



International Research Journal of Human Resources and Social Sciences
Impact Factor- 2.561,
Volume 3, Issue 1, Jan 2016 ISSN(O): (2349-4085) ISSN(P): (2394-4218)

ASSOCIATED ASIA RESEARCH FOUNDATION

Website- www.aarf.asia, Email : editor@aarf.asia , editoraarf@gmail.com

INDIGO CULTIVATION AND THE NARRATIVE OF RESISTANCE

OF RYOTS IN BENGAL

Dr. G. S. Chauhan*

After acquiring monopoly over trade, the East India Company increased its territories and consolidated its administrative presence in India. Consequent upon the battle of Buxar in 1764, the Company acquired Diwani rights of Bengal & Bihar and Orissa. Consequently, the British acquired right to collect land revenue in Bengal, Bihar and Orissa and accordingly, the civil and the judicial administration was established by the British. The Act of 1833 demolished the Company's trade monopoly except tea and opium and trade with China.

ESTABLISHMENT OF INDIGO INDUSTRY IN BENGAL

Industrial revolution in England, new technology and improvement in transportation system provided access to new markets in Europe. Laissez Faire economics driven by market capitalism promoted private company's traders into establishing 'indigo industry' in Bengal. Indigo with its rich blue colour as a cloth dye was popular in Europe for manufacturing clothes, so the Anglo-Indians, the British traders and planters invested huge chunk of capital into it to turn it into a major commercial profitable business. The British in India wanted to introduce modern tools of cultivation so as 'to give an impulse to commerce and to obtain materials for manufactures, it became necessary to investigate both the natural productions of India and the fruitfulness of its soil.'¹

In this paper I focus on the confrontational issue between the Company's traders, European Capitalists and planters on one hand and on the other the uprising of resistance of

*The author is Assistant Professor at University Institute of Law and Management Studies, Gurgaon (a maintained institute of MDU Rohtak).

¹ Sen, Srabani. "Scientific Enquiry in Agriculture in Colonial India: A Historical Perspective" Indian Journal of History of Science, 45.2 (2010) 199-239.

native indigo farmers against the indigo planters which shaped the counter-narrative of resistance post 1858-59 in Bengal.

In 1775, Mr. Bonnaurd, a French man built a small factory at Faldanga in Bengal, He started cultivation of indigo at Taldanga and Goalpara near Chandannagar in Hooghly.² The British merchants adopted 'improved techniques of manufacture which were emerging in Britain. With the help of Cheap (the Factor in the East India Company), the Briton by the name of David Erskin began the cultivation of indigo a few miles to the west of Raipur. But Cheap dies (d) in 1828 and later when David Erskin died in 1837, his son Henry Erskin started a new company and continued.³ The influence and authority of indigo industry increased with the establishment of Companies like M/s. Palmer, Watson & Sons Co, M/s Erskin Company, (owned six each factories in Bankura and Burdwan and eight factories in Birbhum) etc. They invested capital in indigo industry and exercised tremendous influence in the region. In 1783 the export from Bengal to Great Britain was only about from 1,200 to 1,300 maunds.⁴ In 1795-96 indigo manufactured in Bengal imported into Calcutta 62,300 maunds⁵.

The growth of indigo cultivation into an industry is illustrated in the suit *Midnapore Zamindary Co. Ltd. vs Secretary Of State*.⁶ It is mentioned that the indigo industry consisted of '878 firms in the early 1830s with 1.6 million bigahs of captive land in Bengal Presidency as a whole, and 433 firms with 0.79 million bigahs in captive land in what is now West Bengal and Bangladesh. In West Bengal, the industry was concentrated in Nadia, Murshidabad, Midnapur, Malda, and Jungal Mahal with an almost one-fifth share of the whole industry. Though constituted of a large number of small firms, the industry was dominated by large-scale organisations like R. Watson & Co. (having an installed capacity of 400 TPA in Midnapore district).⁷

