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The Evolution of the Taluqdari System in Oudh: A Historical and Legal Study

DEO PRATAP SINGH* AND DIVYA SINGH**

ABSTRACT

This research paper examines the historical evolution, legal transformation and continuing significance of the Taluqdari system of Oudh with particular emphasis on its social, geographical, agrarian and institutional dimensions. The purpose of the study is to analyse the transition of Taluqdars from revenue intermediaries during the Nawabi period to a legally recognised hereditary landed aristocracy under British rule and to evaluate their impact on property relations, rural governance and agrarian structures. The study adopts a historical and analytical methodology based on primary sources, including administrative records, legislative enactments, official reports and contemporary accounts, supplemented by secondary historical literature. It examines the relationship between State authority, Taluqdars and cultivators to understand the changing nature of landholding and revenue administration in Oudh. The findings reveal that the Taluqdari institution evolved from a fiscal arrangement into a powerful socio-political and proprietary system. The enactment of the Oudh Estates Act, 1869 provided statutory recognition to Taluqdars, formalising their hereditary rights and strengthening their position within the colonial agrarian framework. The study also highlights gaps in existing scholarship regarding the legal and institutional transformation of Taluqdars. The paper concludes that a comprehensive legal-historical understanding of the Taluqdari system is essential for assessing its long-term influence on rural society, land relations and administrative structures in Oudh. It advocates a balanced evaluation of traditional landholding institutions beyond purely political interpretations.

Keywords: Taluqdari System, Oudh Estates Act 1869, Agrarian Relations, Colonial Legal Transformation, Land Revenue Administration

I. INTRODUCTION

Oudh, a historically significant region of northern India, developed a distinctive agrarian and political structure shaped by its fertile geography, diverse social composition and evolving systems of governance. The emergence of the Taluqdari system represented a crucial phase in that development, as the Taluqdars moved from being revenue intermediaries under the Nawabi administration to legally recognised landed elites under British rule. The research problem

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addressed in this study is the inadequate understanding of the institutional, legal and socio-economic transformation of the Taluqdars beyond their conventional portrayal as political actors.¹ While the existing literature has examined their role in colonial politics and resistance, limited attention has been given to their changing legal status, property relations and administrative functions. The study is significant for the light it throws on the relationship between State authority, landholders and cultivators in shaping Oudh's agrarian framework. The paper is structured to examine Oudh's historical background, the origin and evolution of the Taluqdari institution, its statutory recognition under the Oudh Estates Act, 1869,² and its broader implications for rural governance and land relations.

II. HISTORICAL, SOCIAL AND GEOGRAPHICAL BACKGROUND OF OUDH

Oudh, also referred to as Oude, Awadh or Avadh in British historical literature, is a historic region of northern India lying in what is now north-eastern Uttar Pradesh. It remained a kingdom until its annexation by the British in February 1856.³ Situated in the fertile Indo-Gangetic plain, the region is distinguished by its productive alluvial soil and high population density. The name Awadh derives from Ayodhya, the ancient capital of the Kosala kingdom. Revered in the Hindu, Buddhist and Jain traditions, Kosala emerged as an important political and cultural centre during the sixth century BCE. The territory was afterwards absorbed into one or another of the successive powers of northern India, among them the Guptas, Harshavardhana, the Pratiharas and the Gahadavalas of Kannauj, and every major Islamic dynasty in India, including the Mughal Empire, likewise treated it as an indispensable province. In the records this fertile alluvial tract is variously known as Kosala, used in the sense of a political unit in the early Sanskrit and Buddhist texts; Saket, used mostly in Buddhist and Jain texts from the Sunga period onwards; Avadh, used in medieval texts and derived probably from Ayodhya, denoting the territory of the Avadhi language; and Oudh, found mostly in British records as an English rendering of the Persian pronunciation of Avadh.

Ayodhya and Faizabad were the original capitals of the region, and in later years Lucknow, now the capital of Uttar Pradesh, took over as the capital. The earliest reliable references to the origin

¹ The standard modern treatment of the transformation is THOMAS R. METCALF, *LAND, LANDLORDS, AND THE BRITISH RAJ: NORTHERN INDIA IN THE NINETEENTH CENTURY* (Berkeley, Univ. of Cal. Press 1979); see also Thomas R. Metcalf, *From Raja to Landlord: The Oudh Talukdars, 1850-1870*, in *LAND CONTROL AND SOCIAL STRUCTURE IN INDIAN HISTORY* 123 (Robert E. Frykenberg ed., Madison, Univ. of Wis. Press 1969).

