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EVOLUTION OF SCHEDULED AREAS AND CHANGES IN
NUTTADARI SYSTEM IN ANDHRA AREA
(1724 to 1970)

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C O N T E N T S



	<u>Page:</u>
Acknowledgements	(i)
Fore Word	(ii)
<u>Chapter- I: Introduction</u>	1
Explanation of Administrative terms - Origin and scope of the study-Objectives of the study - Research Method and problems of Research.	
<u>Chapter-II: Historical Background (Up to 1802 A.D)</u>	16
Early history of the area-disturbances in early periods (1734-1800) - permanent settlement (1802)	
<u>Chapter-III : Tribal Resistance Movements (1803 - 1874 A.D)</u>	27
Incursions of Mansabdar of Rampa-Disturbances in other parts of the Country-Gumsur war-Ganjam and Vizagapatnam Act, 1839-Mariah Sacrifice - Disturbances of Savaras - Disturbances in Magudem and Tadimalla taluk - Disturbances in Golugonda Continue (1857-58) Rampa Rebellion- Disturbances in Bhadrachalam areas.	
<u>Chapter - IV : Scheduled Districts Act, 1874 and Later on:</u>	42
The Act-Agency Rules under Scheduled Districts Act 1874- Removal of Masabdar and direct settlement with Muttadars-Disturbances in Vizagapatnam-Permanent Godavary Agency- Agency Tracts interest and Land Transfer Act. 1917-Settlement with Muttadari in Golugonda area (1918) Wholly excluded areas and areas of modified exclusion -	

contd..



Impact of Indian Independence
movement in Tribal areas -
Government of India Act. 1935.

Chapter-V: Scheduled Areas after
Independence: 61

Constitution of India -
Fifth Scheduled of the
Constitution - Andhra Pradesh
(Sch.Areas) Land Transfer
Regulation, 1959- Abolition
of Muttadari System - 1975
and problems there of -

Chapter - VI: Summary and Analysis 73

References: 76



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FORE WORD

Scheduled areas and Scheduled Tribes living in Scheduled areas enjoy special status and special protection under the constitution of India. The Scheduled areas of coastal Andhra Pradesh have a long history spanning over more than one and half century. But, till now no publication was brought out tracing the historical background of the Scheduled areas. The need for such a study is increasingly felt by administrators, planners, academicians, researchers in the field of Tribes and Tribal Development. The present study, to fill this gap, is the result of pains taking research carried out by Dr.V.N.V.K.Sastry and Mr.K.V.Subba Reddy of Tribal Cultural Research and Training Institute, Hyderabad. It is not only informative but also essential in developing correct perspective about the Scheduled Areas and Scheduled Tribes in Andhra Pradesh.

The history of the tribal areas is replete with revolts. The freedom loving tribals rose in revolt against the oppression and undue interference by out-siders. The tribal areas in the then Vizag patnam and Ganjam districts of Madras state were rocked by serious unrest during 1830's. The erstwhile Madras Government deputed Mr.George Russel, First member of Board of Revenue to investigate into the causes of unrest in the tribal areas of the then Ganjam and Vizag patnam districts. Mr. Russel

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conducted investigation and reported that the tribals were governed by their own customary laws and traditions and imposition of alien laws written by Government or Zamindars inconsistent with local customs resulted in unrest and consequent revolts. Therefore, he recommended that the tribal and other-disturbed areas in these districts be excluded from the purview of the general laws and the areas be placed directly under the District Collector who should be vested with powers for administration of civil and criminal justice. This resulted in enactment of Ganjam and Vizagapatnam Act 1839. This Act constituted a land mark in the ^{annals} of tribals and tribal areas as this Act laid the foundations for the policy of conferring special status to the tribal areas. The Scheduled Districts Act, 1874 constituted a watershed in the administrative history of the tribal areas throughout British India in as much as this Act excluded the tribal tracts in the then British India from the purview of general laws and vested the Collectors with extraordinary powers for administration of Criminal and Civil justice by designating them as Agents to Governmer. The Act provided for issue of rules for the guidance of the Agent in the administration of criminal and civil justice among others. The then Government issued rules under this Act which are still in force. These rules

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popularly known as Agency rules constitute civil and criminal procedure code for the tribal areas. Another significant feature is that no Act of the Central and State Governments was applicable to the Scheduled Districts unless specified under this Act. Further, a list of tribal areas was notified as Scheduled Districts under this Act, which formed the basis for subsequent notification of tribal areas under different nomenclature.

Government noticed exploitation of simple and gullible tribals by the non-tribal usurous land grabbers in the tribal areas as long back as 1917 and the result is enactment of Agency Tracts Interest and Land Transfer Act, 1917, the first comprehensive protective legislation for tribals in the country. It regulated money-lending and prohibited transfer of land to non-tribals without permission of Agent. Under this Act, the tribal areas were designated as "Agency tracts" which name is still popular. Under the Government of India Act of 1919 the tribal areas in the State were designated as "Areas of modified exclusion". By 1920, all the tribal areas in Madras State were kept under administrative control of Agency Commissioner. Under Government of India ^{Act}, 1935, tribal areas in the state were designated as "Partially excluded Areas". Under the Act of 1935 no laws of State or Central Government are applicable to the tribal area Agency areas unless they were extended by the Governor to these areas. The partially excluded area under the

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Act of 1935 almost correspond to the present day Scheduled areas. Under the Fifth Schedule to the Constitution of India, the formal legal frame for the scheduled areas has been kept as very flexible and the Governor of a State is clothed, with extensive powers to legislate for the peace and good government of the Scheduled areas. The provisions of the Fifth Schedule are enabling provisions. The Governor can exercise extensive powers, should he so desires. Such a descretion was perhaps considered necessary in view of the vastly varying socio-cultural and economic situation in the Scheduled areas of different states in the country. It is note-worthy that any state of central law is automatically applicable to the Scheduled areas unless specified other-wise by the Governor. Thus in the long and chequered history of tribal areas, not only the nomenclature of tribal areas has undergone change from time to time, but the special status of the tribal areas with reference to applicability of law of the land also witnessed ups and downs.

In this paper the authors have also traced the origin and evolution of Muttadari system a unique feudatory system of land tenure in these tribal areas of Andhra Pradesh State.

Hyderabad.
22-07-1991.

K. MOHAN RAO.
DIRECTOR.
T.C.R. & T.I.

INTRODUCTION1. Explanation of Administrative terms:

Several Administrative terms are used in this book right from introduction Chapter. It is necessary, therefore to explain the meaning of these words in the beginning itself so that the reader is comfortable while going through the book.

1. Scheduled Area:

The term 'Schedule' is defined as " an appended statement of supplementary details usually accompanying a legal or legislative document and after taking the form of a detailed list of relevant matter" (Webster's Third New International Dictionary of English language, 1966: 2028). The territories mentioned in the First Schedule of the Scheduled Districts Act, 1874 came to be known as scheduled Districts. Later on, in exercise of the powers conferred by sub-para(1) of para (6) of the Fifth Schedule to Constitution of India, the President of India was pleased to issue The Scheduled Areas(Part A states) order, 1950 to declare East Godavari, West Godavari and Visakhapatnam agencies as Scheduled areas. Under Art.366 (23) of Constitution of India, schedule means a schedule to this Constitution. Since these areas were declared as per provisions of Fifth Schedule, these areas came to be known as Scheduled Areas.

2. Agent:

The District Collector was designated as Agent to Government for administering the Scheduled Areas.

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3. Agency Areas/Agency Tracts:

In the Ganjam and Vizagapatnam Districts Act, 1839, the District Collectors were first designated as 'Agents' to State Government for directly administering the notified areas. The areas tracts administered by the 'Agents' are called as Agency areas or Agency tracts.

4. Hill Tribes/Scheduled Tribes:

Some Communities are listed as Hill tribes living in Agency Tracts Interests and Land Transfer Act, 1917 for affording protection from exploitation by outsiders. The scheduled Tribes are those Communities declared ^{as} Scheduled Tribes by a presidential order.

5. Zamindar:

The Musalman kings gave the designation zamindar meaning owner of the land (zamin).

6. Mansabdar or Munsabdar:

Mansabdar also called as Munsabdar is an intermediary Zamindar in tribal areas. They are non-tribal headmen in the tribal areas.

7. Muttadar:

Mutta refers to a group of villages. The head of Mutta is called a Muttadar. The Rajah of Jeypore is believed to have appointed these tribal headmen to collect revenues and pay to him annually through zamindars.



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8. Diwan:

Diwan is a senior official in the Court of Rajah(King).

9. Thasil or Taluka:

It is a smaller level revenue unit between village and revenue division. Several villages make a Thasil or Taluk, several taluks make a division and several divisions make a District.

10. Mandal:

Mandal is a smaller revenue unit consisting of several villages. It was created after abolishing Taluks by Government of Andhra Pradesh.

11. Mokhasa:

A village or group of villages granted on rent free tenure by Government.

12. Inam:

A village or group of villages granted as a gift by Government with or without conditions of service.

13. Sanad:

It is an order appointing 'Muttadars' in which several conditions of service tenure were included.

14. Pesh Kush or Kattubadi :

It is a fixed rent.

15. Mahals (Malguzari)

Mahals (also called Malguzari) system of land tenure existed in Nugur, Albaka and Cherla areas and in villages of Subbannapeta, Dondupeta and Sarangapani. This has its origin in old Central provinces and Berar.

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16. Amin:

Smaller level official below Thasildar who was appointed to collect revenues by Sircar (Government).

17. Sircar:

Sircar or Cincar is local word for Government.

Origin and scope of the study:

The Fifty Schedule of Constitution of India lays special emphasis on providing peace and good government in the Scheduled areas and several articles of Constitution of India direct the State to protect and promote the economic interests of Scheduled Tribes living in these areas. In order to protect the interests of tribals living in these areas, various protective laws have been promulgated by the successive governments.

As the scheduled areas are endowed with large potentialities in terms of land, forests etc., the plains population migrated into these areas for trade, agriculture etc. Since then, they have been using all means at their disposal to out-wit the innocent tribals. They have also been circumventing the law and continue to acquire properties and other interest in Scheduled areas.

The British Government has discovered the natural wealth of tribal areas and started controlling it. They even used the intermediary Zamindars to exploit tribals and tribal areas. While this has been going on for over one and half century by now, the intensity of exploitation has increased in recent years

resulting in continuous tribal unrest also. Some of the non-tribals have even gone to the courts of law saying that such and such village is not part of scheduled area, so as to protect their vested interest. For example, there are ten such cases filed by Non-tribals pending in High Court, wherein treating certain villages as scheduled villages for purposes of implementation of Andhra Pradesh scheduled areas Land Transfer Regulation, 1959 was questioned. In such cases, the authentic record in support of Scheduled areas is not readily available to many officers. The reasons are many, the important are as follows.

The Scheduled areas in Andhra Pradesh are spread over Andhra and Telengana Regions. While the former were under British, the later were under Nizam's rule. Therefore, the Scheduled areas in both these regions have different historical backgrounds. In the scheduled areas of coastal Andhra, the Scheduled areas were declared by British as 'area' in 1874 with a popular Zamindari, Mutta, river etc as reference points while in Telengana, the Scheduled areas were declared by Nizam as villages. In the former case, doubts have arisen as to which of the villages, constituted the scheduled areas. The list of villages published by census of India during various census periods as Agency villages needed to^{be} backed by authentic lists of villages. To establish the link between the original scheduled areas and the list of Agency villages, the old records have to be searched.

Secondly, there is no research work done so far which brought together the various struggles made by tribals of Andhra agency areas in the 19th Century against direct or indirect interference by British. Therefore, there is a general impression



among scholars that there were no resistance movements in the tribal areas of South India. Therefore, there is need to build up this data.

Thirdly, closely associated with these resistance movements is the evolution of concept of Scheduled Areas and changes in Muttadari system. Various details about both these aspects are also to be recorded. Since the scheduled areas in Andhra Area and Telengana Areas have different historical backgrounds and since Andhra Scheduled Areas have more than one hundred years of history, the study was taken up initially in Andhra areas. Therefore, the scope of the present study is limited only to the events occurred in Andhra area. Naturally, the study period starts from 1724 from which date, recorded evidence about tribal resistance movements is available and extends ^{to} / cover events upto 1970 when the Muttadari system was abolished by popular Government of Andhra Pradesh. This study is expected to bring into light the less known ^{changes in} events which culminated into evolution of scheduled areas and Muttadari system. Therefore, the origin of the study lies both in the academic and administrative demands of building up the data related to the evolution of scheduled areas to serve as a reference for conducting further studies by ^{academicians} and administrators as well.

3. Objectives of the Study:

The following objectives were set out for the study.

- i) to study the early history of the area with special reference to ancient Zamindar-Tribal Chief relation-ship till British entered the scene;

- ii) to study causes of resistance movements in Tribal areas of Andhra area.
- iii) to study the factors leading to exclusion of tribal areas from normal administration ultimately leading to enactment of Scheduled Districts Act, 1874:
- iv) to study tribal situation after the enactment of Scheduled district Act, 1874;
- v) to study the changes made in the Act mentioned above in the pre-independence period;
- vi) to study the concept of administration of Scheduled areas after introduction of Constitution of India, and
- vii) to study the changes in Muttadari system as a result of resistance movements in tribal areas.

4. Research Method and Problems of Research:

The study started in May 1990 and ended in February 1991 with some interruption due to administrative reasons.

Historical method was employed to build up the data. For this purpose records from various sources of information as follows were studied.

1. State Editor, Andhra Pradesh State Gazetteers, Hyderabad.
2. District Collectorate, Kakinada, East Godavari district.
3. District Collectorate, Visakhapatnam, Visakhapatnam district.
4. District Collectorate, Srikakulam, Srikakulam district.
5. Sub Collector's offices at Rajahmundry, Rampachodavaram in East Godavari District, and Parvathipuram in Vizianagaram district.
6. Mandal Revenue Offices at Rampachodavaram in East Godavari district, Palakonda and Seetampeta in Srikakulam District.

7. Regional Office, Andhra Pradesh State Archives, Visakhapatnam.
8. Library of Tribal Cultural Research and Training Institute, Hyderabad.
9. Library of office of Commissioner of Land Revenue, Andhra Pradesh, Hyderabad.

Since data pertaining to this period is not available at one place and since very few have knowledge about this data, there was much difficulty in laying hands on the data. Secondly the maintenance of records in the Collectorates and Sub-ordinate offices was so bad, that very few knew about the old records. Moreover, the records were also not preserved on scientific lines. This resulted in spoiling of records by white ants etc. Some of the old records became so brittle that even the photo copying of the records became difficult.

