

RESTORATION OF MADAD-I-MAASH GRANTS AND IMPERIAL FARMAN OF 1690 A.D

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ABSTRACT

The benevolence and the concept of their Kingship which aimed at the socio-economic & cultural development of the empire had prompted the Mughal emperors of India to issue madad-i-maash grants to their subjects. These grants were also known as Suyarghal (aid for subsistence). Throughout the history of Mughals we come across numerous such documents assigning grants to individuals for their own livelihood or for the maintenance of religious institutions like Madarasas, Khankahs temples etc. Such grants were also given for the maintenance of Faqirs, Sadhus, Conducting URS, or helping the needy and poor. Grants were also given as Inan or Milkiyat to the officials as also in lieu of their loyalty and services. The beneficiaries of these grants were both Hindus and Muslims and they represented different sects and strata of society. Both the Hindu and Muslim grantees can be divided into four categories each. Muslim males, Muslims women, Faqirs and officials among the Muslims and Sadhus, Hindu astrologers, Brahmans and officials among the Hindus.

KEYWORDS: *Conducting Urs, Bearing, Beneficiaries, Categories, Assigning Grants, Benevolence.*

INTRODUCTION

The institution of the madad-I-maash had an important bearing on the social and political life of the Mughal times. The revenue political life of the Mughal times. The revenue grantees were not a class of mere parasites. The state had its own interest in maintaining this 'Army of Prayer'. They were State's creatures and therefore its natural propagandists. In principle, person belonging to four categories were eligible for the grant of the madad-i-maash:

1. Scholars who were seekers after truth and had renounced the world ;
2. Persons who eschewed the urge for greater gain and chose a life of seclusions and self-abrogation.
3. The destitute and the poor who were incapacitated to earn their livelihood and
4. Persons of noble lineage who ignorantly deemed it below their dignity to take to any employment.

In the classic period of the Mughal Empire (1556-1707), there was a large department of state headed by officials known as Sardars, who managed the revenue grants that, though technically, deemed charity, predominantly fell in our category. The department was headed by the sadr-u-sudur at the centre. The local department of the Sadrs and the Mutawalis worked under him. These departments were under the direct control of the imperial centre.

In the appointment, promotions and dismissals of even the pargana Mutawallis, an imperial Farman or Harab-ul-Hukum seems to have been essential. These grants did not invest the grantee with any right over land but entitled to the prescribed revenue from its produce. Akbar put the ceiling of such grants of land to 100 big has per person. The policy of Akbar was to grant half cultivable and half waste land to improve agriculture.

The grant was for the lifetime of the grantee and the heirs could apply for a renewal. Generally only a part of the grant was allowed to heirs. Jahangir confirmed all the grants made by Akbar, while Shah Jahan began to examine all grants given during the previous reigns. He allowed 30 big has to be inherited, Aurangzeb reduced it to 20 big has. In the 30th year of his reign, he allowed the grant to be entirely hereditary, by calling such grants as loan (ariyat) and not properly. In the latter part of his reign as well as after his death, the grantees started enjoying the right to sell or transfer the land, which, then, acquired the characteristics of a Zamindari.

But we need surely to distinguish between (a) charity that went to maintain elite classes, such as priests, theologians, scholars, etc; thereby helping to sustain the ideological basis of the current system of income distribution and (b) genuine aid to the poor, the elderly, the sick and the pauperized classes, which had either a humanitarian or a tactical (usually theological or ethnic orientation).

