	3,987	4,850	5,503	6,302

In Patli Dun Garhwal, as permanent villages had come up in 1822, Traill issued forest leases for the remaining years of the triennial settlement. Before final orders of the Board of Revenue could reach him Traill had farmed Katabans and Kuth mehals for 1823. It was Halhed who settled these mehals for 1824 for Bareilly and Moradabad. After settlement of borders with Kumaun the applications were collected by him and engagements handed over to the respective Collectors of Bareilly and Assistant Collector of Pilibhit, retaining Moradabad for himself.<sup>56</sup>

The issue of reservation of some parts of Sal-forests in *turai* for public purposes was examined by the government in April 1825. The Board of Revenue were directed to prepare draft rules for such a plan. In June 1826 with the help of Captain Satchell of Bareilly Timber Agency, Traill submitted a plan for exclusive retention of such forest tracts by the government. This covered the *thaplas*, i.e. *turai* forest tracts in lower ranges with timber of superior quality, only and the remaining forests were allowed to remain open for exploitation by individuals. These *thaplas* were accessible to the hackeries (horse-driven carts) at only a few points and during the next season the lessees were made duty bound to assist in such operations. With the availability of Sissoo, or Sesum, becoming scarce demand for good Sal-timber grew fast. The *thekedar*, however, created problems for Commissariat agents by felling trees marked by them, and sold them to local people. (see enclosed map for the existence of sal forests, during this period.) The demand mostly came from the Gun Carriage Agency and the Superintendent of Public Works.

Forest tracts of Bamouri and Birmdeo regions were reserved from August 1826. Active enforcement of these orders commenced from August 1827, although the promulgation took place in August 1826 itself. For the next 3 years massive working of Sal-*thaplas* ensued, forcing the government to enforce a ban in 1830. The *thaplas* were closed for the next 6 or 7 years, to allow regeneration. Through a local *ishtehar* it was notified that henceforth no government *gomashta* were to be employed and the *thaplas* reserved for government use were to remain untouched. It proved difficult to prevent private businessmen and hackerimen from encroaching upon Bamouri and Birmdeo reserved tracts. Jalesar and Real *thaplas* were encroached by Pilibhit people and Traill had to finally order seizing the timber and labourers. Another *ishtehar* had to be issued in February 1832 defining the boundaries of reserved *thaplas*. The Timber



(Travelling distance from the Koli Rao Torrent (the boundary between the Gurthwal and Kumaon Turats) is about 130 miles. The breadth of Kumaon Tural varies from 15 to 25 miles; the greatest breadth being from Rudrapur to Bamori)

(This sketch was sent by Lt. Col. G.E. Gowan, Commissioner Kumaon, 1836 A. D.)

REPRODUCED : R. S. TOLIA (1990)

Agency issued separate *ishtehar* clarifying to its own staff the bounds of such *thaplas*. This ban was lifted in September 1834 with the closure of Bareilly Timber Agency and the reserved *thaplas* became once more available for free exploitation. This freedom was so extensively used that in 1837 Traill's successor reported to the Military Board a near total absence of good Sal-timber from these areas. But apparently it was a temporary phenomenon as subsequent reports show existence of extensive Sal-forests in latter years.<sup>57</sup>

Dun forests were rich in Sal-timber. Due to their extensive nature Francis Shore (July 1825 to December 1828), the Garhwal Assistant, did not favour their exclusive reservation for government purposes. It was reported that "years will pass before they would be perceptibly thinned." In the Regulation districts plantation of Sissoo had been undertaken on an extensive scale and once they were mature, in view of their more favourable location and far better quality, they would be naturally preferred leaving these Sal-forests of no value. Not only he recommended extensive working of Sal-forests but its export out of Dehradun, as there it had no takers and its demand was too little, even to cover the cost of working the forests. To reduce the cost of supervision he preferred leasing of the forests and confining government activity to guard the *exit-chowkis* for realisation of exit-duties. The leases could be given collectively or separately to contractors.

The taxable products covered Sissoo, Toon and ebony wood, Kolhu or bottom part of sugar-mill, bamboos, Lat or top part of sugar mill made of Khair, a heavy hardwood, Sal, Tassin or light wood of any kind for rafts, fire-wood or timber, Bhabur or Moonj-grasses for making ropes, Bansee or Ringal reed of which *hooka*-pipes were made, Khut or Kuttha for mixing in pan, lac, Pukhu-lime and charcoal. Excepting the lime all forest products were taxable. In view of considerable revenue likely to accrue out of these products, Shore opposed abolition



of transit-duties on these products. The government concurred with the advise of Traill.