In order to know about any record, the established procedure is to approach the Senior Officers in the Collectorates. This was not of much use to us. Even though, they have shown good interest in the study, they could do very little as very few office Superintendents working under them and the clerks in charge of record room are familiar with the records. This situation has arisen because of various reasons, such as (i) there are no proper registers indicating the list of records, (ii) the records were either misplaced or dumped in some places, (iii) the concerned officers and assistants were transferred frequently and (iv) in some cases the clerks not wanted in any wing of office were posted to be in charge of record rooms and they, therefore, were not interested in locating the records or even maintaining them properly. But then there

were always some attenders or some office assistants in each office who took pity on us. They used to guide us by telling names of ^{some} former Office Superintendents or assistants who knew about the records. We could locate those officers and they helped us. For example, Sri Krishna Murthy, presently Mandal Revenue Officer (Thasildar Rank) at Kakinada was very knowledgeable about the record of those days as he worked in the concerned section in the Collectorate when Muttadari system was abolished. He helped us to trace the records.

In case of Visakhapatnam District all the old record was handed over to the Regional office of the State Archives established in 1989 at Visakhapatnam. Many officers in the Collectorate knew that the old records ^{were} handed over to the Regional office of State Archives but none knew where that office is located in Visakhapatnam. Then we approached the History Department in Andhra University, Visakhapatnam and the attender in that department came to our rescue and shown the location of the office. Once the office was located, we found that it was a gold mine of information. The officer-incharge of the unit was very co-operative. He attended the office to help us in tracing the records though he was on casual leave.

The story in Srikakulam district was different. The old record was kept in bundles in the garret of record room. Only, a list showing the current numbers of the files was available with the record assistant without details of subjects of those records. He was not permitted to open the bundles as the record was already formally handed over to the officers of State Archives Department, Visakhapatnam.

But they could not physically move the records to their office for want of completion of some other formalities. So we had no access to the old record available in that office. We could not, at least know what is contained in the bundles as subject-wise list was not available.

The District Revenue Officer, Srikakulam has however, helped us by informing that he knew about the availability of some records at Palakonda which was an old Tahsil office. But the Mandal Revenue Officer there, has informed that all the record pertaining to Scheduled areas was transferred to the newly formed Mandal Revenue Office at Sectampeta. While this conversation was going on, one Sri Appalaswamy a curiously looking attender of the office volunteered to help us as he has been working in the Revenue offices in that area for more than three decades. He informed that he knew about some bundles containing old records transferred to Mandal Revenue office at Sectampeta but he is not aware of the contents of the records as he is illiterate. This clue was sufficient for us. We took him in our Jeep and he has shown us a bundle of records lying in one corner of record room of Mandal Revenue Office at Sectampeta. To our thrill, those bundles contained very good information on the subject of study.

In the Sub - Collector's Office at Parvathipuram one very old attender was helpful to us to trace the records. Some old and retired village officers and other retired officers also provided guidance to us at various places. But for their help, the study would have ended only in claiming Travelling Allowance bills for the extensive tours made by us in the length and breadth of the Scheduled areas of the Andhra area

The assistance provided by the local officers in the form of accommodation for our stay and transport was a very important input without which our tours would have been much more tedious and time consuming.

If non-availability of information at right places was a disgusting experience, the un-invited sympathies and suggestions from concerned and unconcerned officers made us more sick on many occasions. Some started suggesting that we may approach such and such office even before we completed our explanation of the purpose of the study. The height of such suggestions was that we were asked to go to Tribal Cultural Research and Training Institute, Hyderabad where this information might be available. We had to remind them that we are from that organisation only and came to the districts in search of these records. Then they simply slipped out of the room pretending as if they had some other urgent work. The general tendency is to avoid the tedious work of searching for records from "dirty record rooms". In some places we had to use our official position to report to higher officials to achieve our goal. Our experience with survey and settlement Department at district level needs to be mentioned here.

It is well known fact that the offices of Assistant Directors Survey and Settlement in the region have very good information on land-tenure system and other particulars about the villages. In the perambulation reports to be prepared at the time of Survey and Settlement of these areas, these details are to be incorporated. But the abolition of these offices and transfer and retransfer of

records from one place to the other, created so much of confusion that no record is traceable at any place. After the abolition of these offices in coastal Andhra, all the records were sent to the only office located at Visakhapatnam. Even this was subsequently abolished in 1989. Therefore, the records were to be handed back to the concerned collectorates. It was informed to us that the collectorates are reluctant to take back these records for want of physical space. The result once again is that the bundles of records were kept in survey department offices unattended to either by the survey department or Collectorates. They were, therefore, not accessible to us even though available in offices. Therefore, we had to collect the same data from some other sources.

Frequent changes of administrative units in the study area over the years also resulted in loss of record during their transfer from one unit office to the other. Lot of records were either destroyed or lost or misplaced. For example in the Madras Presidency during British period, the Scheduled areas of present Andhra area were mostly distributed in three districts namely Godavari, Visakhapatnam and Ganjam Districts. The Present day scheduled areas of Srikakulam district were part of Ganjam district and were then called Chicacole area. These were transferred to Vizagapatnam district in the year 1936, when the state of Orissa was formed.

Again when Srikakulam district was formed in the year 1950, these records were transferred from Visakhapatnam district. Again in September, 1969, a new taluk by name Gajapathinagaram taluk was formed in Visakhapatnam district by transferring some areas of Srikakulam district to Visakhapatnam district. When the Srikakulam

district was bifurcated during formation of Vizianagaram district in July, 1979, some areas from Visakhapatnam district were transferred to Vizianagaram district at the time of its formation. As such, the old records pertaining to Scheduled areas of present day Srikakulam and Vizianagaram districts were first kept in Ganjam district, then transferred to Visakhapatnam and then to erst-while Srikakulam district and finally divided among Srikakulam and Vizianagaram districts.

In case of Scheduled areas of Visakhapatnam district, they were originally part of vizagapatnam and Koraput districts of British period. There were not many transfers of areas here. In Godavari district, which was later on divided in to West and East Godavari districts, there were some changes as far as scheduled areas are concerned. The Bhadrachalam and Rekapalli areas were transferred to Godavari district from central province in the year 1909 while the Datcharti and Guditeru areas from Golugonda area of Vizagapatnam district were transferred to Godavari district in 1881 after the disturbances in those areas. In the year 1942, the tribal areas in Polavaram region from East Godavari district was transferred to West Godavari district which was already carved out by then.

Formation of Mandals by dividing the Talukas and establishment of Mandal Revenue Offices in the year 1985 also resulted in transfer of records. The explanation given by the officers in most of these offices for the non-availability of records is their non-transfer from former taluk head-quarters. But then, the officers at former taluk head-quarters informed that these records were already



transferred, to Mandal level office. It was only a mad search of all old records dumped in the corners of the record rooms helped us to locate some important papers. If some good record is available for this study, it was more due to luck than any thing else. The clues given by ~~some~~ some old people working or worked in those offices were like a log of wood available to persons being washed away in floods or drowning in river waters after a boat mishap. The last straw on Camel's neck was re-organisation of District Collectorates on Ahmednagar experiment lines as part of administrative reforms to streamline and upgrade administration of offices.

When the collectorates of these districts were re-organised on Ahmednagar experiment, the records pertaining to tribal areas suffered most. They were either destroyed or dumped in the corners of record rooms of the Collectorates with out any classification. Some times they were even misclassified. For example in the Collectorate at Kakinada in East Godavari district, there were some trunk boxes with label 'Agency maps'. In fact they contained very valuable records on agency areas (scheduled areas) pertaining to 18th and 19th century.

With this background, it is to be pointed, without any doubt, that much more valuable record is lying in the Collectorate, Divisional, former Taluk offices and Survey Department offices which if available to us would have enriched our report. It is not too late to organise them so that it will help all those interested in them in future. But then, the data available to us is in no way sketchy or irrelevant. It is to be clarified again in the beginning of the report it self that, our report can speak only evolution of scheduled areas and changes in M tta ari system collected from

various authentic records which will provide the necessary base for administrators to go into further details and as and when they face some administrative problems relating to these subjects. Our study is also expected to help the researchers to make further studies into the problems pertaining to Scheduled Areas and Muttadari system. Now, an account of early history of the areas is given to provide necessary background for the understanding the evolution and succession of events.

HISTORICAL BACKGROUND (UP TO 1802 A.D)1. Early History of the Area:

The Madras District Gazetteers for Godavary (Hemingway, F.R.1907), Vizagapatnam (Francis, 1907) and Ganjam (Maltby. J.J.1882) and District manuals for the same areas gave detailed accounts of the early history of the areas. The books by the great historian of Andhra Pradesh, Late Sri Mamidipudi Venkata-rangaiah on History of Freedom Struggle in Andhra Pradesh (1965) gave a good account of various events from 1800 to 1905 A.D. As per these information, the following is the early history of the area.

The earliest historical mention of Godavari district was reported to have occurred in the inscriptions of Ashoka in 260 B.C. The next power to appear upon the scene were the Pallavas (172 B.C to 202 A.D). The Pulakesh-in-II (609-42) was said to have extended his conquest throughout the Godavari district. The Eastern Chalukya Rule (632-999 A.D) and Chola conquest (999 to 1011 A.D). was followed by the Kakatiya rule from Warangal (1200 A.D). The Koru konda Reddies (1325-75 A.D) and Reddies of Kondaveedu (1345-1422 A.D) were the next important kingdoms to be mentioned. This was followed by the Gajapathis of Orissa (1450 A.D) and conquest by Vijayanagar Rajahs in 1575 A.D.

In case of Visakhapatnam district, it originally formed part of Kalinga Empire during Asoka period and till the Ganga kings (1078 A.D) there seems to be a gap in the political history of these places. This areas also became part of Cholas and later on the Matsyas of Veddavadi (The etymology of village name Vaddadi is given as Voddavadi indicating the beginning of Oriya land). The Gajapathis of Orissa ruled this area between 1469 and 1497 A.D.



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Similarly, the history of Srikakulam district is connected with the hoary past of Kalinga Empire. The Gajapati dynasty held sway over this area and KrishnaDevaraya in his campaign against Gajapatis is reported to have advanced upto Simhachalam near Visakhapatnam before he returned to his capital. But, his army is reported to have marched as far as Srikulam in Srikakulam district, where a pillar of Victory was erected. As far as the tribal areas are concerned, no historical record is available till the end of this period but for the mentions made here and there that the important rulers of the area like the Rajah of Vijayanagaram the Rajahs of Jeypore and zamindars of Peddapuram, Polavaram and Gutala etc., had some ceremonial relationship with the hill chiefs.

All these areas were conquered by the Qutub Shah in 1599 A.D and Subhah included 12 paraganas of Ellore, 24 paraganas of Rajahmundry and 115 paraganas of Sikakol (Siddiqui, 1956: 357). In 1687, the Moghul Emperor Aurangzeb invaded the Fort of Golconda. As a consequence, these areas which formed part of Golconda were passed on to the Moghul emperor. At Chicacole, there used to be Fauzidar to rule the area on behalf of the Moghul Emperor. On the death of Aurangzeb in 1707, the Moghul empire disintegrated and the Nizam-ul-Mulk has taken over the charge of these areas (1724 AD). Therefore, the Subah of Deccan comprised of the Nawabships of Chicacole, Rajamundry and Ellore besides Kurnool and Arcot.

Before we discuss about the British period, it is necessary to discuss about the traditional land tenure systems in tribal areas so as to understand the conflicts that have arisen with the land tenure systems introduced by Musalman rulers and by British later on.

The Andhra area prior to the invasion of Golconda rulers of Deccan was ruled by numerous kings as already mentioned. The Golconda kings who invaded the Sircars preferred to continue the local administration of these areas through Chiefs and Hindu rulers.

The Hindu rulers who earlier subjugated hill chiefs were collecting Swatantrams (Fees to village officers) from the local crops and the subordinate chiefs were paying annual tributes to the Hindu rulers. The Hill Chiefs also limited this process while administering their own areas. They were also paying tributes to the Hindu rulers on all important Hindu Festivals and Hindu rulers were reciprocating with gifts and were honouring the chiefs on all important occasions.

Some of the Tribal Communities like the Khonds have even adopted the sanskritic names like Samantha to their tribe meaning subordinate king. Elsewhere in the country also, we find the tribal communities like Raj Gond claiming Kshatriya (Ruling Class) Status. Therefore, the relationship between the Hindu rulers and the Hill Chiefs was more of reciprocation. In this process of interaction, the tribal tradition was recognised as an important aspect of Hindu tradition and was even believed to have originated from the tribal tradition. As this subject was already discussed by various scholars at various places, it is sufficient here to say that the tribal society became part of the overall Hindu tradition. As the time passed, the frequency of interaction of tribal society with larger society increased whereby the tribal economy also became part of a larger economy.

The Musalman kings of Golconda first gave the name Zamindar to the Rajahs meaning possessor of land. These zamindars or Rajahs were asked to pay fixed rent and the administration of the Zamindaris was left to the Zamindar. The Bigger Zamindars or Rajahs appointed by Musalmans are reported to have inturn appointed smaller zamindars for tribal area who inturn appointed Muttadars or Samuthudars to collect rents fixed by Zamindars. While Muttadar is the head of Mutta, referring to group of villages in Rampa area in Godavari district and Golugonda and Madugole areas in Visakhapatnam district, Samuthudar refers to head of group of Koya villages (Samuthu) in Bhadrachalam area of Godavari district.

No record was available to us to know about Muttadari system during Musalman period but the available records of British period have thrown some light on this subject. The following set up is constructed from the records.

The only important Rajah as far as tribal areas of former Visakhapatnam district comprising of present day Visakhapatnam, Vizianagaram and Srikakulam districts appears to be the Rajah of Jeypore. The Jeypore estate was part of Vizagapatnam district till 1936 when it was transferred to the newly formed state of Orissa. Most of the Zamindars in these two tribal areas owe their existence to the Rajah of Jeypore who appointed them. In case of Godavari district including the present day East Godavari and West Godavari district, the links of smaller Zamindars seems to be with Zamindar of Bhadrachalam. The reason for not extending the rule of Rajah of Jeypore to these areas is perhaps due to the fact that Godavari district is separated geographically by mighty river Godavari. In the absence of detailed data, no further analysis is proposed to be made on this.

The smaller Zamindars also called themselves as Rajahs in the traditional setting. Collected the rents from Muttadars or Samuthudars. These Muttadars or Samuthu-daras appear to have come from upper strata of tribal society of the area.

In Godavari district where the Koya and Konda Reddi tribal inhabited areas are more or less mutually exclusive, the Muttadars or Samuthudars are from Koya or Konda Reddi tribal communities. But in the multi-tribal area of Visakhapatnam district, most of the Muttadars are from the Bagatha tribal community which claims highest social status in the tribal hierarchy of the area. The British records referred the Bagathas as plains Kapu castemen who migrated to tribal areas. On this also no analysis is made in the absence of any detailed information as this will lead to several administrative problems because they are now in the list of Scheduled Tribes. Moreover, the scope of the study also does not permit such an analysis.