² The Oudh Estates Act, 1869, No. 1 of 1869 (India). The Act received the assent of the Governor General on 12 January 1869 and is cited by its own section 1 as 'The Oudh Estates' Act, 1869'.

³ Oudh was annexed by the East India Company in February 1856. The date is fixed for legal purposes by the Oudh legislation itself, which takes 'the thirteenth day of February 1856' as the reference date for rights and family custom existing at annexation. See The Oudh Estates Act, 1869, *supra* note 2, s. 8; The Oudh Sub-Settlement Act, 1866, No. 26 of 1866, s. 1 (India).

of Lucknow date to the medieval period, although tradition associates its foundation with the Ramayana, according to which Rama established the city for his brother Lakshman and named it Lakshmanpur. Over time Lucknow evolved into a significant political and cultural centre and, together with Ayodhya, shaped the Awadhi-speaking cultural region. Rural Oudh was predominantly held by Hindu Rajput landowners claiming descent from Rama, from other deities or from early conquests, though Brahmins, other Hindu castes and Muslim groups, including Sayyids, Shaikhs and Pathans, also held extensive land. The character of the people was in large measure the product of the Oudh legends of the utopian *Ram-rajya*, and, in Benett's words, 'Nowhere are the traditions of the past more ancient and more vividly felt, and nowhere is the civilization, rooted in a soil of unsurpassed fertility and grown up in a population of exceptional density, more fully developed and more homogeneous than in this the last case where Western statesmanship has been brought face to face with the requirements of an Eastern people.'⁴

Oudh's modern dynasty was founded by Muhammad Amin, who came of a noble Sayyid family long settled at Nishapur in Khorasan. He was appointed Subahdar of Oudh in 1720 under the title of Saadat Ali Khan, Burhan-ul-Mulk, and was occupied for several years in establishing some kind of order in his province. In 1736 he defeated the Marathas under Baji Rao in the Doab. He took a conspicuous part in resisting Nader Shah's invasion of 1738-39, was taken prisoner at Karnal and died before the year was out.⁵

Muhammad Mukim, his nephew and son-in-law, succeeded him under the style of Mansur Ali Khan, Safdar Jang, and ruled until 1756. He completed the city of Faizabad, the foundation of which had been begun by Saadat Khan, and divided his time between it and Lucknow. He induced Kaim Khan Bangash, Nawab of Farrukhabad, to attack the Rohilla Afghans; Kaim Khan fell in the fighting, and Safdar Jang seized his territory, pacifying his brother Ahmad Khan with a pension.⁶

As Mughal authority weakened, the rulers of Oudh strengthened their independence. Safdar Jang was the first Nawab Wazir, a combination of his two titles of Nawab of Oudh and Wazir of the Empire, an honour bestowed on him, with that of Mir Atish, by the Emperor Ahmad Shah, who came to the throne of Delhi in 1749.⁷

⁴ W.C. Benett, *Introduction*, in 1 GAZETTEER OF THE PROVINCE OF OUDH i-ii (Lucknow, Oudh Gov't Press 1877) (reprint, Delhi, Low Price Publ'ns 1993). The original sets off the middle clause with dashes.

⁵ H.C. IRWIN, THE GARDEN OF INDIA, OR, CHAPTERS ON OUDH HISTORY AND AFFAIRS 77-78 (London, W.H. Allen 1880) (reprint, New Delhi, Gyan Publ'g House 2008).

⁶ IRWIN, *supra* note 5, at 79-80.

⁷ *Id.* at 79.