The hill zemindars could not benefit from these products as they lacked transport-facilities. They were obliged to sell the products on the spot to the merchants of Rohaikhand, as they found it difficult even to meet the cost of labour deployed and preparation. Hackeries, large buffaloes and mules were used for carriage. Kuth or *tera japonica* was prepared by the lowest caste people and for want of their own capital they were obliged to work on wages or take advances. Kuth did not cost more than 5 to 8 *rupees* a maund while the merchants managed to secure as much as 10 to 14 *rupees* for the same in Rampur and bigger markets. Forests near the plains had been nearly exhausted by 1823 and the traders came to the foot-hills to secure supplies. It provided undoubtedly good employment to the hill-men but complaints of delayed wage-payment by the agents of Commissariat were frequent. Traill issued strict instructions for full payment on the delivery of timbers.<sup>58</sup>

The peculiar mix of territories which went into formation of Dehradun in 1825 to 1829, i.e., part ex-Regulation (Saharanpur and Moradabad) and part non-regulation (whole of Garhwal with four *parganas* of Kumaun proper) was to pose certain judicial problems after 1829, but during its association with Kumaun, it raised queer situations. One of them related to the practice of elephant-catching by pit-digging. The practice had been prohibited in the Kumaun portion as far back as in 1817; in Chandi *pargana* a duty of 25% was levied on purchase price of elephants, while in the main portion of Dehradun government generally encouraged this to promote cultivation. Shore favoured it as the money earned by the zemindars was going towards promotion of agriculture. The speculators found it more beneficial to dig the pits by hired labourers and an elephant gave a profit of 650 to 700 *rupees*. As more than half of caught animals died

before they could be trained for duty, the actual margin was much less. The villagers kept the pits to snare wild animals, which was a good source of extra income. When the speculators dug up a large number of such pits the hill-zemindars protested vehemently. But the real cause of complaint was to wrest monopoly of the pits as Shore's proposal to ban the practice altogether was also protested against more vehemently. Killing of bears and tigers fetched them handsome income of Rs. 5 per head, equivalent to one month's salary of a Patwari. A compromise was found in banning it within cultivated villages and payment of fine by pit-owners in case an agricultural animal was trapped. Rules to these effects were issued in May 1827. In Almora a duty of Rs. 4 per cubit, as earlier, was reintroduced but in Dehradun the duty of 25%, again as earlier levied, was revived. Traill, on a reference from the successor of Shore, Assistant Young, asked him to continue 25%, as operative earlier, as no decrease had been announced in the new rules. This dichotomy prevailed throughout Dehradun's association with Kumaun.<sup>59</sup>

### POSTAL DAK, CURRENCY AND TREASURY

An efficient postal-arrangement to carry government dak and orders was a *sine quo non* for Kumaun administration. Paucity of *good made-roads* in the interior, compelled reliance on the village-courier system, and it was one of the important duties of the village *pudhans*. As soon as Almora-Bamouri military road became functional outside dak was diverted through Moradabad route instead of Bareilly. Between April 1816 to January 1818 Traill functioned as the Post Master of Kumaun. On detection that several officers departed for plains without paying their postage the Dak Munshi was forbidden by him to deliver any dak without prior payment of postage duty. A circular was issued to this effect.

The inter-district dak during this period was managed by the Military Board whereas the District or Mofussil Dak remained in the charge of civil authorities. The Mofussil Dak, Between Almora and Srinagar, originated in 1815, on a monthly charge of Rs. 144, but a cut was enforced in December 1822 by reduction of *harkara*-strength (carriers). In the plains a *thana* to *thana* system had been introduced in that year. Traill brought it to the notice of the government that this arrangement could not be worked in Kumaun as it would have meant a considerable increase in the strength of government Chaprasis. The number of Chaprasis was already being thinned to accommodate the new institution of government paid district Patwaris. In 1832 for entire Garhwal there was just one *tehsil* at Kainyur and the number of Chaprasis, just 15, was inadequate for several miscellaneous duties entrusted to them. The Post Master General was requested to increase the number of Chaprasis in 1832 to meet the requirement.<sup>60</sup>

Farrukhabad currency was introduced alongwith the introduction of British rule in Kumaun. The land revenue was arranged to be taken in that currency. Banares Rupee was discontinued from 1819 and only Farrukhabad Rupee was declared as the legal tender by Regulation XI of 1819.