CONFLICTS BETWEEN RYOTS AND INDIGO PLANTERS

² Reid, W.M. *The Culture and Manufacture of Indigo: with a Description of Planter's Life and Resources* (London : W. Thacker & Co. 1887) p.130

³ Ibid. p.143

⁴ Reid,132

⁵ Ibid. 300

⁶ *Midnapore Zamindary Co. Ltd. vs Secretary Of State* on 1 August, 1938 Equivalent citations: AIR 1938 Cal 804 Author R.Mitter

⁷ Ibid

Conflict between the ryots and the Indigo planters defined the tumultuous dynamics of social and economic implications in the nineteenth century Bengal.

The Bengal Land-Revenue Regulation, 1793 prohibited Europeans to own land in India. Therefore, the *Navjote* and *Raiyati* methods were adopted as the chief modes for cultivating indigo. Under the *Navjote* system the planter cultivated indigo on the rented or the land bought from the zamindars but the native labour was employed to sow it. Under *Raiyati* method an agreement (*satta*) was signed between the planters and the *ryots* to discharge contractual obligations. Thereafter, the land was cultivated by *ryots* who had certain tenancy rights in the land and sowed indigo along with other crops. *Ryots* who signed the contract received advance in the form of cash from the planter but they fell into the endless cycle of debt trap due to their inability to repay the loan.

Cultivation of indigo created problems between *ryots* and indigo planters. *Ryots* feared that indigo cultivation would destroy the land's fertility; consequently, it would be useless for planting another traditional crop. *Ryot's* reluctance to sow indigo was brutally suppressed. Cultivation of indigo required immense and exhaustive labour. Christopher Rawson describes strenuous method of digging and bulldozing of the land before indigo cultivation. Women and children were also employed for clearing and sweeping of residue of the previous crop.⁸

The Bengal Indigo Contracts Regulation, 1823, sanctioned a civil remedy-summary suit for protecting indigo planters by providing damages. The Regulation authorized the plaintiff to institute a civil suit against the *ryots* for not discharging their contractual obligations and to recover damages in case of default. The Regulation made it mandatory for the agreement to be registered following which a petition could have been filed in case of default. Consequently, a notice was to be served on the defendant and the defendant was required to make an appearance in the Court. Award against the defaulters-*ryots* for breach of contract while extending relief to the indigo planters (plaintiff) the right of receiving the crops or damages according to the terms of the agreement. Summary Suit for non-cultivation of Indigo provided by the Regulation of 1823, 'consists in a summary process for the recovery of advance or in a regular suit for the

⁸ Rawson, Christopher. **Report on the cultivation and manufacture of Indigo in Bengal** (For the Indigo Defence Association , limited first published July 1899, W.Byles & Sons printers,1899,digitized University of California, 8th October, 2007.

enforcement of the penalty specified in the agreement.’ Provided it doesn’t exceed treble the amount of the advance, unless fraud to be proved’⁹

In 1829, The Court of Directors of the East India Company directed the Governor-General to enquire into the conduct of the British planters as the reports of their misconduct had reached England. John Crawford collected some letters of the planters and submitted to the Select Committee of the House Commons as ‘evidence’ related to their frustrating personal experiences in the Civil Court. It was contended that existing legal system was unable to provide relief against Ryot’s deceptive and fraudulent activities including breach of contract. They contended that the civil trial was a tedious and ineffective judicial process as suits against huge number of Ryots incurred enormous expenses. Hence, they were victims of unfamiliar native language, dishonest native witnesses and hostile attitude of native Magistrate. The most common issue the planters faced was ‘the uncertainty which exists (ed) regarding the proprietary right.’ Many planters complained that often just before the entire process of cultivation of indigo was ready, different proprietors would appear to stake claim on the land. The police would intervene and due to delayed legal process a large area of ‘the finest soil’ would lay waste due to ‘feuds of different claimants.’¹⁰ Quite often the ryots would prevent cultivation of indigo. Consequently, a judge would order to stop cultivation till the matter was investigated. The entire process stalled cultivation. ‘The people, who were the cause of this loss, have not one shilling in the world, and, therefore, it would be ridiculous to institute any civil suit against them.’¹¹

The Bengal Indigo Contracts Regulation, 1830 [9th June, 1830] Act V of 1830 laid down the rules for the ryots for cultivation and delivery of indigo plant with the following main provisions:

- Criminal prosecution of persons including raiyats to break contract.- Repealed by Act 8 of 1868.