Below the Muttadar was traditional tribal chief at village level. As the areas are sparsely populated and as rents (Palkatnam) were only symbolic acts of recognition of authority of the Zamindar, it was a very informal traditional organisation below the Muttadar especially at village level. In fact, the concept of village itself did not exist then as tribals lived in an area migrating with in it depending on availability of food resources.

The following are the ancient zamindari as far as they relate to tribal areas.

VIZAGAPATAM DISTRICT:

1. Andra
2. Belgam
3. Chemudu
4. Golugonda
5. Jeypore
6. Kasipuram
7. Kurupam
8. Madugole
9. Merangi
10. Pachipenta
11. Palakonda
12. Salur
13. Sangamvalasa



GODAVARI DISTRICT:

1. Polavaram
2. Gutala
3. Kothapalli
4. Bayyanagudem
5. Billamilli
6. Jangareddigudem
7. Devipatnam
8. Peddapuram
9. Munsabadars of Rampa, Tetapalli and Jaddangi
10. Korukonda
11. Bhadrachalam

Almost all these plains Zamindars maintained very good relationship with the Hill Chiefs and also with intermediary Zamindars. For example, almost all Zamindars in present Srikakulam and Vizianagaram districts like Andra, Salur, Pachipenta, Chemudu, Sangamvalasa, Merangi, Kurupam and Palakonda were appointed by the Raja Jeypore (presently located in Orissa State). The Zamindars of Vizianagaram belonging to Pusapati family also maintained good relationship with the tribal chiefs. Similarly, the Zamindars of Polavaram, Gutala, Bhadrachalam and Korukonda were having good relationships with the tribal Chiefs and Muttadars.

The Madugula Zamindari consisted of Hill Madugula, Ghats and Lova country (valleys), the Hill Madugula of the Zamindari consisting of tribal areas was mortgaged to Raja of Jeypore. Sometimes, Zamindaries were also purchased by another Zamindar or taken on lease. Rekapalli estate was thus leased in 1574 to Korukonda Zamindars who are said to have enjoyed it for nearly 250 years. Similarly Gutala estate was purchased by Polavaram Zamindar. In spite of all this, the tribal chief-zamindari relationship did not change much.

As far as gifts from Zamindars are concerned, the Muttadars and smaller Zamindars were giving presents to the Raja of Jeypore during Dassera besides providing military services. He was collecting these feudatories by sending 'Kola' (a bow and arrow) as a symbol. This symbol was forwarded from one Chief to the other and the messengers were given a feast before paying the rents and presents called 'Anjali' (Govt. of Madras, 1864). Similar relationship existed in other Zamindaries in Godavari district who used to receive "Rajalanchanalu" (symbolic gifts to the rulers) even though they did not have control over the hill Chiefs. Thus the relationship between the Hill Chiefs and Zamindars and Rajahs was cordial

even during the Musalman period as it was only the Rajahs who were defeated by Musalman rulers and the smaller Zamindars continued to be under Rajahs.

The British that ruled later on, unlike the ancient Zamindars, tried to interfere in the way of life of the tribals. While a detailed account of the disturbances in these areas that were caused due to this interference are furnished in the following pages, it is to be mentioned here that the tribal/^{areas} which are endowed with large potentialities attracted the attention of the British rulers as they thought that revenues can be raised from these areas by establishing direct rule over these areas. They also wanted to lessen the control of the Zamindars of plains areas over the hill chiefs and hilly areas as the Zamindars were treated as mere agents of Musalmans created for the sole purpose of collecting the revenue (Hemingway, F.R.1907:168).

2. Disturbances in the early periods(1724-1800).

The first set of disturbances in tribal areas were reported from 1724 to 1766 when Reddies of Hills in Godavary district plundered Ellore and Nidadavole. "They kept up desolatory resistance against the forces sent to suppress them. When attacked, they dispersed ^{only} to reassemble in difficult passes and revines and it was with difficulty that tranquility was restored"(Hemingway, F.R.1907: 28). The reasons for such an action resorted to by Reddies is not known from the available records.

Similarly, during 1767, the Savaras, Khonds and other tribal people who live in hilly regions of Ganjam" often made deprivations into the plains and it was customary for the Zamindars to keep in their numerous Bissoyis- to prevent the hill people from breaking into the

country and plundering it. These Bissoyis had their forts and they were assigned lands in return for the services they had to render "(Venkatarangaiah.M(Ed): 1965:21) Here also the reasons for tribals plundering plains was not given. In the absence of such an information in both the ^{above} cases, it appears as if the tribals in early periods indulged in plundering plains areas. But this may not be true considering the behaviour and culture of tribals as exists even today. As such there must have been some other reasons like outsiders trying to exert undue influence, or interference, severe food problems, instigation by outsiders etc. Available records on the later part of history give some clues to know about such a behaviour of tribals. One such example is from Godavari district.

Between 1785 and 1790, there were several disturbances in the Zamindaries of Polavaram and Gutala and in adjoining hills in Godavari district which required the interference of military authorities before they could be repressed. (Morris, Henry, 1878: 24). As per the information provided by M. Venkata Rangaiah (1965:38), most of the troublesome plains Zamindars lived in hilly tracts and the Zamindars of Polavaram, Gutala and Kothapalli belonged to such a category. These Zamindars are also reported to be related to Munsabdar of Rampa who was ^a another troublesome Zamindar in the Godavari district. The details of these disturbances are mentioned now.

In 1785, One Dasu Reddy, the polygar of hill fort Nagavaram attacked and captured Gutala taking the young Raja and his mother as prisoners. The British Government, however has put down the

insurgents and restored these places to their original owners. Three years later i.e., in 1788, the tribute from Gutala to British fell into arrears and in the interest of better management of the estate, the British Government placed this Zamindari under the control of Diwan of Polavaram. This was resented to by the mother of the young Raja and she staged a futuri(wir) in 1789 with the help of some hill tribes. She was, however, defeated by the Government troops sent against her and the Zamindari was handed-over to her step son Mangapati Devu, the Raja of Polavaram.

Next came the trouble in 1799 to 1800 A.D. from this Managapati Devu and his brother, when the Government ordered sequestration of his estate until the tribute and arrears that fell due were cleared. The Rajah had to flee to Rampa where his relative was the Mansabdar. There, he took the help of one Linga Reddy, a hill chief with large number of Koya followers obviously with the Cooperation of Mansabdar of Rampa and went on plundering several villages in Polavaram estate. The Government Military forces had to capture the fort of Polavaram and declare a reward of Rs.10,000 for apprehension of Mangapati who by then escaped from Rampa country into Nizam's territories which are adjoining to these areas. From exile, he renewed attacks in 1800 A.D. with the help of hill chief, Linga Reddy and it was only after the Permanent Settlement in 1802 in the new revenue system, the period of revolts came to an end (idid:40).

3. Permanent Settlement, 1802:

The Madras Permanent Settlement Regulation, 1802 (Regulation No. XX 1802) was promulgated to declare the proprietary rights of the lands to be vested in the individual persons and for defining the rights of such persons under a permanent assessment of revenue.

In the same year, (Regulation No. XXIV of 1802), Karanams were appointed but this was also not made applicable to the tribal areas. Therefore, the traditional chiefs continued to have the traditional hold over the population and they were paying tribute for the Zamindars who in turn paid the revenues to the British Government. However, the hilly and thinly populated tribal areas were not brought under the permanent settlement (Hemingway, F.R.1907:164) for the following reasons:

- (i) The revenues were not many and
- (ii) The lands were only cleared for temporary cultivation and abandoned after a year or two for fresh ones.

Two important aspects to be noted here are that (i) the plains Zamindars took refuge in the hilly areas, whenever a problem occurred to them. (ii) They also took the help of hill chiefs to attack the Government whenever there were threats to their estates. The attacks on Government are made with the vested interest of protecting their own Zamindari. When the rights over their Zamindaris were finally established in Permanent settlement in 1802, the disturbances subsided.

Almost in this period of history the Paharias of the Rajmahal hills revolted against the landlords. Mr. Augustus Cleveland who was deputed to handle the situation has laid foundations of policy embodied in the Regulation-I of 1796. (Dhebar Commission, 1962:37). The idea that distinct and special arrangements were necessary for the isolated tribal regions gained general acceptance only after passing of this Regulation.

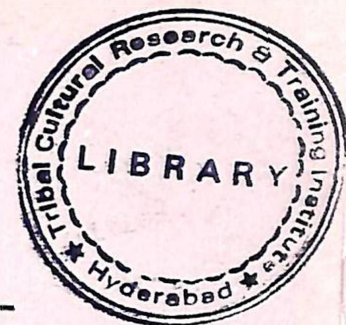
CHAPTER-IIITRIBAL RESISTANCE MOVEMENTS(1803-1874)

Even though the revenue administration of British did not percolate into tribal areas, the British slowly entered into tribal areas through Zamindars to raise revenues. They have even ignored the misdeeds of the Zamindars only to woo them. This had received adverse reactions as can be seen from happenings in Rampa.

Rampa was once the Chief place of a small Zamindar and this Chief was having control over the whole of Rampa country. According to Hemingway (1907:271), the earliest records mentioned that the Zamindar, also called as Munsabdar or Raja of Rampa was an independent ruler. Here a doubt arises whether the Zamindar of Rampa was a tribal or not for the following reasons: (i) He was said to be relative of Zamindars of Polavaram and Gutala who took shelter under him when the British Military invaded Polavaram Zamindari in 1799-1780 as already mentioned and (ii) the tribal chiefs are referred to as Muttadars while the Chief of Rampa is referred to as Munsabdar or Zamindar and Muttadars were his subordinates. The Munsabdar of Rampa, therefore, must be a non-tribal Zamindar like the non-tribal zamindars of Polavaram, Gutala etc.

1. Incursions of Mansabdar of Rampa:

Between 1803 and 1813, Sri Rama Bhupati Dev, Mansabdar (in old records, the words Munsabadar and Mansabdar were used for the same person) of Rampa was reported to have descended with armed force from the hills and took forceful possession of some villages in the plains. In order to make friendship with the Munsabdar, the British in 1813 handed over the possession of these villages as Mokhasas (free gift of villages) along with his ancestral possessions in



:28:

the hills free of Peshkash (rent) on the condition that he maintained law and order in them. This mistake of handing over charge of maintaining law and order to the plunderer was regretted by British later on, but not before a great damage was done by him to tribals.

This Mansabdar died in 1835 leaving a daughter and an illegitimate son. The Muttadars recognised her as heiress to the Mansabdar and she remained unmarried. But, in course of time, the Muttadars suspected her chastity and driven her out of the country. Therefore, the British had to keep the estate under Court of Wards from 1840 to 1848. Then in 1848, the Muttadars agreed to accept the illegitimate son of the late Munsabdar as Mansabdar. He was given the post of Mansabdar by the British on the recommendation of the tribal Muttadars and after a written agreement that he will protect the interests of Muttadars on payment of rent by the latter. He started confiscating muttas one by one. He was also oppressing the people, the details of which are given a little later.

It is around this time (1832-34) One Jagannadha Raju of Anakapalli state in Visakhapatnam district committed deprivations on villages with the help of Naganna Dora, the Diwan of Zamindar of Golugonda who was described as " a double faced scamp, who had long fomented rising against Government" (Venkata Rangaiah, M, 1965:36). When the troops were sent against him after the arrival of George Russel, First Member, Board of Revenue, he fled to Rampa in Godavari. However, he was caught and hanged in 1834. Like the Polavaram case, this is also a case of a non-tribal Zamindar fomenting trouble in tribal areas to achieve his personal ends and Rampa seems to be hiding place to these Zamindars.

2. Disturbances in other parts of the Country:

Disturbances also took place in other tribal areas of Central India when the tribals resisted the exploitation by money-lenders and landlords. The Kol insurrection in 1831-32 led to one of the most important administrative reforms in the form of Regulation XIII of 1833, by which Chotanagapur was declared as non-regulated area. It means that Regulations which were intended for more advanced districts of Bengal and Bihar were made in-applicable to this area and also that the idea that tribal areas needed separate treatment is gaining ground.

The Santals rebelled against the money-lenders and landlords in 1855. The Sardari agitation of 1867 was against compulsory labour, periodical contributions, illegal enhancement of rent by landlords, while the Mundas revolted under the leadership of Birsa Munda in 1895, against Hindu landlords, money lenders and Christian missionaries. In case of Malaias of Ganjam district, the Khonds and Savaras revolted against the interference of outsiders which is popularly known as Gumsur War.

3. The Gumsur War:

The highlands of Ganjam district (Parlakhimidi Zamindari) often referred to as Malaias (meaning mountains) in the old records are inhabited by the aboriginal tribes, mainly the Khonds and Savaras. According to Mozumdar (1989: 149), an intimate and interdependent feudal relationship subsisted between the Oriya aristocracy and their tribal subjects. Secondly, the tribal chiefs have a strong spirit of independence. The Oriya aristocracy received free service through the local Oriya headman called Patro. This Customary practice was known as Bethi. This unpaid service and free gifts which were originally tokens of tribal's regard and loyalty to Oriya elite tended to develop into

symbols of elite's domination on their tribal subjects. This led to several disturbances. In 1832, the Government of Madras has sent Mr. George Russel, First Member, Board of Revenue to investigate into the causes for disturbances in Parlakhainidi Zamindari in Ganjam district and Vizagapatnam district. He was also given full military powers to maintain law and order, if necessary. Mr. Russel gave his report on November, 1834 explaining the causes of disturbances. In the following year, Sir Fredrick Adam, Governor of Madras visited circars and some hints were thrown out in his minute on the expediency of exempting the hill Zamindaries from General Regulations.

While the Hindu Rajahs performed the tribal rites and rituals, they also participated in social functions and festivals of tribals. Therefore, the problem of dealing with Oriya elite by British bore within it, the problem of dealing with their tribal subjects and vice-versa eventhough the tribals resented the exploitation of Oriya elite. For example, in 1836, a military campaign was waged against the refractory Rajah of Gumsur, who was one of the oldest hill Zamindars of Ganjam, belonging to Bhanja family. The British Government came into conflict with his tribal subjects (the Khonds) also because of this relationship. The British Government's hunt for the Rajah sheltered by the tribals escalated into a full scale war against the tribesmen. The Gumsur war that broke out in 1836 has expedited the action on the part of the Government as can be seen from Mr. Russel's further report in 1836 in which he suggested the need for removing the existing causes of irritation on the part of hill Zamindars by exempting the areas from ordinary laws. He suggested for placing the areas exclusively under the Collectors of the district in whom should be

vested the entire civil administration of government and also criminal justice. His reports and the observations of Governor have resulted in enactment of Ganjam and Vizagapat-am Act, 1839.