A duty of 8% was levied on the coinage of copper pice, to be paid by the person bringing copper-blanks for coinage. Copper came from Dhanpur and Gangoli mines, weighed and stamped at the mine-site itself. The duty of coinage was included in the lease of the lessee. A stamp was kept at Almora for the use of Gangoli *thekedar*. Garhwal and Kumaun maintained their individual pice, and one was not current in the other, necessitating maintenane of respective establishments. Traill maintained the small copper pice as it was cheaper and obviated the need to import from the plains, except for Almora where the troops and the plains-people preferred Rohailkhand pice. Coinage duty revenue was small, Rs. 300 in 1821, and

the only expense incurred at Srinagar, costing Re. 1 annually for the repair of stamp. Regulation II of 1824 for Farrukhabad and Regulation XIV of 1818, provided provisions for currency regulation. A deficiency of 2 pie or 1.999 grain in weight was considered admissible. In 1831 orders were issued for only officer level receipt of coins from landholders and farmers, in the first instance, for preventing receipts of clipped, filed or injured coins. During Traill's tenure the official pice, current in the plains, was not introduced. Prior to British rule, Mansurkhanee, Almora and Srinagar pice were in circulation. The first, brought from Rohailkhand valued 80 ice for Farrukhabad *rupee*. Almora pice was valued at 50% of the Mansurkhanee, Srinagar 160 *rupees* could be exchanged for one company *rupee*, i.e. the same as Almora.

Pie circulation was mostly confined to Almora, Srinagar and the two military outposts of Pithoragarh and Lohaghat. In the interior the barter-practice prevailed and the pice that found its way into the interior areas was melted for making copper vessels. In 1834 the copper pice circulation did not exceed a value of Rs. 10,000 in Kumaun. The local copper was dearer, selling at Re. 1 and annas 10 as against the British sheet-copper, which sold at the rate of Re 1 and 4 *annas* per ser. The latter variety was not considered suitable for making copper vessels. *Abkari* and stamp receipts were accepted in Kuldar Rupee and the quantity of copper coins paid into Almora treasury always fell far short of actual demand. The deficiency was met by purchase of Munsuree pice, coined by the Treasurer of Almora. It was, in fact, not before Act XVII of 1835 was promulgated that Company Rupee became the legal tender for all Company tracts. This Rupee was equal to Farrukhabadi and Sonat Rupee and 15/16 of Calcutta *sicca* Rupee.<sup>61</sup>

Treasury transactions was one of the most important and time-consuming functions of the civil servants. The collection and safe keeping of government revenue and miscellaneous

duties, stamps and disbursement of civil military salaries and political, treaty and super annuation pensions formed important part of these duties. Various bills and drafts, monetary payment in lieu of grants and *nankar* lands gradually increased and so did the size of currency with increase of revenue over the years. In addition fortnightly statements of collections, monthly and six monthly statements of revenue and miscellaneous dues increased the paper work considerably. In 1823 it was primarily the urgency to deal with this kind of work, needing an official at Almora, that forced Traill to ask for the services of Sir Colquhoun. For many years owing to small revenue and income from other sources the Almora treasury was dependent on Moradabad and other neighbouring treasuries for fully honouring all salary and other liabilities.

During the initial years, presence of a comparatively large military strength in Kumaun and collection in just 4 *kishts* of land revenue, as against 8 to 10 *kishts* in the plains, kept Almora treasury more preoccupied with transmission of currency than elsewhere. It was not unusual, therefore, that often the salaries of the civil and military functionaries were delayed by 2 months. The unhealthy season of *turai* forced Almora treasury to "import" adequate currency beforehand to meet salary and other liabilities. Kumaun Provincial Battalion guards were sent down to Bamouri pass to escort the chests containing sizeable treasure. Almora treasury had to be exempted from several treasury rules to meet special circumstances of the region. In 1822 Traill was authorised to draw bills on all treasuries of Bengal Presidency. The bills granted to the merchants and traders of Almora were entirely drawn on Bareilly and Moradabad treasuries and only bills of government servants were applied for on Almora Treasury.

In 1822 the public expenditure from Almora treasury exceeded the gross revenue of Kumaun by three *lakh rupees* and at least one and a half lakhs worth of difference was met

from Bareilly and Moradabad treasuries. By taking recourse to several measures by 1830 the actual remittance from the neighbouring treasuries ceased totally, even though the gross revenue had increased to two and a half *lakh rupees* and total charge of Kumaun establishment to nearly four *lakh* of *rupees*. This provided good opportunity to the local banking community, the ingenious Shah, to earn good commission on all drafts and bills.<sup>62</sup>

Treasury management underwent major reforms in 1824 with the introduction of double-lock system (pedlock-system with one set of keys with the Collector and one with the Treasurer), making the Treasurer responsible only for the amount which was needed for immediate disbursement. Daily accounts were now prepared by the Gomashtha of the Treasurer in Hindi, by his Mutsuddi in Persian and by the Treasury Writer in English. The first 2 statements were signed by the persons who prepared them and accounts of the preceding day were examined and countersigned by the Commissioner, the next day. The Persian copy accompanied the Monthly Treasury Account, forwarded to the Revenue Accountant of the Board of Revenue. Six monthly cash-verifications had to be done in person and certificate transmitted to the Board and the government. Kumaun Records bear testimony to this important work and its load.<sup>63</sup> Receipt of correct-weight coins insisted by the Accountant later only added to the weight of an extra officer's need.