⁹ **Report from the Select Committee on the Affairs of the East India Company, with Minutes of Evidence in Six Parts and an Appendix and Index to Each** p.366: Ordered, by the House of Commons, to be Printed, 16 August, 1832 **Volume 8 of Reports from committees. Session 6 December, 1831 - 16 August, 1832, Original from** Oxford University digitized 14 Jun 2007.

¹⁰ Crawford, James, Letters From British Settlers In The Interior of India Descriptive of Their Own Condition, And That Of The Native Inhabitants Under The Government Of The East India Company With Notes, London: James Ridgeway 1831 Original from University of Minnesota digitized 4th Jan 2013 .

¹¹ Ibid.

- Cultivators failing to fulfil engagements liable to imprisonment.- Repealed by Act 16 of 1835.
- Punishment of persons damaging indigo-plant.- Repealed by Act 3 of 1857.
- Procedure to be followed by the persons who had taken advance and wished to be released from the written contract on the expiration of the contract but resisted by the proprietor of the factory or on his behalf could send his petition to Zila Court. The Judge in the presence of both the parties would look into the matter and the petitioner had the liberty to deposit the amount in case it was due to the proprietor. If the proprietor refused to take the balance the defendant could seek the remedy through civil suit.

The Act sanctioned criminal proceedings against the ryots for breach of contract but it was repealed by the Act 16 of 1835. According to the Commissioner of the Rajshahye, Lord Bentick sanctioned the Act after the collapse Palmer & Co to save the indigo industry and planters from ruin. The planters were heavily in debt as they used to borrow from Mercantile Houses of Calcutta to invest in indigo business. ‘When Palmer and Co. failed, the Native Zemindars took advantage of the consequent panic to induce the Ryots to break off all their engagements with the Planters, who at that time could not hold estates in their own name.’¹²

INDIGO DISTURBANCES

The provisions of existing civil law did not satisfy planters. Long wearisome delays in the judicial process, hostile witnesses, ryots’ unwillingness to record statement against their co-villagers, incapability of ryots to pay damages, unfavourable attitude of the Magistrates convinced them of futility of civil suits. They demanded protection by enactment of special law for indigo cultivation against the willful breach of contracts by the ryots. Beaufort, Esq., Joint Magistrate and Deputy Collector of *Pubna*, advocated stridently for the re-enactment of **Regulation V of 1835** of criminal liability against the ryots for fraudulent execution and delivery of contract for cultivation. Beaufort criticized the ineffectual and biased judicial process.

In 1859, the planters from Nadia district petitioned to J.P. Grant, the Lieutenant Governor about the willful evasion of sowing of Indigo by the ryots who had taken advances for cultivation of the crop. The district had already witnessed violent incidents between the factory workers and the ryots. The Planters Association complained that a ‘rumor had been sedulously circulated that

¹² **Papers relating to Indigo Cultivation In Bengal 1860** Bengal Secretariat office digitized University of Chicago, 24th April 2015

the Government was opposed to Indigo planting' which would be of 'serious consequences' as a 'commercial calamity was threatened'¹³. There were reports that ryots had taken advance from the planters but they mobilized peasants to mass boycott sowing indigo. The Government strengthened the military police in the indigo districts by sending gun-boats and Native infantry to the rivers of Nadia and Jessore.¹⁴ Aurungabad sub-division reported the first incident of disturbances where Mr. Andrew's Ancoora factory and Mr Lyon's factory at Baniagaon were attacked by a mob of laihiyah and raiyais.¹⁵ In Malda district, the Bakrabad factory of Mr. Andrews, was similarly attacked and plundered. It appeared upon inquiry that the raiyats in this part of the county had been goaded into rising by the long continued oppressions and extortions of the factory servants. While, therefore, the rioters, who were in the Jhenidah sub-division of Jessore, 6 of the villagers were killed'.¹⁶