4. Ganjam and Vizagapat-am Act, 1839:

It is an Act for the administration of justice and collection of revenue in certain parts of the districts of Ganjam and Vizagapat-am (Copy of the Act is given in Annexure-I.). The important features of the Act are as follows:

- i) In the tracts mentioned in the Act, the operation of rules for the general administration of Civil and Criminal justice as well as those for the collection of Revenue in the state shall cease to have any effect except those mentioned in the Act.
- ii) The administration of civil and criminal justice and collection of revenue shall be vested in the Collector of the district and shall be exercised by him as 'Agent' for the state government concerned. The areas administered by 'Agent' came to be known as 'Agency' areas since then.
- iii) The State Governments are competent to prescribe such Rules as they may deem proper for the guidance of such agents and also determine the extent of jurisdiction of agents in civil suits;
- iv) Appeal on a decree of any agent lies in High Court and;
- v) The State Government is competent to alter the limits of tracts.

The following observations are to be made on this Act.

The Act excluded certain specified areas from purview of normal administration. The compelling factor behind this was to maintain law and order as the report of Mr. George Russel clearly says that these "mountainous tracts, where upto the present period, after a lapse of more than thirty years, we in truth, possess no police and no power" (George Russel, 1834), as it was often believed by British that the traditional bonds between the non-tribal Zamindars in tribal areas and the hill chiefs are often misused by the non-tribal Zamindars to create law and order problems for British in the inaccessible jungle areas. But the important issues not noticed by British was that most of the Zamindars of Vizagapatnam, Ganjam derived their power and estates from the Gajapati kings of Orissa who granted them their lands on conditions of feudal service and of keeping a check on the wild aboriginal tribes of the hills the Konds and Savanas (Maltby, T.J. 1882: 18). The selfishness of the Zamindars can be clearly seen from the fact that they themselves have taken shelter and instigated the tribal chiefs to fight against the British and at the same time wanted to check the hill chiefs when it came to maintain their authority over hill areas.

The rules to implement the Act were framed under section (4) only in 1860 i.e., after twenty one years. So this Act did not have any impact till then.

5. Mariah Sacrifice:

Special Agency was also created by the British during this period to completely stop the practice of human sacrifice which was supposed to be under practice among the hill tribes of Ganjam agency. Mr. George Russel's report in 1834, On Mariah sacrifice, gave a good account of this practice which is briefly as follows.

The hill tribe called Kodulu (Khonds) were said to be in the habit of offering human sacrifices to the Goddess Jankiri with a view to secure good crops. Goddess Jankiri ~~is believed to be Sankari~~ is believed to be Sankari also called Parvati. For performing the ceremony after pongal feast the victim is procured by purchase and he is immediately carried before the God and some quantity of rice coloured with turmeric is put upon his head. It is believed that this would prevent him from escaping even though he is set at liberty. This escaping is, however, a remote possibility because he is kept in a continued state of stupification or intoxication. He is allowed to wander about freely in the village, he can eat and drink anything he may take fancy to and even have sexual relations with any woman whom he may like.

In the morning set apart for the sacrifice, he is carried before the idol in a state of intoxication. One of the villagers who officiates as a priest, cuts a small hole on the stomach of this victim and with the blood that flows from the wound, the idol is to be smeared. Then the crowds from the neighbouring villages rush forward and he is literally cut into pieces and each person carries away, a morsel of flesh to present it to the idol in his own village.

The Meriah Agency, under Lt. Colonel Campbell, to control this practise appears to have visited Jeypore in 1831 and this agency was abolished in 1834 (George Russel, 1834). Even though, the practise was reported in all details, nobody had clear evidence of its occurrence in the known past as the descriptions appear to have been constructed from stories circulated in those areas. While, these were going on in Ganjam Agency, disturbances locally called 'fituris' continued in the Golugonda taluk of Vizagapatnam district.

6. Deletion of some areas from Agency areas:

In 1864, the law and order improved in some plains areas. Moreover, it was also felt necessary to reduce the burden of work on the Agent especially in Civil cases from non-tribal areas. Therefore, the following areas were deleted in 1864.

1. Kurupam (except Gumma and Konda Mutta)
2. Sangam Valasa
3. Chemudu
4. Panhipenta (below the Ghats)
5. Andra
6. Sarapalli Bhimaram
7. Saluru
8. Madugole (below the Ghat)
9. Belgam
10. Merangi except ¹¹ondemkallu and Konda Mutta.
11. Golugonda (except the hill mutta)

7. Golugonda Disturbances 1845-48:

The Golugonda Zamindar was given a Sanad by British during permanent Settlement 1802 fixing a 'Peshkash' (Rent) of 1000 rupees. In the year 1836, the incapacity of the Zamindar, Anantha Bhupati to administer the Zamindari has brought the estate to the verge of ruin. Therefore, to avoid further confusion, he was induced by the district officers to resign in favour of Jamma Devamma, the widow of his predecessor. This selection was highly distasteful to the hill sardars (Muttadars) for two reasons, namely (1) they were not consulted and (2) the succession in earlier times was always through male members. The Ranee (queen) was carried away to the jungles by the hillmen and she was murdered there. The Zamindar, Anantha Bhupati was sentenced for ^{life} life /imprisonment by British government for abetting the Rani's murder.



In the year 1837, the Zamindari was put to public auction for arrears of revenue and was taken over by Government for a sum of Rs. 100 rupees. Even though the Muttadars were not disturbed of their tenures, they felt that the extinction of their ancient Hindu Chief had seriously lowered their own status as they were directly subjected to the surveillance of the Collector's native Amin (smaller official). They united to rise against the Government for the restoration of Zamindari to Bhupati family. In this process, they withheld payments of rents and barricaded the hills from all corners and constantly plundered the plains villages with fire and sword. The Tribal chiefs had declared Chinna Bhupati of 19 years as their Raja and for 3 years i.e., from 1845 to 1848, they successfully held the Zamindari inspite of military force. Ultimately, the British had to yield to this and Chinna Bhupati was assigned the Zamindari as a representative of the ancient Zamindar of Golugonda.

A few years later, disturbances broke out among the Savara of Parlakhimidi and also in the tribal areas of Ennagudem and Tadimalla taluks of Golgonda area for one more time while the exploitation of Mansabdar of Rampa continued unabated.

8. Disturbances of Savaras:

Two outbreaks of hill Savara tribes occurred in the mountainous country lying between Gunupur and Peddakhimidi (Palakhimidi) in Ganzam district. The first occurred in July, 1864, when one of the hill chiefs (Gomango), of Puttasingi village was hastily and improperly arrested by an Inspector of police. The villagers fell upon the police, murdered several of the party and rescued their

Gomango. The Raja of Jeypore and his Diwan have captured the actual murders and handed over to British. The Rajah of Jeypore received some valuable presents from British Government in acknowledgement of their services.

Five out of fourteen prisoners were hanged while the remaining nine were sentenced to life imprisonment. Orders were also passed in 1865 to station a strong police guard at a central place in the Savara Hills. But this could not be established due to renewed resistance by the Savaras. Therefore, the Government had to assemble larger police force and the Savaras were forced to accept the continued presence of the Police force without much resistance.

9. Disturbances in Emagudem and Tadinallat taluks in Godavary District:

These two disturbances occurred mostly on account of personal enmity between two plains village headmen. However, the help rendered by the hillmen when the British military marched into the hills is an important feature to be noted in these disturbances. Only a brief account of the incidents is given hereunder only to show how the help of tribals is taken even in petty quarrels between local plains chiefs.

One Korukonda Subba Reddi, headmen of Koruturu village in the upstream of Godavari river, wanted to obtain a rich widow in marriage for his son. But, she became a concubine of one Sunkara Swamy, village munisif (village officer who collects rents) of Buttayagudem which is nearly forty kilometres south-east of Polavaram in the forest. In order to take revenge off Sunkara Swamy, a large body of Koyas tribal followers were taken to carry her off by force. When this could not be achieved, the Buttayagudem village was plundered.

About 60 peons (police) were sent from Rajahmundry by British government along with the Thasildar of the Taluk to the plundered village. They took some tribals as prisoners. But their efforts to catch the culprits fell in vain as the hill men under the leadership of Subba Reddi armed with matchlocks and bows and arrows attacked the Thasildar and peons. They not only released the prisoners, but also carried off Sunkaraswamy to hills where he was murdered. Two more companies of sappers and miners came from Dhawaleswaram later on. They were not met with any resistance from tribals except at Jeelugumilli, where the hill tribes were at advantageous position as they knew the routes in thick jungles and therefore, could escape into jungles very easily. The point once again to be noted here is that the tribal chiefs and the tribals who had close truthful relationship with plains Zamindars, helped them even in their family quarrels and have gone to the extent of attacking even British forces.

10. Disturbances in Golugonda continue (1857-58).

Once again in 1857-58, disturbances broke out under the leadership of Sanyasi Bhupati, nephew of Chinna Bhupati. But, this time the reasons are not known. Sanyasi Bhupati was sentenced to transportation for life but was detained as state prisoner at Vizagapatnam.

While this confusion was going on, the Andhra came under the rule of the Crown in 1858. The coincidence is that the resistance by the Muttadars of Rampa also came to the fore by 1858.

11. Rampa Rebellion:

The deprivations of Munsabdar of Rampa continued unabated. Discontentment was also growing among the hill tribals against the Mansabdar as the excise policy of British, their police activities and exploitation by traders from plains etc., are occurring with his connivance.

The Chopakonda hill mutta located eight miles South-West of Chodavaram was paying a quit rent of Rs.21/- and it contained Six villages, in 1849, the Mansabdar of Rampa obtained possession of this Mutta on the ground that the Muttadar has disappeared. In case of Borrachintalapalem Mutta, situated fourteen miles north-east of Chodavaram, containing fourteen villages, the Muttadar died without legitimate children in 1871. The Munsabdar of Rampa at once annexed this property. He has annexed several other Muttas like this. The Munsabdar has also arrogated his powers in collecting excise rents from the Muttadars.

The Abkari Act of 1864 was in operation in agency areas. In the Koya and Reddi villages, the Mansabdar was allowed by British to make arrack for their own consumption on payment of nominal fee of two annas a head per annum for every male over 14 years of age. The rules require that the village headman or Muttadar should take out a licence and make and supply arrack to Koya and Reddi residents. But in practice, no actual licence was granted but rented to outsiders. The quit rent levied and collected by British from Muttadar also included the toddy tax (Chingurupannu). While the enters always pestered the Muttadars to pay Chigurupannu the Mansabdar levied additional tax called 'Modalupannu' at the rate of one half or two thirds of Chigurupannu. (Hemingway, F.R. 1907:273).

The police who had assisted Mansabdar in introducing the new toddy rules also oppressed the people adding some more problems to the tribals. By this time the ~~traders~~ from low country also started taking advantage of the simplicity of hillmen. In satisfaction of a debt of Rs.5/- it was reported that cattle and produce worth Rs.100/- had been carried off. They had also obtained ex-parte decree and confiscated the movable properties. Some times, the traders were reported to have brought some fair looking young men neatly dressed to look like officers. In the presence of these fake officers holding fake documents they took away the movable properties of tribals. The restiveness has reached a peak when two policemen captured by tribals at Rmpa, were sacrificed before the Chief Shrine. The leaders were reported to have announced that rebellion was their only hope. These disturbances have also spread to the adjoining Datcharthi and Guditeru areas of Visakhapatnam District and later on to adjoining Bhadrachalam areas in Nizams Dominions.

12. Disturbances in Bhadrachalam areas:

These areas formed part of a large estate called Hussainbad Sankhuni Zamindari which is also known as Palavanha estate. The Zamindar of Bhadrachalam for most of the time was also the Zamindar of Palavanha. This area was under Nizam's rule till it was transferred to British area in 1860. The Bhadrachalam Zamindar always kept up a troop of Rohillas who received very little payment for their services and permitted to live chiefly by looting the country around. The area was divided into ten Samuthus, each of which contained around 25 Koya villages. Each Samuthu was headed by a Koya leader to supply for

a month, free of charge, a hundred Koya (tribals) to carry burdens, fetch supplies etc., for the Rohillas. A hundred Madigas (lower castemen) were also to be supplied to act as horse keepers. It was also reported that the Rohillas frequently stripped the Koya women, off their clothes and regarded them as objects of ridicule. The whole Koya country was at the mercy of Rohillas.

Rohilla East which formed part of Bhadrachlam Zamindari was, however, in central province administered by British. Here traditional practice of shifting cultivation on hill slopes was allowed without any restriction. The assessment on it was only four annas, an axe. When these areas were transferred to Madras Government, the Government of Madras, even though ruled by same British Government levied thrice the amount as tax besides imposing fines on Koyas felling certain trees declared as reserved trees. Moreover, for manufacture of arrack from Ippa flower, which is a traditional practice for tribals, tax had to be paid by them when these areas formed part of Madras Government. This led to lot of confusion and tribal became restless as the government's control on their way of life increased manifold.

The accounts given so far clearly shows that all the areas were burning with unrest and the hill people laid blame for all these injustices on Government and Government Rules and Regulations and thought that the only remedy lies in rising against the authorities. (Hansingh P.R. 1907:273)

The Chief leaders of the rebellion were Chandraiah, Sardar Jamgam Pulikanta Sambaiah, Tamanna Dora and Ambul Reddy. The British once again sent a large contingent of sepoy and military and posted them in the Northern and Eastern portions of Rampa country to control disturbances.

Review of Policy by British Government:

The Rules for implementation of Ganjam and Vizagapatnam District Act of 1839 were framed only in 1860. But the procedures for separate treatment were not laid down. Therefore, the Ganjam and Vizagapatnam District Act, 1839 became in-effective. This had led to a detailed review by the British Government and the Scheduled District Act, 1874 was enacted.

SCHEDULED DISTRICTS ACT 1874 AND LATER ON1. The Act:

Even though the process of exemption of some areas from the operation of the Rules for the administration of Civil and Criminal justice, as well as those for the collection of revenue started with the Ganjam and Vizagapatnam Act, 1839, the Scheduled Districts Act 1874 (XIV of 1874) is a land mark in the Administration of tribal areas as this Act has laid down procedures for separate treatment for the areas notified under the provisions of the Act. Most of the areas notified are inhabited predominantly by aboriginal tribes as the other areas were deleted in 1864. Second important aspect is that this Act owes its origin from Ganjam and Vizagapatnam Act, 1839. The Third important aspect to be noted is that the Act itself came into existence as a Government of India Act as a result of growing unrest in tribal areas of the country and the need for separately administrating these areas. As such, even though exclusion of the area started as a measure for maintenance of law and order, it assumed protective aspects also.

The important features of the Act are as follows:

- 1) it is an Act to ascertain the enactments in force in various parts of British India and for the other purposes as various parts of British India have never been brought within or have from time to time been removed from the operation of general acts and regulations and the jurisdiction of the ordinary courts of judicature.

ii) The Second reason is that some doubts have arisen as to which Acts or Regulations are in force in such parts and in other cases as to what are the boundaries of such parts. Therefore, among such territories, some territories were specified in the first Schedule annexed to this Act. It became expedient to provide readier means than now exist for ascertaining the enactment in force in such territories and boundaries there of and for administering the law therein.

In the First Schedule part-I Scheduled districts Madras, the following areas were notified.