## JAIL, MEDICAL AND HEALTH ADMINISTRATION

Comparative freedom from serious, crimes in Kumaun rendered pressure on the jail of Almora upto 1827 relatively light. The jail of Almora was constructed in 1816 and Pauri in 1827. Pauri jail was necessitated by addition of Dehradun, more prone to crimes. The capacity of Almora jail was for 100 and the number of inmates was only 65 in 1821. On an

average the number remained between 80 to 116, at a time. It consisted mainly of convicts sentenced by the Commissioner and also to a small extent by the Court of Sessions, upto 1829 by the Special Commissioner and the Commissioner of Revenue and Circuit after 1829. A small number sentenced by the Sudder Nizamut Adawlut also served its term here if not ordered for Alipur, West Bengal or banished to Meerut or Saharanpur. The jail-deliveries being few and far between a good number awaited trial anywhere from one to two and a half years before they were confirmed or acquitted by the Sudder Nizamut Adawlut, in heinous crimes. After 1823 they were taken down to Bareilly or Moradabad for taking Sessions trial. The long detention without trial was more due to a defective jail-delivery system than fault of local officials. The inmates were allowed money and not diet, for sustenance. Their allowances were at par with those of plains prisoners. Traill mentions that imprisonment held no terror for the locals due to the over all poverty and income from services like portage and labour being so low.

Convicts were used in making roads and other public works under guard. The subsistence allowance had been prescribed for the first time in 1805. The daily allowance was two and a half *kutchā* pice. Every year a blanket, a *dhoti*, a *chudder* and turban, twice a year, was provided. Two mats and two pillows, stuffed with straw, were also provided. Old replaced clothings were burnt and the total expense of all these articles did not exceed Rs. 3 annually, per prisoner. All in all, the expense on one prisoner came to about Rs. 17 per annum. The convicts of Bareilly jail were deployed in making plains road to Bamouri and the military road Bamouri to Almora. The Nizamut Adawlut ruled that only convicts below 45 years of age and sentenced for "banishment" could be sent for labour on roads in Kumaun. Elliot, one of the Special Commissioners, had objected to transfer of plains convicts to Kumaun jail in view of their much more degraded moral state.<sup>64</sup>

It was a concern for the health of the troops manning Company Regiments which introduced medical and health care in Kumaun. The Almora *pateurs*, suspected of venereal disease, were collected by Almora Kotwal for medical check-up and treatment. Traill had directed the Kotwal to confine his operations to the Muselmans and low Hindu women. The *pateurs* were reported as "extremely caste-conscious" and their being sent to the hospital was likely to prove highly injurious to their caste if it did not absolutely deprive them of it! Adequate arrangements were made in the hospital to remove objectionable features and specially the European-superintendence part of it.

The Assistant Surgeon of the Kumaun Provincial Battalion was paid an allowance of Rs. 100 per month to look after medical duties of civil functionaries and jail inmates. The labouring classes found the air of *turai* very noxious during the unhealthy season. The villages, with heaps of dung kept close to the houses and gigantic hemp crops, proved conducive to speed Mahamari fever. Contagious and typhus fevers broke out occasionally, showing rapid and malignant features of plague, as did small-pox. The months of November 1827 to August 1828 proved most destructive in the history of Kumaun and Garhwal, accounting for 13,069 deaths due to cholera alone. The number of *suttees* committed during 1828 was, as a result, one of the largest. Deaths due to wild beasts averaged 100 every year and self-destruction by the pilgrims on Maha Panth, beyond Kedarnath averaged 20 every year. There was no count of accidents due to fall from rocks etc., which must have been considerable on the Pilgrim Road in Garhwal. Garhwal was totally unattended and the road conditions were pathetic.

Small-pox was the only disease for the prevention of which vaccinators were maintained. The Civil Surgeon of Almora was authorised to keep a few vaccinators in 1819, at an



expense of 60 *rupees* per month. Even this was objected to and Traill, considering this extremely essential, had to write that he intended to keep this establishment till he received a reply from government, on his reference. The Superintending Surgeon of Meerut undertook an annual inspection round of Kumaun. From 1832 Native Doctors, chosen from native vaccinators trained at native medical institutions, were provided all over the Presidency. The first Native Doctor arrived in Almora in February 1833, on a monthly salary of 20 per month. Bazar medicines, etc., used in jails and military hospitals, were provided by this Doctor, on prescription by the Assistant Surgeon. He was responsible for their consumption and his stocks and expenses were audited by the Assistant Surgeon. The Commissioner passed the final bills after authentication by the Assistant Surgeon.

Cutaneous eruptions of various kinds were prevalent amongst all classes, leprosy was not as common as in the plains and firing by means of an iron was used in cases of strains, swelling and rheumatism. Goitre was a most common disease and while various prescriptions were advised by local practioners, *Gellur Patta* (a kind of neck cloth) was most popular.<sup>65</sup>



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