Shortly before his death Safdar Jang lost that office to Ghazi-ud-din and retired to Oudh, where he died in 1756. His son and successor, Shuja-ud-Daula, was appointed Wazir of the Empire by Ali Gohar, afterwards Shah Alam II, who was practically his prisoner.⁸

A. Social and Agrarian Structure

Oudh was among the most densely populated regions of India. The census of 1869 returned 11,174,287 inhabitants over an area of 23,930 square miles, an average of 476 to the square mile.⁹ In the words of an old Administration Report quoted by Irwin, Oudh was ‘a little smaller than Scotland, a little larger than Denmark, but with a population more than double that of both put together’.¹⁰ The great majority of that population belonged to the ordinary cultivating classes. At least 72 per cent of the people of Oudh were agriculturists, cultivating land often in conjunction with other occupations, and this rural population, leaving aside the small proportion living in towns and cultivating the surrounding lands, was ‘scattered over some 24,000 villages and 54,000 hamlets’.¹¹

Oudh’s social structure comprised diverse communities that played distinct roles in its agrarian and political order. Among the earliest inhabitants were the Bhars, described in the colonial gazetteers as an aboriginal community whose surviving settlements lay in the eastern districts of the province, and traditionally credited with founding villages, sinking wells and establishing village institutions, which indicates a settled and organised society. The Pasis served as village watchmen and guards and were employed by landholders for the protection of crops, the safeguarding of property, local defence and the secure transmission of the land revenue. Gubbins, writing in 1858, recorded that the fidelity of the Pasi when trusted was proverbial: ‘By his hand the landholder remits his quota of revenue to the Treasury, and not a rupee is ever missing. To his care the talooqdar entrusts without fear the guard at his fort gate.’¹²

The Muslims, comprising Sayyids, Shaikhs, Pathans and Mughals, formed about a tenth of Oudh’s population, fewer than in any other part of Upper India, and occupied a significant position among the landed elite, seventy-eight Taluqdars belonging to the community.¹³ Some Rajputs who converted to Islam became known locally as Khanzadas. The Brahmins,

⁸ *Id.* at 81-82.

⁹ BENETT, *supra* note 4, at xi. Irwin gives the same census return in round numbers as ‘eleven millions and a quarter, or 474 to the square mile’. IRWIN, *supra* note 5, at 27.

¹⁰ IRWIN, *supra* note 9, at 27-28. Irwin attributes the sentence to ‘an old Administration Report’.

¹¹ IRWIN, *supra* note 9, at 29.

¹² MARTIN RICHARD GUBBINS, AN ACCOUNT OF THE MUTINIES IN OUDH, AND OF THE SIEGE OF THE LUCKNOW RESIDENCY 72-73 (2d ed., London, Richard Bentley 1858). The surrounding passage in Gubbins repeats the derogatory caste characterisations current in nineteenth-century official writing, which are not reproduced here.

¹³ BENETT, *supra* note 4, at xix-xx.

numbering about 1,400,000 souls, or roughly one-eighth of the whole population and between a fifth and a sixth of the Hindu population, enjoyed considerable religious and social influence, though only six Taluqdars of the province were Brahmins.¹⁴ The Chhatris or Rajputs, who formed about a twentieth part of the whole population, were the principal landed aristocracy and acted as intermediaries between the State and the cultivators.¹⁵ They sought to preserve and extend hereditary estates while also serving in the British army or as armed retainers. The Bais, a prominent Rajput subcaste, were particularly noted for their loyalty to the government and often supported the authorities against rebellious zamindars.

B. Geographical Features and Strategic Importance

Oudh, a fertile centre of Hindu civilisation, evolved after 1722 into the cradle of Lakhnawi culture, blending Hindu and Muslim traditions and marked by *adab* and *tehzeeb*. Sleeman described the whole surface of Oudh as being 'like a gentleman's park of the most beautiful description, as far as the surface of the ground and the foliage go'.¹⁶ His well known criticism of over-cropping, insufficient rotation of crops and the absence of a salutary fallow was directed not at Oudh but at the British districts on the opposite side of the Ganges, whose crops he thought bore no comparison with those on the Oudh side.¹⁷