IN VIZAGAPATNAM

- a) The Jeypur Zamindari
- b) Golgonda Hills West of the River, Boderu.
- c) The Madugole Muttas.
- d) The Kasipur Zamindari
- e) The Pachipenta Maliahs
- f) Mondenkollu in the Merangi Zamindari
- g) The Konda Mutta of Merangi
- h) The Gumma and Konda Muttas of Kurupam
- i) Kottam, Rama and Konda Muttas of Palkonda

IN THE GODAVARI DISTRICT

- a) The Bhadrachalam Taluk
- b) The Rekapalli Taluk
- c) The Rampa country.

More areas in Godavari district were brought under the purview of the Act by notifications as per provisions of Section (3) of the Act which empowered the local Government, from time to time, by notification in the local Gazette as follows:

- a) Declare what enactments are actually in force in any of the Scheduled Districts or in any part of any such district.
- b) Declare any enactment that it is not actually in force in any of the said districts or in any such district and
- c) Correct any mistake of fact in any notification issued under the section.

The local Governments were also empowered under section (5) of the Act to extend to any Scheduled District or to any part of any such District any enactment which is in force in any part of British India at the date of such extension. The Section (5A) provides for imposing restrictions on the applicability of General Acts and Regulations when they are extended to Scheduled districts, under section (3) and section (5) of the Act.

The local Governments were empowered to appoint officers to administer civil and criminal justice and superintend the settlement and collection of the public revenue and all matters relating to rent and otherwise to conduct the administration, within Scheduled district.

- c) Correct any mistake of fact in any notification issued under the section.

The local Governments were also empowered under section (5) of the Act to extend to any Scheduled District or to any part of any such District any enactment which is in force in any part of British India at the date of such extension. The Section (5A) provides for imposing restrictions on the applicability of General Acts and Regulations when they are extended to Scheduled districts, under section (3) and section (5) of the Act.

2. Agency Rules under Scheduled Districts Act, 1874:

Under Section (6) (b) of the Scheduled District Act, 1874 the local Governments were also empowered to regulate the procedures of officers appointed under the provisions of Section (6) (). Basing on this, the Governor made rules for the administration of the Agency tracts and for the regulation of the procedure of the officers appointed to administer them.

Under Rule 1, the district Collectors were designated as Agents and the Sub-Divisional Officers were designated as Agency Divisional Officers to exercise the powers in the Agency portion of the Sub-Division. The District Collectors were District Magistrates and District Judges with in Agency tracts included in their respective districts. The State Government was empowered to appoint any other duly qualified person as Agency Munsif for lower court.

The Rules also prescribed procedures for the valuation of suits, jurisdiction of courts, transfer of suits, appointment of pleaders, execution of decrees and orders etc.

3. Removal of Mansabdar and settlement with Muttadars:

By the time the Scheduled Districts Act, 1874 was enacted, several discussions were going on in the British Government on the desirability of continuing the intermediary Zamindars in the tribal areas especially after the experience with Mansabdar of Rampa. The Government of Madras has sent Mr. H. E. Sullivan, 1st Member, Board of Revenue to enquire into the causes of Rampa rebellion and suggest remedies. He gave his report in 1879 (Judicial Department, 16th

January, 1880, Government of Madras ' in which he not only analysed the problem but also suggested for settlement of Muttas directly in Agency areas as most of these were usurped by the mansabdar resulting in conditions of unrest and loss of faith in the Government. He gave three causes for discontentment among hill people.

- i) The repeated acts of aggression and oppression on the part of Mansubdar dating from ^{the} time when, under official authority the agreement of 1847-48 was arranged between himself and the hill muttadars.
- ii) The administrative error in having brought the Rampa country under the operation of Abkari law and
- iii) The absence of proper supervision and control on the part of the European officers, in both the revenue and police departments.

He has further pointed out that the support given to Mansubdar ^{ta} at the time of his reinstatement in 1848 was not proper since success of such an experiment was doubted even at the time of agreement as the hill chiefs were persuaded by the officers of Government to agree to pay tribute to a man who they hated by an agreement that the hill chiefs and their populations will be protected by the mansubdar on payment of rent. Simply because " these tracts were wild and unproductive, it was thought that an intermediary Zamindar was necessary to maintain an ascendancy over the semicivilized tribes who inhabit these hill-ranges". Later on, the Agents were reporting not only on the incompetency of this Mansubdar but also about his mischiefs. But no action seems to have been taken by

Government. The observation made by Mr. Sullivan in this context is relevant even today because the positive intervention by Government at right time questioning the acts of omission by the Mansubdar (with reference to the agreement written before the hill chiefs and the British government representative) would have saved the situation. In the absence of such a watch by government, the Mansubdar with his astute advisers managed to usurp more and more Muttas. Tribals started protesting from 1858 on wards but the appointment of Mr. Sullivan was made only after twenty years. The Mansabdari tenure was "cancelled absolutely and for ever, not only for the Mansabdari of Rampa but also the Mokhasa tenure of the villages given to his forefathers" (Hemingway, 1907) in 1879.

Mr. Sullivan also explained how the muttadars and headmen who had previously stayed a-loof flocked into his camp when they came to know that Government had taken the decisive step of removing the mansubdar and expressed their willingness to be dealt by the Sircar directly. In his report he has also enumerated the other misdeeds of Mansubdar like the toddy tax and additional tax, the details of which were already discussed in this report.

Another important observation made by him pertains to Abkari (Toddy) Act which should not have been made applicable to Scheduled areas without examining the extent of its applicability to scheduled areas especially after Scheduled Districts Act of 1874 was brought into force. He has also explained how the plains merchants exploited the hillmen especially in the purchase of tamarind.



:48:

The extortions by police were also enquired into by him and he explained how a misalman (Musalman) head-constable by name Shike Tanny who extorted a bribe of Rs.60/- from tribals was beheaded by the rebels at the commencement of the rising. All these also speak that separation of these areas for special treatment remained only on paper.

As per Judicial Department 16th January 1880, No.109 Nineteen Muttas were settled and 27 villages were granted to Muttadars on favourable tenures. (Rent free tenures). Therefore in Rampachodavaram area, there came into existence Muttas, Mokhas and Estates after this settlement, the details of which will be explained little later. In spite of this action by the government, Six muttadars of Bogaluru, Nedluru, Yedukuru, Kakuru Kota and Chayala, who were identified as rebels by British government, did not attend the meeting meant for distribution of Sanads (appointment orders). Therefore, only 19 out of 26 muttas were settled. The Pamuleru mutta which was reported to be un-inhabited and infested with tigers was also not settled then.

The conditions of tenure of Muttas, Mokhas and Inam were different as follows:

The muttadar had to pay a fixed rent called 'Kattubadi' which included Chigurupannu (toddy tree tax) also. He was conferred with rights and privileges over the mutta and the villages falling in the mutta were also indicated in the same Sanad. He had no rights over forests in his mutta. The boundaries of the Mutta were also indicated in the Sanad. The Muttadari tenure was basically a service

tenure and the muttadar had to conduct himself "Loyally and peace fully affording every assistance to the Sircar in maintaining quiet and order by ^{giving} timely information of any disturbances or offence against the laws and apprehending and delivering up to the authorities the robbers, rebels and other bad characters." (Judicial department 16th January, 1880, No. 109, Page 47).

If any muttadar failed to implement these conditions, the mutta is liable to be resumed. The mutta can be inherited by children of Muttadar at the pleasure of Government. It can be allotted by government to any one else also if Muttadar does not obey the agreement. A Mutta cannot be transferred by the Muttadar and the mutta can be enjoyed only under the protection of the Sircar.

Mokhasas were granted by the British Government to the individuals who provided services and supplies to the British and loyalty shown to the government during the Rampa rebellion. They are not required to pay any Kattubadi (rent) but they have to acknowledge the authority of the Government by submitting one bow and three arrows every year. They have to do service to Government as and when required. They ^{can} enjoy the Mokhasas as long as they continue to be loyal and faithful servants of the Government failing which the Mokhasa will be resumed by government. Like the Mutta, the Mokhasa also is only heritable but not transferable.

Inam is only a grant or gift made by Government with or without condition of service. The Inams also included the gifts given to service castes like Barber, Washerman, village servants and also for tribal priests to conduct festivals.

The fact that these tenures were given by the Agents shows that they became important component of administration of scheduled areas.

While settlement was made with the muttadars and favourable (Rent free) settlement was made with those who helped the Government during Rampa disturbances, no settlement was made with Six muttadars who were proclaimed rebels and abstained from the meeting held to reach settlement. To them, Mr. Sullivan recommended for enhancement of Kattubadies by almost $1\frac{1}{2}$ times. He also felt that it will not be possible to come to a settlement with them until the leaders are "caught or hunted clean out of the country".

All the muttas, mokhasas, inams and the villages attached to them so far discussed fall in the present day East Godavari district. In the erstwhile Godavari district there were several other tribal villages, especially in Polavaram area. We could not get any material so far about these villages from old records as only mention was made about the association of the tribals with the Zamindars of Polavaram, Gutala and Kothapalli estates and smaller estates like Bayyanagudem, Jangam Reddygudem during disturbances. Since no settlement appears to have been reached like the one mentioned so far, it is assumed that the British Government might have thought that the problems in Polavaram hill areas are more due to inter-estate rivalries between Polavaram and Gutala than between Zamindars and tribals.

4. Disturbances in Vizagapat-am:

In 1886, several Konda Dora priests in Vizagapat-am District declared that hill Gods had directed a Fituri and they burnt and looted Police station at Gudem and burnt rest house at Gudem and Chintapalli. While they were proceeding towards Lammasingi, they were captured by police.

Again in 1891, the house of a police constable who had shot Thagi Veeraiah Dora, was looted and at K.D.Peta, five Constables were killed besides carrying away all the arms and ammunition from police station. They also set fire to the building before leaving the place.

5. Permanent Godavari Agency:

In view of the disturbances, the Guditheru and Dutsharthi Muttas of Vizagapat-am District were transferred to Godavari district. Thus by 1909, permanent agency tracts of Godavari consisted of the whole of old mansubs (Estates) of Rampa and Jaddangi, the more hilly parts of old Peddapuram and Polavaram Samindaries, Dutsharti and Guditeru Muttas of Golugonda Agency transferred from Vizagapat-am District, Bhadrachalam, Rekapalli Taluks transferred from Central provinces in 1882 and Malguzari villages of Nugur, Albaka and Cherla Taluk of Central provinces transferred to Godavari district in 1909 (Under GOI Act, 1909). The next important event in the Agency Administration is the enactment of Agency Tracts Interest and Land Transfer Act, 1917. (Act-I of 1917).



6. Agency Tracts Interest and Land Transfer Act 1917 (Act.I of 1917).

By the time this Act was promulgated, a change in the attitude of British Government towards Agency tracts can be seen clearly. While the mood of British government at the time of Promulgation of Ganjam and Vizagapatnam Act, 1939 was only to exclude the areas for purposes of law and order, the Scheduled districts Act, 1874 has an element of protection to the scheduled areas. In the Act-I of 1917, the anxiety of the Government to protect the economic interests of tribals and also on land is more pronounced because of increasing exploitation. Therefore, in the very beginning of the Act, mention was made about ^{the} expediency to limit rate of interest and to check transfer of land in Agency tracts of Ganjam, Vizagapatnam and Godavari districts from tribals to others. The main features of the Act are as follows:

1. The agency tracts for the purpose of implementation of this Act means Scheduled Districts as defined in Acts XIV and XV of 1874 (Act XIV refers to limitations Act while Act XV refers to the Scheduled districts Act of 1874).
2. The Agent means Agent to Governor in the districts of Ganjam and Vizagapatnam and Government Agent in the district of Godavari.
3. The Hill tribe is defined under section 2 (c) as anybody or class of persons resident in agency tracts that may from time to time notified as such for purpose of the Act by the Government in Council. The immovable property does not include standing timber, growing crops or grass. The 'transfer' was defined as mortgage with

or without possession, lease, sale, gift, exchange or any other dealing with property not being a testamentary dispossession and includes a change or any contract relating to immovable property.

In case of interest on debt, it was prescribed that a maximum of 24% per annum is to be charged. No compound interest or any collateral advantage be allowed as against him. The total interest allowed shall not exceed the principal amount.

Any transfer of immovable property situated within the agency tracts by a member of hill tribe shall be absolutely null and void unless made in favour of another member of hill tribe or with the previous consent in writing of the Agent or of any other prescribed officer.

Every suit against a member of hill tribe instituted after the commencement of the Act shall be instituted only in the Courts of the Agency tracts.

7. Settlement with Muttadars in Golugonda area, 1918:

The continued disturbances in Golugonda area has compelled the British government to settle the Muttas directly. In Golugonda and Madugole areas, Sanads were issued in the year 1918. i.e thirty nine years after settlement of Muttas in Rampa areas.

Altogether nine Muttas of Golugonda and seventeen muttas of Modugole estate were settled and Sanads were distributed by the Agent to Governor, Mr.H.A.B. Vemon at Korukonda village in Golugonda Agency; on Saturday, 23rd November, 1918. These Muttas are called government Muttas. While speaking on the occasion the Agent first informed that the King Emperor and his allies have achieved a complete and overwhelming victory in the First World War and therefore, the people of the country should be thankful as the war came to an end.

In this Durbar, two types of Sanads were issued. In case of Government muttas of Golugonda area, only one Sanad was issued and in case of Muttas of Modugole estate which was under court of wards two Sanads were issued, one was granted by the Government and the other by the Agent as Agent to the Court of Wards on behalf of Madugole estate.

As per the conditions laid down in the Sanads appointing muttadars, high priority was given for the preservation of forests. Podu cultivation and forest fires were identified as two important threats to the forest. This ^{when} compared to Sanads of Rampa area show that the British government became more conscious about forest wealth.

The Muttadars were requested to encourage permanent cultivation by the tribals. The Agent also emphasised that the Muttadar should encourage migration of ryots from plains to settle in their muttas to take up permanent cultivation. This perhaps started a regular stream of migrants from plains areas to tribal areas. A ghat road was proposed to be built up to Lammasingi and later on up to Malkangiri and the shandy at Kondasantha was proposed to be moved to Lammasingi. The Agent felt that the influx of carts and plains men, by opening up of these area, will help the tribals to get better price for their produce which is a wrong policy as traders always deceived tribals.

The muttadars were told that the muttadar will hold the office of mutta only during the pleasure of Government. The mutta cannot be alienated by mortgage, sale, gift or otherwise.

The muttadar was empowered to punish any of the munsifs (also called as pettandar who collects rents from ryots and remits to Muttadar within the limits of the Mutta) if they do not carry orders of Muttadar or of Agent to Government or Assistant Agents.