ADMINISTRATIVE REGULATIONS

Although charitable grants were essentially of religious nature yet they were governed more by the imperial regulations than by the tenets of the shariat, the madad-i-maash, whether with service or without any service, was personal and usually for life- time of the grantee only. The grant was subject to confirmation and verification at any stage.¹ Even the confirmed grants were subject to confirmation at the accession of the new emperor because of the fact that at emperor's death old Farmans and sanads ceased to operate. These documents could become valid only when confirmed or renewed by the new emperor. Each assignee of madad-i-maash was expected to produce the sanad as and when demanded.² The practice was known as tashiha³ and such renewal or confirmation was called tashihnama.⁴ Normally the madad-i-maash did not refer to the heirs of the grants, although in some sanads issued to sajjada nashin of dargah or even a priest of the math we find the provision for continuance of the grant in the names of the descendants.⁵ Such a provision was exceptionally made in the madad-i- maash to some individual grantees also.⁶ A careful study of the madad-i-maash documents reveals that all grants including those containing a provision for continuance needed renewal and confirmation at the death of the original grantee.⁷

As a matter of fact hereditary succession supported by proof was usually respected but such a concession did not make the madad-i-maash hereditary at least prior to issue of the imperial Farman of 1690 AD which more or less regulated the succession to the grant. In addition to possible reduction of a madad-i-maash grant at the time of renewal, the government had the prerogative to resume the grant at any stage without assigning any reason, although such a step was rarely taken. Occasionally the absence of a sanad or failure to produce the sanad or to execute the bond (muchalka) attested under the seal of the qazi or any other satisfactory proof led to resumption of the grant by the state.⁸ Such grants were resumed by the sadr after taking

imperial orders. Undeserving grants could also be resumed.⁹ Qazi Rizvi, sadr of Bengal rejected many sanads and subsequently cancelled madad-i-maash grants claimed on them.¹⁰

The assignees represented to the governor who referred their case to the sadr-us-sudur.¹¹ The madad-i-maash grant was also resumed to the khalisa and made muqarrari if the grantee died or fled without leaving any heir who could represent to the sadr or the emperor for renewal and restoration of the grant. Sometime grant was resumed on information that it had been obtained through fraud or forgery of the seals affixed on sanads and parwanas. One of the charges levelled against sadr-i-kul Musavi Khan was that he made grants on the basis of forged documents to undeserving people.¹² In daily reports from Deccan we find such instances where the grantees were alleged to have claimed wazifa on the strength of forged documents.¹³ The forged documents were sent to the sadr-i-sudur for investigation.

Certain complaints of forcible dispossession from the grant were also sometimes reported. A farman dt. 4 Shawwal of 16 RY/1642 was issued for grant of a garden with an addition of some more land adjoining it totalling 60 bighas to Fatima married to Arif Muhd,

one und daughter of Khan Bibi Rashida who had been forcibly dispossessed from her madad-i-maash grant.¹⁴ The grant 25% was restored in village Dekhte, pargana Hajipur, suba Bihar.¹⁵ Another farman dt. 16 Jamadi-u-Sani 28 RY/1654 released half of the resumed land belonging to one Syed Salim and his sons in favour of Sayid Haider in village Khilwat of pargana Haveli 239 Hajipur.¹⁶

The mutasaddis had resumed this land arbitrarily at the grantee's death.¹⁷ A parwana dt. 1061/1650 directed the officers of pargana Sandila, sarkar Lucknow not to interfere in the madad-i-maash. The chaudhary to the village was specifically directed to abstain from unauthorized interference.¹⁸ The local qazi tried several such disputes to find out the actual grantee. In a complaint lodged in the court of the qazi of Gorakhpur it was alleged by Shaikh Yusuf, the madad-i-maash grantee, that one Shaikh had taken unlawful possession of the farman granting 200 bighas of revenue-free land and had, therefore, dispossessed him from his rightful claim.¹⁹

As stated elsewhere all madad-i-maash grants whether given to Muslims or non-Muslims were, theoretically, non-hereditary and inalienable at least prior to 1690, with full prerogative of the emperor to reduce or even confiscate them without assigning any definite reason. These grants were further governed by official regulations which did not perhaps look to the shariat for guidance. Both reduction and confiscation of some grants had already taken place under Akbar and Shahjahan, and under Aurangzeb also some grants in the suba of Bengal were resumed when the provincial sadr had rejected many of the sanads. However, imperial order of 16 RY/1673 referred to by a chronicler relating to confiscation of grants to the Hindus alone seems intriguing and needs examination. Strangely enough, the order was not directly addressed to the sadr but to the diwanis of the realm who were not directly concerned with these grants. Secondly, the order finds mention, in passing, in the general policy statements aimed at praising the religious achievements of the emperor. Quite likely, our chronicler might have been inspired by the religious zeal to write something which is not fully supported by facts. It is not stated anywhere as to which specific grants were confiscated or resumed nor is there any mention of the manner of enforcement of the order or involvement of the sadr.