The total area of Oudh was 23,930 square miles, and it lay between latitudes 25° 34' and 29° 6' north and longitudes 79° 45' and 83° 11' east. Nepal marched with it all along the north. To the east and the west it was enclosed by the older acquired districts of the North-Western Provinces, namely Jaunpur, Basti and Azamgarh on one side and Shahjahanpur, Farrukhabad and Cawnpore on the other, and only where the Ganges marked its south-western frontier was one whole side separated from a neighbouring government by a natural boundary.¹⁸ Apart from a narrow strip of government forest along the north, the whole of the province is a fertile plain. Its area amounted in round numbers to 24,000 square miles, of which about 13,000, or some 55 per cent, containing 8,400,000 acres, was cultivated, while of the remainder 5,305 square miles, or 22 per cent, was culturable waste.¹⁹ The contest for political dominance extended across these fertile alluvial plains, nourished by the Ganga, Gomti, Ghagra, Sai, Saryu and Rapti, of which

¹⁴ BENETT, *supra* note 4, at xx.

¹⁵ BENETT, *supra* note 4, at xxii.

¹⁶ 2 W.H. SLEEMAN, A JOURNEY THROUGH THE KINGDOM OF OUDE IN 1849-1850, at 62-63 (London, Richard Bentley 1858).

¹⁷ SLEEMAN, *supra* note 16, at 43-44 ('The crops, in our districts, on the opposite side of the river Ganges, bear no comparison with those on the Oude side. The lands are all overcropped and under-stocked with cattle and sheep from the want of pasture lands ... the rotation of crops is insufficient, and no salutary fallow comes to the relief of the soil').

¹⁸ BENETT, *supra* note 4, at i-ii.

¹⁹ IRWIN, *supra* note 9, at 16-17.

the Ganga, Gomti, Ghagra and Rapti were the principal waterways. The Ganga marked Oudh's south-western boundary, the Gomti flowed through Lucknow and Sultanpur, the Ghagra separated Bahraich from Kheri and Sitapur, and the Rapti rose in Nepal before passing through Bahraich and Gonda. Two-thirds of the soil consisted of loam, a mixture of clay and sand known by the vernacular name *domat* or *doras*, while of the remaining third one half was a stiff clay (*matiyar*) and the other a light sand (*bhur*); and the navigable length of the Oudh rivers amounted to 1,347 miles, all of them following the general slope of the country from north-west to south-east.²⁰

A significant geographical characteristic of Oudh was its extensive forest tracts, which offered refuge to zamindars and Taluqdars against the exactions of the Chakladars. Many forests were deliberately preserved by landholders, while forts were protected by surrounding moats and by dense bamboo barriers resistant to cannon fire. These fortified landscapes enabled landholders to shelter their armed supporters and retainers during conflicts with, or resistance to, government authority.

The geographical advantages, fertile agricultural resources, dense rural population and complex social composition of Oudh together created conditions conducive to the emergence of a powerful landed aristocracy. These factors shaped the evolution of the Taluqdari system and defined the political relationship between the Nawabi administration, the local landholders and, subsequently, the British colonial state. The Taluqdars consequently emerged as indispensable intermediaries between the State and the cultivators, profoundly influencing landholding patterns, revenue administration and the political structure of Oudh.

III. TALUQDARS

The agrarian administration of Oudh was organised around villages, each forming the basic unit of cultivation and of local revenue collection. Several villages together constituted a Taluqa, the holder of which was known as a Taluqdar. Acting as an intermediary between the State and the cultivating communities, the Taluqdar was responsible for collecting the land revenue, maintaining local order, administering civil disputes within his jurisdiction and remitting the Government's share after retaining his authorised dues. Although the office was primarily fiscal in origin, it gradually acquired important administrative, military and proprietary characteristics.

The institution of the Taluqdar constituted one of the defining features of Oudh's agrarian administration and played a central role in shaping the province's political authority,

²⁰ IRWIN, *supra* note 9, at 20.

landholding structure and revenue system. The Taluqdari system of land revenue was prevalent during the Nawabi period, and references to it appear in the records from the seventeenth century onwards. In Oudh the early revenue collectors were described as *malik-wa-ta'alluqdar* of specified villages, an arrangement originating in *qaul-o-qarar*, the assessee holding both zamindari rights and revenue responsibilities, and Khwaja Yasin's glossary defines a Taluqdar as a zamindar responsible for paying revenue for his own estate as well as for the estates of others. Such arrangements were made by the Amils, and later by the Nazim or the Chakladars, because it was more convenient to collect revenue through substantial Taluqdars than to engage with numerous small zamindars.