The Office of mutta is liable to be suspended or removed or the muttadar is punished or warned if the agent to Governor feels that the muttadar is not conducting himself properly. Thus, during the Durbar, the muttadar of Ginnlakota was warned because he was deliberately allowing podu cultivation. The muttadar of Gaditeru, Pandupadal, was suspended for one year and this was endorsed in the Sanad issued to him. Similarly, the muttadar of Sujanakota mutta, Mattam Potanna Padal, was suspended for one year for similar reasons. Whereas the muttadar of Rudakota was warned, the muttadar of Sukuru was fined for similar reasons. Similar warnings and punishments were given to muttadars of Gangaraju Madugole, Vanapilli and padavalasa.

While the above settlement covered only the Western part of present day Visakhapatnam district, the other part of Visakhapatnam tribal areas were under different non-tribal estates and their village officers were collecting the rents and maintaining the accounts. In Paderu area, there were 17 such mutta villages, while in Srungavarapu Kota area, there were 9 such muttas.

8. Wholly excluded areas and areas of modified exclusion:

By Government of India Act. 1919, the areas were removed from purview of Legislatures but limits of exclusion deferred in their extent and degree. Thus arose two categories namely "Wholly excluded areas" and "Areas of modified exclusion" (Dheber Commission 1962:37). The Godavari and Visakhapatnam Agency areas were declared as Backward tracts and were included in the constituencies returning members to the provincial Legislature and also nominated members to represent the tribes.

In the year 1920, all the Agencies were kept under one Agency Commissioner. The object of placing all the Agencies under One officer was to speed up the pace of development of resources of the rich tract and also to improve the conditions of the hillmen. But in 1923, this post was abolished as a measure of retrenchment (Aiyapan A.1948:8). All these once again show only the various alternatives tried by British government to administer these areas but with little success.

By this time, the Indian independence movement has also percolated into the tribal areas of Visakhapatnam and adjoining Godavari districts and also to other tribal areas in Andhra area.

9. Impact of Indian Independence movement in Tribal areas:

In the British administered Palnadu area in Guntur district, the Chenchu and shepherd castes sent their cattle into reserve forest without paying grazing fee and proclaimed 'Swaraj'. This resulted in violence in 1922 at Veldurti and other places when three persons were killed in police firing. Congress leaders like Konda Venkatappaiah took the lead in this movement. Between 1922 and 24, the tribals of Rampa country and adjoining Chintapalli areas in East Godavari and Visakhapatnam districts respectively rose against British under the leadership of Alluri Sitaramaraju. Eventually Raju was captured in an accidental encounter on May 6th, 1924 and was promptly reported shot while attempting to run away" (Sumit Sarkar: 1980:14). While the Book 'Ryot Revolt in Manyam' published in 1922 by Ativada Grandha Mandali at Guntur described the rebellion as " a class War", attempts were made by Congress party to treat this movement as part of Indian

independence movement. This was done inspite of the fact that many leaders of National Congress did not agree with the violent methods adopted by Raju to achieve the goal. It was at this time the Agency Act of 1922 was promulgated which empowered the Agent to detain any person without any judicial proceedings (Mangamma, J. 1983.iii)

In the year 1921, Agency District Board covering agency areas in Visakhapatnam and East Godavari district with headquarters at Waltair (Visakhapatnam) was constituted. It had four taluka boards namely i) Oriya Agency Taluka Board at Koraput, ii) Chattr Agency Taluka Board at Narsipatnam iii) Savara Agency taluka board at Parvathipuram and iv) Rampa Agency Taluk Board at Rampachodavaram. This agency district Board was constituted to ensure local self-government. But no significant activity of this Board was reported in any of the records available to us. This Board was abolished in 1936. As such, it is to be concluded that the law and order approach is more prominent in British administration of Scheduled areas.

10. Government of India Act, 1935

On the recommendations of Simon Commission, Government decided to declare the "Backward Tracts" as Excluded and partially excluded areas. These recommendations of Government are embodied in the Sections 91 and 92 Government of India Act, 1935. These two sections provide for declaration, by an order in Council, of "Excluded areas" and "partially excluded areas".

Under section 91, His Majesty may by an order in council, declare certain areas to be Excluded areas and partially excluded areas. For this purpose His Majesty at any time, by order in Council:

- a) Direct that the whole or any specified part of an excluded area shall become or become part of a partially excluded areas,
- b) Direct that the whole or any specified part of a partially excluded area shall cease to be partially excluded area or a part of such an area,
- c) Alter but only by way of rectification of boundaries any excluded or partially excluded area,
- d) On any alternation of the boundaries of a province or the creation of a new province, declare any territory not previously included in any province to be, or to form part of an excluded area or a partially excluded area.

Moreover, no Act of the Federal Legislature and provincial Legislature is applicable to the excluded and partially excluded areas unless the Governor by public notification so directs. This has a very good impact on general Acts as each Act or regulation was examined before extending to the Scheduled areas. The following are some of the Acts/Regulations so amended.

- 1) The Madras (Andhra Scheduled Areas) village Codes Regulation, 1940
---extended with certain modifications to Scheduled areas.
- 2) The Madras Court of Wards Regulation, 1940.
- 3) The Madras Coinage Regulations, 1940.
- 4) The Madras Salt Regulation, 1942.
- 5) The Madras Post offices Regulation, 1942.
- 6) The Madras Estates Land Regulation, 1943.



While these two were the positive points, there is another important aspect to be said about the Government of India Act 1935. The Dhebar Commission (1962:61) has pointed out that the first occasion for evolving criteria for declaring any territory as a Scheduled area had come when Government of India formed the excluded and partially excluded areas under Government of India Act, 1935. But on that occasion, Secretary of State for India, dealt with political necessity for limiting the number of wholly excluded areas rather than with the criteria on which they should be constituted. This only shows that the priorities of British government mainly centred round law and order.

Government of India (Excluded and partially Excluded areas) Order 1935, repealed Scheduled districts Act, 1874.

Section 92 provides for administration of excluded areas and partially excluded areas. The important features of these sections are as follows:

i) The executive authority of a province extends to excluded and partially excluded areas therein but not with-standing any thing in this Act, No act of the Federal Legislature or of the provincial Legislature shall apply to an excluded area or a partially excluded area unless the Governor, by public Notification, so directs and the Governor, in giving such a direction with respect to any Act may direct that the Act shall in its application to the area or to any specified part thereof have effect, subject to such exceptions or modifications as he thinks fit.

ii) The Governor may make regulation for the peace and good Government of any area in a province which is for the time being an excluded area or partially excluded area and any Regulations so made may repeal or amend any Act of the Federal Legislature or of the provincial Legislature or any existing Indian law, which is for the time being applicable to the area in question. and

iii) The Governor will be ⁱⁿ⁻ respect of any area in the province which is for the time being an excluded area, exercise his functions in his discretion.

The Government of India Act, 1935 thus assumes a very important status as far as Scheduled areas are concerned as the Excluded and partially excluded areas declared under the provisions of this Act which became more or less the Fifth and Sixth Scheduled Areas after the Constitution of India came into existence.

KONDA REDDY

C O N T E N T S

		<u>PAGE</u>
CHAPTER - I	Orientation	1
CHAPTER - II	Resume of Development in the past.	51
CHAPTER - III	Strategy for Development	77
CHAPTER - IV	Programmes:	
	Agriculture	97
	Forestry	134
	Animal Husbandry	161
	Fisheries	179
	Industries	183
	Credit and Marketing	209
	Education	213
	Communicatio s	238
	Medical And Health Programmes	249
	Protective Regulation	265
CHAPTER - V	Administration	274
CHAPTER - VI	Plan in outline	283

Annexures

- : -

20

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**INTEGRATED DEVELOPMENT PLAN
FOR
KONDA REDDIS OF ANDHRA PRADESH**



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HYDERABAD
1978**

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SCHEDULED AREAS AFTER INDEPENDENCEi. CONSTITUTION OF INDIA

After the country attained independence, the approach towards tribals and tribal areas changed. A new deal for tribal India as enunciated in Pancha Sheel (five principles) of first Prime Minister, Late Nehru provided the broad guidelines. The constitution of India laid special responsibility on State to protect and promote the interests of weaker sections, especially scheduled tribes. The details are as follows:

- i) Under Article 46 of the Constitution of India, promotion of educational and economic ^{ie.} interests of Scheduled tribes and protecting them from social injustices and all forms of exploitation was made the responsibility of the State.
- ii) As per Article 244 the provisions of "Fifth Schedule" shall apply to the administration and control of the Scheduled areas and Scheduled Tribes in any state.
- iii) Article 275 of the constitution provides for financial assistance to the States for upgradation of administration in scheduled areas. There are also other articles providing for reservation of seats for Scheduled Tribes in the house of people and State Legislatures and in Services.
- iv) Article 339 of the constitution provides that "The President may at any time and shall at the expiration of ten years from the commencement of the constitution, by order, appoint a commission to report on administration of Scheduled areas and the Welfare of Scheduled tribes in the States." Accordingly Scheduled areas and Scheduled Tribes Commission, popularly known as Dhebar Commission was appointed in 1960.

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The report of the Commission was published by Government of India in 1962. Besides, the observation of this Commission regarding Criteria for Scheduled Areas with reference to Government of India Act, 1935 already explained earlier, the Commission (1962:61) has also pointed out that the Sub-Committee of the constituent assembly which considered the future administration of excluded and partially excluded areas did not attempt to evolve any criteria or principles. On the other hand their recommendations were only based on the personal observations in the field and sympathy for tribals. The factors that weighed most with the committee seems to be

- i) Preponderance of tribal population.
- ii) Stage of advancement and degree of assimilation and
- iii) to slightly lesser extent the susceptibility of these areas to special administration treatment.

In exercise of powers conferred by Sub para (1) of the para 6 of the Fifth Schedule to the Constitution of India, President of India made the Scheduled areas (Part A states) Order 1950 declaring East Godavari, West Godavari and Visakhapatnam Agencies in the then Madras State.

Even-though the constitution empowers the president to declare any area as a Scheduled area, no new areas were added to the Scheduled areas in the State. But some parts of the Scheduled areas in the state was deleted by Madras cessar Order, 1951.

The Scheduled Areas in Andhra Pradesh are now spread over the Nine Districts as follows:

Sl. No.	District	Extent of Scheduled areas(sq.Miles)
1.	Srikakulam	509.00
2.	Vizianagaran	
3.	Visakhapatnam	2606.00
4.	East Godavari	2592.85
5.	West Godavari	583.03
6.	Khammam	2596.69
7.	Warangal	383.11
8.	Adilabad	1771.23
9.	Mahabootnagar	552.98
Total		11594.89

Source: Scheduled Tribes in A.P. TCRMTI,
Government of Andhra Pradesh, Hyderabad-1963.

Considering the views of various State Governments and also keeping in view the two important objectives of Fifth Schedule of the constitution namely i) to ensure protection to the Scheduled tribes and ii) to raise the level of administration in Scheduled areas, the following criteria were suggested by the Dhebar Commission;

- i) Preponderance of tribals in the population.
- ii) Compact and reasonable size.
- iii) Under-developed nature of the area, and
- iv) Marked disparity in economic standards of the people.

It is necessary now, to examine the provisions of the Fifth Schedule of the Constitution of India.

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2. Fifth Schedule of the Constitution:

The Scheduled areas of Andhra Pradesh were included in the Fifth Schedule and therefore, the administration of Scheduled areas in Andhra Pradesh come under the purview of the Fifth Schedule. The main features of Fifth Schedule are as follows:

The Governor of each state having Scheduled areas there in shall annually or whenever so required by the President of India make a report to the President regarding the administration of Scheduled areas in that state and the executive power of the Union shall extend to the giving of directions to the state as to the administration of the said areas. In this context the observations of the working group on Development and Welfare of Scheduled Tribes during Eighth Plan period (Government of India, 1989-90), on Governor's Report is to be mentioned. It says that the trend in almost all the states seems to be that these reports are submitted late and are only a catalogue of achievements of the State governments in tribal development. Moreover, no attempt was made to analyse qualitatively and critically the problems of administration of Scheduled areas in these reports.

Analysing the problem of issue of an executive order by Government of Andhra Pradesh (G.O.Ms.129) that lands in Scheduled areas in possession of non-tribals (5 acres of wet or 10 acres of dry) will not be restored to the tribals, the working Group pointed out that Union government may consider issuing directive under Article 339 (2) of the Constitution to solvage the situation and to protect the interest of tribals in land. It is a very peculiar situation wherein an order struck down by the High Court was not formally withdrawn by a State Government and the Working Group of Government of India had to suggest to Government of India to issue a directive under the provisions of the constitution.

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ii) The Fifth Schedule also provides for constitution of a Tribes Advisory Council in each state having Scheduled areas and also in any State having Scheduled Tribes but not Scheduled areas. The Council consists of not more than 20 members, three fourths of whom shall be the representatives of Scheduled Tribes in the legislative assembly of the State.

It shall be the duty of the Tribes Advisory Council to advise on such matters pertaining to the Welfare and advancement of Scheduled Tribes in the State as may be referred to them by the Governor. But in practice, it is only the Executive wing of Government which finalises the agenda and notes for the meetings.

iii) Notwithstanding any thing contained in the constitution, the Governor may by public notification direct that any particular Act of Parliament or of Legislature of the State shall not apply to a Scheduled area or any part thereof in the State or shall apply to a Scheduled area or any part thereof in the state, subject to such exceptions and modifications as he may specify in the notification and any direction given under this sub-paragraph may be given so as to have retrospective effect.

The provisions under this para need to be compared with similar provisions under 1935 Act. As per this para, the initiative lies with the Governor to examine whether to apply or not certain Acts or ^{is} Regulations to Scheduled areas. If it/not specified by a notification by Governor all the general Acts and Regulations are automatically applicable to the Scheduled Areas also. It is only when some confusion arises and this is brought to the notice of the Governor by the Government, the Governor can act to rectify the defect. By this time, irreparable damage would have occurred.

Compared to this situation, the 1935 Act has more favourable and stringent provisions by which unless specified as per provisions of section (3) of Government of India Act 1935 no general Act or Regulation is applicable to Scheduled Areas, which means that while the 1935 Act does not provide for automatic application of general Acts or Regulation to Scheduled areas, the fifth schedule provides for automatic application of general Acts and regulations to scheduled areas unless a direction is given by the Governor defining the applicability of that particular Act. to the Scheduled areas. Therefore, the initiative and hold provided in favour of Scheduled Areas in the Government of India Act. 1935 is lost in the fifth schedule as the policy reverted to pre 1935 stage. This made all the deference.

iv) The Governor may make Regulations for peace and Good government of any area in a state which is for the time being a scheduled area

a) in particular, to prohibit or restrict the transfer of land by or among the members of scheduled tribes in such area, b) to regulate allotment of land to members of Scheduled Tribes in such areas and c) to regulate carrying on business as money lenders by persons who lend money to members of the scheduled tribes in such area.

The Andhra Pradesh Scheduled Areas Land Transfer Regulation 1959, came into existence and it was amended from time to time, mainly to protect the interest of such Scheduled Tribes. Regulations were also made to protect the interests of Scheduled Tribes living in scheduled areas in matters related to money-lending and debt relief.