As the protests increased, the ryots refused to fulfill their contractual obligations, the planters appealed to the Lieutenant Governor J. P. Grant for help to save indigo business from ruin. The Lieutenant Governor recommended to the Legislative Council to pass a temporary Act for a short duration to protect planters from immediate devastation.

The **Act XI of 1860** promulgated on the 31 March, entailed criminal proceedings for non-fulfillment or breach of contract. The Act directed all the ryots who had received the cash payment in advance for the existing session for the cultivation of Indigo to discharge their present obligations or face penal procedure of three months imprisonment or heavy fine. If the ryot had taken advance in cash, in case of breach of contract, five times of advance taken had to be paid back to the planter in the presence of the Magistrate. In case of insufficiency of cash, it was to be procured from the sale of his property.¹⁷ If the seed had been advanced then the five times of value of the seed had to be returned. The trial was to be conducted by the Magistrate or the Deputy Magistrate and no provision for appeal against the order was provided to the ryots.¹⁸ But the ryots resisted violently. The resistance movement in Jessore District was led by Bishnuchara Biwas and Digambar Biswas of Chaugacha Singh against the atrocities of William

¹³ C. E Buckland, **Being a Narrative of The Principal Events And Public Measures During Their Periods Of Office, From 1854 TO 1898.** (Calcutta : K. Bose), 1902, the University of Michigan, digitized 25 January,2001

¹⁴ Papers relating to Indigo Cultivation In Bengal

¹⁵ Ibid.

¹⁶ Ibid.

¹⁷ Ibid.

¹⁸ Ibid.

White. Fierce fight ensued, the Biswas brothers mobilized villagers against the planter before fleeing.

INDIGO COMMISSION

The Lieutenant Governor Grant also proposed setting up of Indigo Commission to inquire into the present and past system related to Indigo cultivation. The Commission examined and recorded the statements of 134 witnesses, including magistrates, missionaries, planters, talookdars.¹⁹ A long list of oppression and outrages committed by the planters collected from the Court was enclosed in appendix to the Report of the Indigo Commission.

The Lieutenant Governor J. P. Grant reflected on the ramifications of the Act, he appealed to the Home Government to rescind the law as it was meant for six months only under the ‘sudden emergency.’ He fervently outlined the travesty of law in dealing with natives. Several cases were cited to highlight its abuse towards natives. ‘one magistrate disposed of seventy-nine cases in four days, and assessed the damages at double the rate set forth in the alleged agreement, and 588 ryots were imprisoned in one jail, criminally convicted under this Act. In the same manner, 217 rupees were paid by a man who had taken only six rupees advance; and another, who got an advance of two rupees, was ordered to pay 161 rupees under the Act. Mr. Herschel, a Magistrate stated that the forged agreements between 200 and 300 contracts were prepared by the same hands. In some instances, an unhappy ryot got himself and his heirs indebted as was unable to pay advance in any other way than by continuing to cultivate indigo. The date of this agreement was so recent as the 29th of November, 1859. It was a forged agreement and the poor ryot was thrown into prison upon this forged agreement. The planter's books in which the contract and advances were entered, contrary to all law, were received in evidence against the ryots without further inquiry. Of one of these books the Commissioner, Mr. Lushington, says:— It was to all appearances as if it were only a week old, with clear edges and unruffled red cloth cover; while the writing looked as if it had been written continuously, instead of the entries being jotted down opposite each name as payments were made. Some of the Native residents of Calcutta decided to offer legal assistance to the ryots by providing them advocate to espouse their cause. But the Magistrate Mr. Betts sentenced the lawyer to six months imprisonment and a fine of 200 rupees taking advantage of a clause in the Act which made any