To appreciate the historical role of the Taluqdar in Oudh, it is necessary to examine the origin and evolution of the institution itself.

A. Understanding the Concept of Taluqa

An understanding of the Taluqdari system necessarily begins with the concept of the Taluqa. The term carries the idea of original acquisition by conquest, of the chiefship of a clan and of the possession of an estate over several centuries. In Oudh a Taluqa was a landed estate whose holder, the Taluqdar, exercised authority over land, revenue collection and local administration, and the powerful landowners of the province were called Taluqdars whether they were purchasers, or officers who had built up their estates by force or fraud, or chieftains established for centuries. Gubbins, who observed the institution at first hand as Financial Commissioner for Oudh, recorded that the Taluqdars varied greatly in origin: the greater number were hereditary heads of Rajput tribes settled in the neighbourhood, while others were new families sprung from a government official whose local authority had enabled him to acquire a holding of that description.²¹

B. Origin and Meaning of the Term Taluqa and Taluqdar

The word Taluqa is connected with the Arabic *ta'alluq*, attachment or dependency and hence a district, and the compound Taluqdar joins that word to the Persian suffix *-dar*, holder. The ENCYCLOPAEDIA BRITANNICA of 1911 treats the compound as Hindustani, 'from *taluk*, district, and *dar*, holding'.²² The term is accordingly indicative of connection with property in land, denoting the landed estate to which the person known as the Taluqdar was attached.

The nature of the Taluqdari institution was explained by several nineteenth-century administrators and commentators. While their descriptions differ in emphasis, they consistently

²¹ GUBBINS, *supra* note 12, at 62.

²² *Talukdar*, in 26 THE ENCYCLOPAEDIA BRITANNICA (Hugh Chisholm ed., 11th ed. 1911).

portray the Taluqdar as an intermediary entrusted with fiscal and administrative responsibilities on behalf of the State, occupying a position between the sovereign authority and the cultivating communities. Although the precise nature of the office differed across regions and periods, the essential characteristic of the institution was responsibility for the land revenue of a defined territorial unit. Gubbins put it plainly: the term Taluqdar meant the holder of a *talooquah*, or collection of villages, for the payment of the land revenue assessed upon which the holder was admitted to engage. The single engagement with one person for a number of villages saved the government trouble, but it conveyed no right of property to the Taluqdar in the villages for which he engaged; he paid the State a lesser sum and realised from the villages a somewhat larger one, and the difference was his remuneration. The size of a *talooquah* was constantly liable to change: if the central government was weak and the local official his friend, it would rapidly expand, and if a new and unfriendly official arrived, the Taluqdar would lose many or all of the villages he had acquired.²³

Although the institution appears to have originated as an administrative arrangement for efficient revenue collection, the position of the Taluqdar underwent significant transformation during the Mughal period. Under the Mughal administrative system, Taluqdars were entrusted with the responsibility of collecting revenue from a number of villages, maintaining local peace and order, and rendering military assistance whenever it was required by the provincial government. Their authority often extended beyond purely fiscal functions and gradually assumed political and territorial dimensions.²⁴

Although this study is primarily concerned with Oudh, the institution assumed different legal and administrative characteristics in different regions of India. By the beginning of the twentieth century the term was recorded as bearing two distinct senses: an official in the state of Hyderabad equivalent to a magistrate and collector, and a landholder with peculiar tenures in various parts of India, particularly in Oudh.²⁵

In its ordinary form Taluqdari tenure arose where a powerful man, by patent or grant from the supreme government, by the favour of the local government or by the action of the local people,

²³ GUBBINS, *supra* note 12, at 61-62.

²⁴ P. CARNEGIE, NOTES ON THE LAND TENURES AND REVENUE ASSESSMENTS OF UPPER INDIA 68-71 (London, Trubner & Co. 1874). Carnegie traces the tenure to a deed of 1642 under the seal of the Emperor Shah Jahan and, on Thomason's authority, to 1677, and treats Rajas and talukdars as 'part of the system which we took over from our predecessors'; he distinguishes the 'pure' talluka held by the hereditary chief of a clan from estates 'formed at a more recent period through the influence of official position, or by favour of the ruling power'. For the military incident of the tenure see BENETT, *supra* note 4, at xxi (the Chhattis supplied the chieftains and the intermediate class 'who held particular villages on the condition of rendering feudal service').