3. Andhra Pradesh (Scheduled Areas) Land Transfer Regulation, 1959.

The Andhra Pradesh (Scheduled areas) Land Transfer Regulation, 1959 repealed the Regulation-I of 1917 to provide for comprehensive protection to tribal from exploitation by non-tribals in matters relating to land. This Regulation came into existence in the Scheduled areas of Srikakulam, Visakhapatnam, East and West Godavari districts on its promulgation and was extended to Scheduled areas of Mahabubnagar, Adilabad Warangal and Khammam districts by Regulation-II of 1963 to bring uniformity in ^{law} throughout the scheduled areas of the state of Andhra Pradesh.

The important features of the Regulation are:

- i) transfer of land in Scheduled areas by members of Scheduled tribe to any body other than member of a scheduled tribe is treated as null and void.
- ii) if any land is transferred in Scheduled areas in the name of a member not belonging to Scheduled tribes, the ^{agent} or agency divisional officer on application by any interest/_{ed} person could restore the property to ^{the} transferer or his heir.
- iii) the land owned by a scheduled tribe in scheduled area cannot be attached and sold in execution of money decree.

On an analysis of the implementation of this Act by Government of Andhra Pradesh it was found that "the safeguards contemplated in regulation are frequently violated and land transfers are taking place from tribal to non-tribal" (Government of Andhra Pradesh : not dated: 22) . The alienation of land due to mortgage, lease or benami transactions are not covered by this Regulation. Most of the transfers falling in this category continued to occur leading to transfer of ownership at a later date.

The Regulation-I of 1970 was passed to amend Regulation-I of 1959 to plug loop holes in the later Regulation. The amending regulation has two important features namely.

i) The transfer of immovable property situated in agency tracts by a person whether or not such person is a member of the Scheduled tribe is prohibited and declared as null and void.

ii) A statutory presumption was drawn that until contrary is provided any immovable property situated in scheduled areas and in possession of person who is not a member of scheduled tribe shall be presumed to have been acquired by such a person or his predecessor-in-possession through a transfer made to him by a member of a scheduled tribe. This amending regulation was upheld by high court in 1971 when its validity was questioned by interested non-tribal parties but the court also held that the amending regulation has only a prospective effect.

The Regulation-I of 1971 was passed to allow mortgage, without possession, immovable property to cooperative societies to avoid economic hardships for tribals. Further, it also prohibited lawyers from representing the non-tribals except with the permission of the Agent.

Special staff was also created to implement the provisions of protective regulation in scheduled areas. The Special Deputy Collectors appointed for this purpose were empowered to take up cases suo-motto as the tribal may not bring to the notice of officials about loss of land due to ignorance of law, poverty, fear of attacks by land-lords, money lenders or even on moral grounds. The court of Special Deputy Collector is a mobile court and it can be held in the villages or at any place convenient to tribals.

The Regulation was amended in 1978 to treat the transfer of land in Scheduled areas in contravention of the Regulation as cognizable offence.

In spite of the Regulations, amendments and special staff, the land held by non-tribals in scheduled areas of Andhra Pradesh worked out to 7,53,435.66 Acres, which is 48.29% to the total cultivable area (Source: Tribal Cultural Research and Training Institute, Hyderabad, Andhra Pradesh). Of this, about 2.55 lakh acres is attracted by provisions of L.T.R. (Source : Progress reports from Special Deputy Collectors by Director of Tribal Welfare for the month of June, 1990).

Regulations were also made in 1960 and amended in 1970, to control money-lending by licenced money-lenders in scheduled areas. But this had no impact as there are no licenced money-lenders in scheduled areas and money-lending activity is informal in tribal areas as part of socio-economic system which can not be contained by law. Only awareness on the part of tribals, substitution of private money-lending by institutional finance and economic development can contain evils of private money-lending in tribal areas.

Similarly the Debt Relief Regulation, 1960 as amended in 1970 also did not have desired effect for similar reasons. These two Regulations remained on paper only. Detailed analysis of origin of protective Regulations and various problems faced in their implementation including case law amendments brought from time to time are being discussed in the study by Shri D.R.Raju, Deputy Director, Tribal Cultural Research and Training Institute, Hyderabad which ^{is} under finalization.

4. Abolition of Muttadari System 1969 and Problems thereof:

After the country attained independence, the Estates were abolished in 1948 by Madras Estates (Abolition and conversion into Ryotwari) Act, 1948. The Estate tenure in agency area was abolished through

Regulation-IV of 1951 (Madras Scheduled areas estates abolition and conversion into Ryotwari Regulation, 1951). It extended to whole of Scheduled areas in the state of Madras specified in the schedule of the Regulation. It was deemed to have come into force on 25th January, 1950. In the schedule to the Regulation, the East Godavari, West Godavari, Visakhapatnam and Srikakulam Agencies were included, but it was mentioned that Nugur taluk in East Godavari district certain Muttas, Mokhasas and submuttas in East Godavari district mentioned in the Schedule are not covered by this Regulation. That is how 30 Muttas and Mokhasas in Rampachodavaram taluk and 13 Muttas, Mokhasas and sub-muttas in Yellavaram taluk continued to exist after 1951 also.

¶ In course of time several complaints were received against Muttadars that,

- i) the best cultivable land was cornered by them.
- ii) they were collecting Rs.5 to 50 as 'Katnams' (Presentations) during marriages.
- iii) they were extracting free labour and
- iv) they were leasing out lands to plains people which was not permitted as per Sanad as the Muttadar has only service tenure over the Mutta. However, Aiyappan Committee which was appointed to enquire into the socio-economic conditions of the aboriginal tribes of provinces of Madras have said that the "Muttadar is not such a sinner. He is by no means a nit Zamindar, only socially he enjoys some prestige" (1948:26) . But the Malayappan Committee differentiated the Muttadars into Autocrats and others who are liberal and have sympathetic outlook (Government of Madras, 1951). Where the Muttadars were not liberal, two forms of labour called 'Gotti' and 'Vetti' were reported to be in vogue. In 'Gotti' labour a tribal has to work under the creditor as Agricultural labourer (Paleru)

in lieu of the loan taken or compulsorily for meagre annual payments while 'Vetti' is free and compulsory labour to be submitted at the rate of one person: from each hut. Both are classified as Bonded labour under the Bonded Labour System Abolition Act.1976.

There have been criticism about the Muttadari system especially after the popular government abolished the Zamindaries in plains. The Muttadari was equated to plains Zamindaries. In the year 1969, both the Muttas and Mahals (of Bhadrachalam area) were abolished and agency settlement was taken up. The details are as follows:

i) A.P.Muttas (Abolition and Conversion into Ryotwari Regulation 1969) Regulation-II of 1969:

This Regulation came into force on 26.-12-70 and it applies to all Muttas in the taluks of Chintapalli in Visakhapatnam district and Yellavaram and Rampachodavaram taluks in East Godavari district.

A Mutta was defined as a village or group of villages held by Muttadar, basing on the Sanads granted to him subject to payment of fixed amount as land revenue to Government called 'Kattubadi'

ii) A.P.Mahals (Abolition and conversion into Ryotiwari) Regulation, 1969) Regulation-I of 1969

This Regulation came into force on 26-12-1970. It applied to the Mahals of Nugur, Albaka and Cherla taluks and area comprised in each of the villages of Subbannapeta, Dondipeta and Sarangapani.

The term 'Malguzari' was also used for Mahal.

iii) The A.P.Scheduled Areas Ryotwari Settlement Regulation, 1970 (Regulation-II of 1970).

The Regulation, was issued to facilitate conducting of survey and settlement operations in the areas covered by Regulation-I and II of 1969. The following benefits were expected (Govt.of A.P. 1975:2) of the survey and settlement.

- i) the extent of holding of each tribal ryot and their correct location will be known.

- ii) individual lands will be assessed to reasonably appropriate rates of assessment,
- iii) Ryotwari pattas will be issued to each individual tribal ryot for the lands declared to have been held by him and security of possession of lands get ensured.
- iv) the grant of ryotwari pattas will enable the tribal ryot to secure loans and other facilities by hypothecating their lands and
- v) the tribal ryots will get induced to stick to settled cultivation and improve their living conditions.

Under section (7) (a) of the Andhra Pradesh (Scheduled areas) Ryotwari Settlement Regulation, a ryot in scheduled area is entitled to a ryotwari patta if such a person had been in possession or in occupation of the land for a continuous period of not less than eight years immediately before the commencement of this Regulation unless such a possession is void or illegal under the Andhra Pradesh (Scheduled Areas) Land Transfer Regulation, 1959 or any other law for the time being in force.

However, the Mokhasas are not covered for abolition by both the Regulation 1 and 2 of 1969. The strange situation has arisen where the Mokhasas given by British for helping their military during Rampa disturbances were allowed to continue while Muttas were abolished. The Mokhasas were abolished in 1989 but they are yet to be resumed by government even by March 1991 as some administrative formalities like appointment of officers are not completed.

Much water has flown in Godavari and its tributaries in these tribal areas from 1970 to 1990. Several problems arose after survey and settlement started in Mahals, Muttas, Mokhasas and Estates. These will form subject for another study proposed to be taken up Tribal Cultural Research and Training Institute, Hyderabad.

SUMMARY AND ANALYSIS

The 18th and 19th century history of tribal areas of Andhra area was full of resistance movements against British government's interference and exploitation through intermediary Zamindars. There was a general impression that the tribal areas of South India are peaceful in this period and there were no movements in these areas. This impression gained acceptance because there were very few studies on this subject. Arnold (1982) and Venkatarangaih (1965) did however, describe some events but these were no comprehensive studies. Moreover, the applied anthropological angle of the subject was not studied. Why did the tribals resist at all? what are the measures taken by British to pacify such movements and whether British was successful in their effort? Besides getting answers to these questions, the study also aims at building up record of academic and administrative value. The administrative wisdom that can be gained by us from out of the failures of British is another important aspect to be noted from this study.

In Andhra areas, the scheduled areas have been existing ever since the Scheduled Districts Act 1874 was passed by British, even though the policy of separating certain areas, most of which are tribal areas, from general administration started in 1839 with the promulgation of Ganjam and Vizagapatnam Act, 1839. These areas are separately administered mainly from the law and order point of view. Therefore, the very origin of the Scheduled Areas lies in law and order aspect of administration. When the law and order improved in some of these notified areas, they were deleted from the list leaving mostly the areas predominantly inhabited by tribals in the list of Scheduled areas.



As the scheduled areas were being administered by the British, they also noted the simple nature of tribals and the way in which the tribals are being cheated by non-tribal migrants from plains. The 1917 Act intends to protect the interests of tribals on land and in matters related to money lending in tribal areas. The Scheduled areas were also called Agency areas and Agency Tracts as these areas were administered by the district Collector concerned as Agent to state government. These Agency tracts became Scheduled Areas after constitution of India came into existence. From then, the concept of administration has changed completely. The accent is on protecting and promoting the interests of Scheduled Tribes living in Scheduled areas. Various Regulations were made from 1959 onwards to protect the interests of the tribals living in those areas. By this time, the non-tribal migrants started acquiring interests in land and trade in these areas.

The development programmes like roads, Schools, hospitals safe drinking water, malaria eradication etc. started by government later are aimed at improving the living conditions in tribal areas. These were better utilized by the non-tribal migrants whose awareness levels are more than the tribal inhabitants of the area. These facilities made their visits more frequent and stay more comfortable compared to earlier decades when they were affected by Malaria, water borne diseases and a few of them even died due to lack of medical attention. Therefore, the migration of outsiders increased over the years. Their acquiring of interests in land, even-though against the laws existing by then, was facilitated with the connivance of the administrative machinery which went into these areas as part of improving the administration in Scheduled Area.

The vested interests of the migrant non-tribal population reached such a greedy stage when they started questioning the very concept of protective legislation. Some of them went to courts of law challenging treatment of certain villages as scheduled villages for purposes of implementation of protective Regulations. The Agents to state government who are to administer these areas did not have complete record at one place showing the origin and dispersal of the scheduled areas. The present study is expected to help them to a great extent as the record available at various offices on this subject was compiled which included the authentic list of scheduled villages published by government of Madras.

Since a detailed discussion on problems in collection ^{of} data was given in the Chapter-I, it is suffice here to say that some more record on the subject is available in various offices, which was not available due to reasons already explained. As such this study is expected to provide the necessary lead to the administrators to probe further into the problem. Having explained purposes of the study, it is now necessary to summarise and analyse the study results.

The coastal Andhra became part of various kingdoms but no record was available to show the status of the tribal areas. But the Gajapathi kings of Orissa were perhaps the first rulers who held sway over the tribal areas of Vizagapatnam and Ganjam districts. The Rajahs appointed their own men as smaller Rajahs in tribal areas to collect rents and also to check the tribals from plundering plains villages. The smaller Rajahs in turn appointed Muttadars for groups of villages. These Rajahs were called as Zamindars (meaning owners of land) by the Musalman rulers. Similar system existed in tribal areas of Godavary ruled by Rajahs of Bhadrachalam, Polavaram, Gutala etc. These Rajahs also called themselves as 'Dev' meaning god. These Rajahs were receiving ceremonial payments

during festivals and they were also reciprocating. The tribal tradition was incorporated by great tradition. Some of the important aspects of great tradition, therefore, found its origin from tribal tradition. The important tribal group of the area 'Khond' even, called themselves as Samantha (meaning subordinate king) in the process of sanskritization. This close relationship between the tribals and Hindu rulers was exploited for the latter's advantage, especially after the advent of British.

When the British interfered with the affairs of Polavaram and Gutalā estates in 1785 and 1799, the Zamindars took the help of Koya tribals to attack the British troupes. Similarly during Gumsur War in 1836 in Parlakhimidi, the Khond tribals protected the Rajah of Ghumsur belonging to Bhanja family. Later on, the tribals of Visakhapatnam district in Golugonda area fought for three years (1845-48) to protect the Zamindari from British usurpation. They even withold payments of rents, barricaded the hills from all corners and finally made the British accept Chinna Bhupati as the representative of ancient Zamindar of Golugonda. In case of family problem of Korukonda Subba Reddy, headman of Koruturu also, the Koya tribals helped the Zamindar in taking revenge over his rival. The British forces sent to maintain law and order had lot of problems in forests as the tribals who knew the routes in forests waged a guerilla type war. Therefore, whenever the British tried to interfere with the non-tribal Zamindars in tribal areas, the tribal came to the help of Zamindars. In order to tackle the law and order problem in these areas, they were separated from main administration and kept under direct administration of Collector of the district as Agent to State Government.

The non-tribal Zamindars were not so reciprocative. For example, the Rajah of Jeypore caught and handed over to British the Savaras of Puttasingi village in Parlakhimidi area who killed police when the police improperly arrested their hill chief called Gomango. It is not that they should protect the culprits. But the selfishness of these Zamindars is clearly seen when this incidence is compared to the earlier incidents. When they wanted to settle their scores with British or other Zamindars, they instigated the tribals to commit similar offences. But they themselves helped British to trace the culprits when it was a direct confrontation between British police and tribal chief. The Jeypore Rajah was reported to have received gifts from British for helping them in the Savara case.