¹⁹ **The Report of the Indigo Commission Bengal Planters and Ryots** Reprinted from the “**National Review**” Hodgson Pratt 1862, Original The British Library Digitized 16 August 2013.

one aiding or abetting its violation liable to a fine, or six months' imprisonment,—the Act being alternative, and, in default of payment, to a further imprisonment of six months. Of course, after that, the unhappy ryots could get no legal assistance'.²⁰

In 1861, after deliberating upon the Report of the Indigo Commission, the Secretary of the State, Sir Charles Wood withdrew the Act entailing criminal liability for breach of contract to be regulated by civil jurisprudence. The Commission accused the planters for employing coercive and oppressive method against ryots. The ryots were directed to discharge the existing contractual obligations but 'in 1861 magistrates were advised not to force indigo production on the peasant farmers'.²¹ Consequently, Provincial Small Causes Courts under Act XLII of 1860 were established at some significant districts of the indigo cultivation. The system of existing Civil Courts was strengthened. The Civil Procedure Code, The Rent Act of 1859 changed the landscape of indigo industry in Bengal. The planters blamed the disastrous and disadvantageous policies of Bengal Government for its ruin and moved the indigo enterprise to Bihar after its downfall in Bengal.

RESOURCES

1. C. E Buckland, **Being a Narrative of The Principal Events And Public Measures During Their Periods Of Office, From 1854 TO 1898.** (Calcutta: K. Bose), 1902, the University of Michigan, digitized 25 January, 2001.
2. Christopher Rawson, **Report on The Cultivation and Manufacture of Indigo in Bengal** For the Indigo Defence Association , Limited) W. Byles & Sons printers, first published July 1899, digitized University of California, 8th October 2007.
3. James Crawford, **Letters From British Settlers In The Interior of India Descriptive of Their Own Condition, And That Of The Native Inhabitants Under The Government Of The East India Company With Notes**, London: James Ridgeway 1831 Original from University of Minnesota digitized 4th Jan 2013.
4. L.S O' Malley **Indian Civil Services: Bengal District Gazetteers.**
5. **Midnapore Zamindary Co. Ltd. vs Secretary Of State** on 1 August, 1938 Equivalent citations: AIR 1938 Cal 804 Author R. Mitter.

²⁰ The examples in the Stanza are from **The Report of the Indigo Commission Bengal Planters & Ryots**

²¹ Sutro, Sarah. **Stories of Indigo** *Journal of Pedagogy, Pluralism, and Practice* Vol.3 Summer 2005. p.30

6. Stanley, Chapman. **Merchant Enterprise in Britain: From the Industrial Revolution to World War I.** (Cambridge: Cambridge University Press), 2004.
7. **Papers relating to Indigo Cultivation In Bengal 1860** Bengal Secretariat office digitized University of Chicago, 24th April 2015
8. **The Report of the Indigo Commission Bengal Planters and Ryots** Reprinted from the “**National Review.** Hodgson Pratt 1862, Original The British Library Digitized 16 August 2013.
9. **Report from the Select Committee on the Affairs of the East India Company,** with Minutes of Evidence in Six Parts and an Appendix and Index to Each p.366: Ordered, by the House of Commons, to be Printed, 16 August, 1832**Volume 8 of Reports from committees. Session 6 December, 1831 - 16 August, 183,** Original from Oxford University Digitized 14 Jun 2007
10. Srabani Sen, **Scientific Enquiry in Agriculture in Colonial India: A Historical Perspective, India Journal of History of Science, 45.2** 2010
11. Sarah Sutro, ‘*Stories of Indigo*’ [*Journal of Pedagogy, Pluralism, and Practice*](#), Vol.3 Summer 2005
12. W.M. Reid, **The Culture and Manufacture of Indigo: with a Description of Planter’s Life and Resources** (London: W. Thacker & Co). 1887