²⁵ THE ENCYCLOPAEDIA BRITANNICA, *supra* note 22. The entry reads in full: 'TALUKDAR (Hind. from taluk, district, and dar, holding), the name of (1) an official in the state of Hyderabad, India, equivalent to magistrate and collector, and (2) a landholder with peculiar tenures in various parts of India, particularly in Oude.'

was made the intermediary between the government and the village proprietors, collecting from the latter whatever they would otherwise have paid to the government and deducting for himself such allowance for risk and profit as the patent specified or custom authorised. On the same understanding, a Taluqa was a large estate consisting of many villages, or *mauzas*, which had originally had separate proprietors paying revenue directly into the government treasury; the government made over its right in those villages by patent to the Taluqdar, holding him responsible for the whole revenue and allowing him a certain percentage, together with other privileges, to compensate him for the risk of collection.²⁶

C. Statutory Recognition of Taluqdars in Oudh

The legal position of the Taluqdars after annexation was settled in three stages. The proclamation issued in Oudh in March 1858 by order of the Governor General confiscated the proprietary right in the soil of the province, subject to the exemption of a small number of named persons.²⁷ Summary settlements of the government revenue were then made with the Taluqdars who submitted, and by orders of 10 and 19 October 1859 the Governor General in Council declared that every Taluqdar with whom such a settlement had been made had thereby acquired a permanent, hereditary and transferable proprietary right in the taluqa for which he had engaged, including the perpetual privilege of engaging with the Government for its revenue; sanads in a prescribed form, given by and running in the name of the Chief Commissioner, were to be prepared and issued accordingly.²⁸ The Oudh Estates Act, 1869 then gave that settlement statutory form, section 3 conferring a permanent, heritable and transferable right on every Taluqdar with whom a summary settlement had been made between 1 April 1858 and 10

²⁶ *The Settlement of the N.W. Provinces*, 12 CALCUTTA REV. 413, 422 (1849), reviewing DIRECTIONS FOR SETTLEMENT OFFICERS (Agra 1844): the native governments ‘delegated their rights in this respect in one or more villages to some person, previously unconnected with the spot, and permitted him to realize, on his own account, the share of the produce, otherwise due to the State’, and such a grantee, engaging to pay a yearly sum to the government, ‘was called a Talukadar, or Zemindar’, ‘a Talukadar being simply a farmer upon a large scale’. For the composition of the taluqa see J. Thomason, *Report on the Settlement of the Ceded Portion of the District of Azimgurh, Commonly Called Chuklah Azimgurh*, 8 J. ASIATIC SOC’Y BENGAL 77, 100 (No. 86, Feb. 1839) (para. 51), defining it as ‘a collection of villages, each having a separate community of its own, which by some act of the ruling power had been assigned to an individual, who was to collect the revenue from them, and pay over a certain portion of it to the Government’.

²⁷ The Oudh Estates Act, 1869, *supra* note 2, s. 4, referring to ‘the proclamation issued in Oudh in the month of March 1858 by order of the Governor General of India’ and to the persons whose lands it ‘specially exempted from confiscation’, who are named in the Second Schedule to the Act. The preamble recites that the proprietary right in divers estates was conferred on Taluqdars and others ‘after the re-occupation of Oudh by the British Government in the year 1858’.

²⁸ The Oudh Estates Act, 1869, *supra* note 2, sched. 1, re-publishing the orders of the Governor General of India of 10 and 19 October 1859 (Nos. 6268 and 23, from C. Beadon, Secretary to the Government of India, to the Chief Commissioner of Oudh).

October 1859, or to whom a Taluqdari sanad had been granted, subject to the conditions contained in the October 1859 orders and in the sanad under which the estate was held.²⁹

The Act constituted the first comprehensive legislative recognition of the institution. Section 8, which falls under the division of the Act headed 'Lists of Taluqdars and Grantees', required the preparation of official lists identifying the persons who were to be recognised as Taluqdars and Grantees for the purposes of succession and estate administration.³⁰ The provision reads as follows.