When it came to the Rampa case, the British initially wooed the Mansabdar of Rampa by handing over the villages plundered by him as Mokhasas (Rent free tenures) for their administration. The British later on used these Zamindars to collect the revenues, thus giving scope for exploitation of tribals by the Zamindars. Thus handing over of scheduled areas to District Collector for district administration remained only on paper. The Mansabdar of Rampa continued to usurp Mutta after Mutta. It was only when the tribals resisted this exploitation by violent methods, and it was only when the tribals found fault with British for acts of Mansabdar of Rampa, the British reacted positively. At this stage two important observations of Mr. Sullivan who enquired into the disturbances have to be noted. The first one pertains to the plunderer. Second one pertains to the wisdom of forcing an agreement on tribal Chiefs, against their

will, with the Mansabdar that the later will protect the tribal chiefs and the tribal areas on payment of rents. In fact, he annexed the Muttas on some pretext or other. Third aspect is the automatic application of Abkari Act to scheduled areas without examining its implications in scheduled areas especially after the promulgation of Scheduled District Act 1874. The fact that the Mansabdar levied extra tax over the tree tax levied by British shows that he was defacto administrator of scheduled areas, the dejure being district Collector.

Mr.Sullivan also mentioned that the government has not taken any action on the reports of Agents against the Mansabdar. No action was also initiated against Munsabdar by government for nearly twenty years eventhough tribals have been protesting all these years against misdeeds of Mansabdar. Mr.Sullivan's report also throws blame on British officers, police and excise officials who cooperated with the Mansabdar in exploiting the tribal chiefs. This only shows the ineffectiveness of Agents in administration of scheduled areas.

On the recommendations of Mr.Sullivan, the Mansabdari tenure and Mokhasas were "Cancelled absolutely and for ever". The British entered into direct settlement with Muttadars and from then, the Muttadari system became part of administration of scheduled areas.

The settlement with Muttadars was after the Rampa Rebellion was done in 1830. While the Muttadars had to pay fixed rent called 'Kattubadi' which included tree tax the persons who co.operated with British by providing services to military sent to suppress the resistance movement were conferred with Mokhasas which are rent free favourable tenures. The settlement with Muttadars was also made by



issuing Sanad(appointment order) which included several conditions of service. Therefore, the Mutta was held by them on service tenure. The Muttadari system became important component of administration of scheduled area. The Muttadar had to conduct himself "Loyally and Peacefully" and he should assist the government to maintain law and order. The Mutta is inalienable but can be enjoyed and inherited at the pleasure of government only. If the Muttadar failed to implement these conditions, the Mutta is liable to be resumed. All this shows that the ^{Muttadar} has to render so many services with limited income from the Mutta. Moreover, the Muttadars have to take care of visiting officers by providing them food etc., besides protection. Therefore, the Muttadars have resorted to collection of 'Katnams' (presentations) covering fertile land and even extracted free labour called 'Bethi'. The undue demands of British Government from poor tribals and backward tribal area has resulted in this sort of corrupt practises on the part of Muttadars who otherwise were very simple and as poor as any other tribals. They are in no way comparable to non-tribal Zamindars in hills or plains.

The British records did not adequately appreciate the sincerity of tribals and loss incurred by them in the invasion by British government and migrants from plains.

The British officers on the other hand took fancy in projecting the tribal practices like Mariah sacrifice. Some of the officers, including George Russel who was specially deputed to study this aspect and rebellions had no first hand information. Their reports are based on 'make believe' stories under circulation in those areas and some circumstantial evidence found by military officers. The practice which might have existed long back was reported to be

existing till a few days before the visit of Russel Commission. Otherwise, how could Mariah Agency which was established to control this practice was abolished within few years? Was the goal achieved in few years? How can age old practice could disappear in few days, that too when there was no evidence that this Agency has gone beyond Jeypore during their tenure? Their reports only reflected general European tradition continued from days of explorers, travellers and voyagers of writing fantasies about native groups living beyond Europe. This approach continued here also, and is reflected in treatment of tribals as 'peculiar' people.

While Regulation-I of 1786 separating the Pahadias of Raj Mahal hills and Regulation-XII of 1833 declaring Chotanagapur as non-regulated area set the trend, it was Ganjam and Vizagapat-am Act, 1839 which actually started the policy of separating the notified areas for administrative purposes. This has another underlying purpose also of delinking the hill chiefs from plains chiefs. This policy had two effects. One is that the tribal chiefs could not agree to a small 'Amin' (official) of British being their boss compared to the ancient Rajahs and plains chiefs. The direct rule by British has also started a process of invasion of the state and state machinery on tribal areas. The continuous administrative invasions that followed slowly denied the tribals of their rights over means of livelihood which were common property resources for the tribal communities.

In case of Muttas of Visakhapatnam district settled in 1918, the Muttas were given as 'Service tenures' without right over forests. They are not heritable and only enjoyable under the pleasure of British. The 'Muttadars' have to provide so many services as per

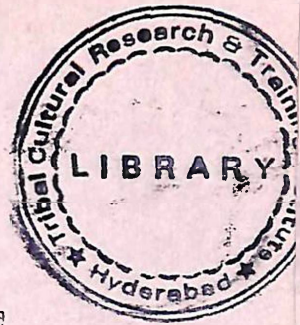
agreement, that it is impossible to perform them without exploiting their kinsmen and fellow tribes men. To pay the rents and provide services with meagre income from backward tribal tracts is a very difficult task. Some of them lost tenures due to default in payments of rents and some other lost Muttas or got punishments for not adhering to the conditions in the 'Sanad' issued at the time of settlement.

Some of the Muttadars in Golugonda Agency were also put to lot of financial losses as they could not control traditional practice of shifting cultivation called 'Podu'. In these circumstances it is not surprising if they had kept good cultivated lands with them and resorted to extraction of forced free labour or attached labour. Ultimately, the popular government of Andhra Pradesh have abolished Muttadari system in 1969 and the common complaints against them before abolition were that they kept good lands for them and resorted to free labour called 'Vetti'. What is surprising is that the Indian anthropologists who were associated with two important committees (Aiyappan Committee and Malayappan Committee) appointed by Government of Madras and after Independence also did not enquire into the circumstances under which Muttadars resorted to such a practice. However, Aiyappan Committee was more sympathetic to Muttadars by declaring them that Muttadars are not sinners. If Muttadars were really usurpers, they would have been very rich like plains Zamindars, on the other, according to officials who worked in those days and now retired from service, the Muttadars were very poor people. Being tribals, they were kind to their kinsmen and other tribal groups. The settlement operations in tribal areas after 1970 helped the non-tribal settlers more than the tribals as the tribals were anyhow enjoying the lands as per traditional recognition of their ownership. The difference is that the

tribals now have a title recognised by Government under a non-tribal concept of 'Patta' (certificate of right). The individual ownership made alienation of tribal land more easy than when the land was owned by community.

When Muttadari system was abolished in 1969 by popular Government, the Mokhasas are not covered by this regulation. Therefore, they continued till they were also abolished in 1989. A strange situation has arisen in 1969 when the traditional Muttadars who fought against British lost the Muttas due to abolition and the persons who got Mokhasas for arranging supplies to British troops against tribals and loyal to British, continued the enjoyment of Mokhasa. There is, still a doubt among officials who worked at that time that Mokhasadars being intelligent from the beginning, 'managed' to escape from Muttadari abolition Regulation, 1969 until 1989 which means they had two more decades of enjoyment of Mokhasa. Eventhough Mokhasas were abolished in 1989, it was informed that the officers to implement the Regulation were not appointed to complete formalities of abolition and conversion into ryotwari.

The next important issue to be examined is the changing status of scheduled areas since their origin. When Ganjam and Vizagapatnam act 1839 was promulgated, it was only the Law and Order to be maintained in these areas, that was the most important aspect of administration for the British Government. That is why many areas which were notified included some plains areas of hill zamindari also. Later on in 1864 when the Law and Order improved, some of these plains areas were excluded from the list of notified areas. In view of continued disturbances, the Scheduled Districts act of 1874 came into existence with the main purpose of examining the applicability of general acts and regulations to Scheduled areas notified as per provisions of this Act.



:83:

:62:

As the very origin of Scheduled Areas lies in the law and order aspect which was top priority for British, no other criteria was laid down for its identification. The Dhebar Commission pointed out that the first opportunity for government of India available to define the scheduled Areas was when the Government of India Act, (Sec.91 and 92) was promulgated in 1935. According to Dhebar Commission the then Secretary of State stressed more on the law and order aspect of administration than any thing else. However, it is not to say that tribals interests have not received attention of the British rulers as the Agency Tracts Interests and Land Transfer Act was promulgated in 1917 itself to protect the interests of listed aboriginal tribal groups living in Scheduled Areas. The very fact that plains areas were deleted in 1864 leaving only tribal areas and that the 1917 act was promulgated to protect the interests of tribals on land in Agency tracts shows that Agency tracts predominantly inhabited by tribals received special attention of British.

Even after the attainment of Independence, the Parliamentary Committee that went into the problem, according to Debar Commission, has laid down criteria for scheduled area basing on 'General knowledge' than anything else. Therefore, the Dhebar Commission has evolved a criteria for declaring Scheduled Areas, the details of which were given in the earlier chapter.

As far as Andhra Pradesh is concerned, no new Scheduled area was added but some scheduled areas were deleted by Madras Cessar order, 1951. The problem continues, For example, in Srikakulam district there are several areas/villages of nearly 100% tribal concentration and they are not part of scheduled area. The development requirements of Scheduled tribes living in most of those areas is taken care of but

the protection from exploitation could not be provided under the umbrella of scheduled areas. The proposals to bring them under Scheduled area are pending before government.

As this was going on at the State level, some other peculiar arguments have cropped up. When such tribal concentrated villages were proposed to be included in scheduled area to make the scheduled and tribal sub-plan area (areas of tribal concentration carved out to implement special accelerated and integrated tribal development programme) coterminus, some vested non-tribals started arguing that such of those scheduled villages with less than 50% tribal population should be deleted from scheduled area. This should not be agreed to because the proportion of tribal population in these areas decreased over the decades due to two factors namely (i) the immigration of non-tribals from plains to scheduled area with vested interests of cornering resources in tribal areas and (ii) the out-migration of some tribals from scheduled villages into interior forests on account of loss of resources mainly due to exploitation of non-tribal traders, money-lenders and landlords. If de-scheduling on the lines of suggestions made by non-tribals is agreed to, it would be setting a trend for more de-scheduling. In such a case, large scale migration into scheduled areas to change the demographic composition or even to manipulate the records for this purpose will occur.

The third important aspect is role of the Agents to government and provisions of Fifth Schedule. In the Ganjam and Vizagapatnam Act 1839, the Collector of district with the notified area was designated as the Agent for the state Government concerned. As per the rules issued under the Scheduled Districts Act 1874 also, the Collectors were designated as the Agents to the State Government. Later on in the Government of India Act, 1935 the Governor was given powers to administer these areas. In the Fifth Schedule of the constitution also

Governors were given powers to administer the Scheduled areas. Tribes Advisory Council was created to advise the State in all matters pertaining to the Welfare and advancement of the tribals referred to them by the Governor. But, neither the Governor nor the Tribes Advisory Council have exclusive machinery to regularly know officially about the happenings in scheduled areas unless they are brought to their notice by the State Government. This gap needs to be filled.

The Governor of a state with scheduled area has to perform two roles viz., i) as executive head of the State and ii) as prescribed in the fifth Schedule. Under the Second role, the Governor can exempt certain general Acts and Regulations from their operation in scheduled areas. The Governor can also make special Rules for peace, and Good Government in Scheduled areas. As far as exempting the general Acts and Regulations is concerned, the Governor does not have any separate machinery of his own to help him to examine each and every general Act or Regulation. On the other hand, the 1935 Act has provided that no Act of Federal Legislature or of provincial Legislature or any existing Law unless directed by the Governor is not applicable to the Scheduled areas. This saving clause which provided for compulsory examination of each and every Act and Regulation was replaced by a more casual approach in the fifth Schedule there by the Governor can act only after being alerted by government by which time some damage might have been done by a general Act or Regulation in scheduled areas.

The Forest Conservation Act, The Wild Life Protection Act, creation of National parks, Displacement of Tribals i) due to submergence on account of taking up of irrigation and Hydroelectric dams, ii) due to taking up of mining operations etc., and the hardships caused to tribals could have been examined much in advance to

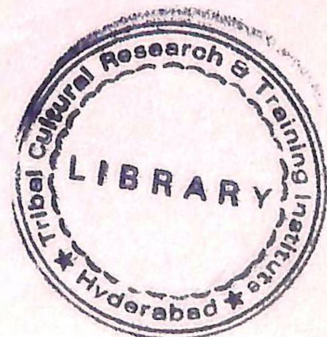
afford protection to the interests of tribals when these projects are taken up if provisions of 1935 Act are continued. It is worthwhile to revert to 1935 position in the interests of tribals.

Regarding the annual report of the Governor on administration of Scheduled areas, the content of Working Group on Development and Welfare of Scheduled Tribes During Eighth Five Year Plan (1990-95) that they became "catalogue of achievements of State Governments" needs to be taken seriously.

In the Scheduled areas, the unrest is increasing due to various factors and the Governor who is empowered to administer the scheduled areas may have to take a leading role helped by provisions of Fifth Schedule of Constitution to ensure peace and good government in scheduled areas through State Government and also through the agents (District Collectors).

Lastly, a mention should be made of a writ petition (Civil) No.1201 of 1990 (under article 32 of the constitution of India) in the Supreme Court of India, filed by Dr.B.D.Sharma, Commissioner for Scheduled Castes and Scheduled Tribes. The issues raised in this Writ petition were also raised by the Commissioner in his 28th and 29th reports submitted to the President of India.

As the case is still pending in Supreme Court of India, mention will be made of only the issues raised by the petitioner which broadly are as follows.



- i) There is a dissonance between legal frame and basic tenets of constitution about equity and justice. Many a law are against the spirit of our constitution because the legal frame was not adopted even after the adoption of constitution which aspects the right to life as inviolate and
- ii) denial of tribal rights over resources and non-recognition of their traditional self-governing systems, has led to criminalization of their social and economic system. The tribal is branded as an offender and the criminalization of the entire community in the tribal areas is the darkest blot on the liberal tradition of our country.

The petitioner has given examples of excise policy, forest policy, Minor forest produce, acquisition of land for public purpose to support the above argument and pleaded the Supreme Court to consider appointing a Commission which may look into all aspects of tribal situation. Examination of the case by the Supreme Court or the Commission, if appointed as per request, is likely to throw some more light on the various aspects of conflict between state policy and constitution of India.

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