Preparation of lists of Taluqdars and Grantees. Within six months after the passing of this Act, the Chief Commissioner of Oudh, subject to such instructions as he may receive from the Governor General of India in Council, shall cause to be prepared six lists, namely:

First. A list of all persons who are to be considered Taluqdars within the meaning of this Act;

Second. A list of the Taluqdars whose estates, according to the custom of the family on and before the thirteenth day of February 1856, ordinarily devolved upon a single heir;

Third. A list of the Taluqdars, not included in the second of such lists, to whom sanads or grants have been or may be given or made by the British Government up to the date fixed for the closing of such lists, declaring that the succession to the estates comprised in such sanads or grants shall thereafter be regulated by the rule of primogeniture;

Fourth. A list of the Taluqdars to whom the provisions of section twenty-three are applicable;

Fifth. A list of the Grantees to whom sanads or grants have been or may be given or made by the British Government, up to the date fixed for the closing of such list, declaring that the succession to the estates comprised in such sanads or grants shall thereafter be regulated by the rule of primogeniture;

Sixth. A list of the Grantees to whom the provisions of section twenty-three are applicable.

²⁹ The Oudh Estates Act, 1869, *supra* note 2, s. 3.

³⁰ The Oudh Estates Act, 1869, *supra* note 2, s. 8. The Act does not use the word 'Chapter'; its divisions are numbered I to IX, and section 8 falls under division III, headed 'Lists of Taluqdars and Grantees'. By section 2 a 'Taluqdar' means any person whose name is entered in the first of the lists mentioned in section 8.

The enactment of section 8 marked the formal legal recognition of the Taluqdar as a distinct proprietary and hereditary class within the agrarian framework of Oudh. By requiring the preparation of official lists, by publishing them in the Gazette of India and treating them as conclusive evidence, and by regulating succession through statutory classification, the Act transformed an institution that had evolved through administrative practice and customary usage into one possessing a clearly defined legal status.³¹ The legislation therefore represents the culmination of the historical evolution of the Taluqdari system under British administration.

The settlement did not stand alone. The orders of October 1859 had promised that persons holding an interest in the land under the Taluqdars would be secured in the subordinate rights they had previously enjoyed, and that promise was worked out in the Oudh Sub-Settlement Act, 1866 and in the rent legislation for the province.³² The indebtedness of the newly recognised proprietors was addressed separately by the Oudh Taluqdars' Relief Act, 1870, which allowed the management of an encumbered Taluqdar's property to be vested in an officer appointed by the Chief Commissioner and provided for the notification, determination and settlement of his debts.³³

IV. CONCLUSION

Oudh's historical, social and geographical features shaped a distinctive agrarian and political structure within which the Taluqdari system emerged as a significant institution. Initially a revenue-collecting arrangement, the Taluqdars gradually acquired administrative and proprietary authority. Under British rule the Oudh Estates Act, 1869 recognised that status in law and transformed them into a distinct hereditary landed class. The settlement so created survived until after independence, when the intermediary tenures of the province were abolished and the estates vested in the State under the Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950.³⁴

³¹ The Oudh Estates Act, 1869, *supra* note 2, ss. 9-10 (publication of the lists in the Gazette of India; courts to take judicial notice of the lists and to regard them as conclusive evidence).

³² The Oudh Sub-Settlement Act, 1866, *supra* note 3, s. 1, giving the force of law to the Chief Commissioner's rules for determining the claims of persons possessed of subordinate rights of property in taluqas held on or before 13 February 1856; The Oudh Rent Act, 1868, No. 19 of 1868 (India), repealed by The Oudh Rent Act, 1886, No. 22 of 1886, s. 2 (India).

³³ The Oudh Taluqdars' Relief Act, 1870, No. 24 of 1870, ss. 3, 6, 9, 11 (India), an Act 'to relieve from incumbrances the estates of Taluqdars in Oudh', which received the assent of the Governor General on 7 September 1870.

³⁴ The Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950, U.P. Act No. 1 of 1951, ss. 4, 6 (India) (declaration vesting estates in the State free from all encumbrances, and the consequences of vesting).