We find some fresh madad-i-maash grants issued or renewed to the Hindus even after the imperial order was supposed to have been enforced. Four grants earlier given during 1660-63.

In favour of the Hindus in the suba of Bihar²⁰ appear to have continued as we do not find any contrary evidence to resumption of their grants. A sanad of 5th safar 1102/1690 relates to a Another parwana was issued in 46 RY/11703 with the seal of Fidai Khan conferring on one Bhinpat Dubey 61 bighas of land grant as madad-i-maash from village Madohabad, pargana Mehshi, suba Bihar.²¹ A land grant of 1098/1688 made in favour of Ramjivan Goshain and his sons as inam for building up houses for the Brahmins and the holy mendicants in the vicinity of Benaras points to the ineffectiveness of the imperial farman calling for resumption of grants from the Hindus.²² By a parwana dated 6 Jamadi 11 30 RY/1686 Pant Bharti, and others who had been cultivating 100 pakka bighas of land in the state of Marwar and rendering services to the travellers by providing them free food (langar) were given exemption from the land revenue (hasilat) according to set formula.²³ Another grant dt.7 Safar 33 RY/1688 is addressed to one Dharamnathji, a jogi in the math of Mande Khan in pargana Didwana.²⁴ Seven other documents written between 31 RY/1688 and 47 RY/1703 repeat assurances of revenue-free charitable land grants.²⁵ The revenue- free land grants as madad-i-maash in favour of Tikayatji Maharaja and his descendants, renewed from time to time, continued without any disturbance till the period of Shah Alam when they were converted into inam al taghma.²⁶ It is also relevant to add that the Parsi physicians of Navsari in Gujarat received sanads confirming their grants in 1664 and 1702. In view of this evidence it appears that the imperial order of 1673, if issued at all, was in all probabilities too general in nature. It was not followed up strictly and therefore became defunct for all practical purposes.

Significance of the Imperial Farman of 1690 A.D.

Theoretically, all grants could be increased, decreased or even resumed any time, although normally they were not disturbed. The sanctity of the imperial charity was so much respected that even a grant which lapsed for 50 years was restored by the sadr on satisfactory proof.²⁷ Under the prevailing practice the grant was renewed in favour of the heirs of the grantee provided the latter could convince the sadr of their claims. In addition to this each document contained a directive to the officers to ensure that the grantees were not harassed on account of revenue or cesses or any kind of taxation.²⁸ However, despite these concessions, the madad-i-maash grant could not be treated as an article of personal property. The Mughal Government too always maintained its prerogative of preventing any sale or Transfer of madad-i-maash rights and the grantees seemed to be fully aware of it. The madad-i-maash grant could only be bequeathed subject to confirmation by the office of the sadr but could not be gifted away to the relatives or descendants of the grantee. In a reported case where the heirs of deceased grantee filled a suit for the recovery of madad-i-maash a land which their father had alienated to some other person by way of gift, the qazi who tried the case gave the ruling that the deceased grantee could not legally alienate the land and ordered the restoration of the grant to the legal heir.²⁹ For all practical purposes the madad-i-maash rights were distinct and stood on a different footing from the rights of the intermediary zamindars. The recipients of madad-i-maash always considered the grant a symbol of imperial patronage and do not seem to have challenged the imperial prerogative of reduction or resumption of these grants any time during aurangzeb's period. Prior to the farman of 1690 A.D., there is perhaps no sale deed or transfer deed of madad-i-maash holdings registered in the qazi's court or attested under his seal.

In 34 RY/1690 A.D. an imperial farman was issued defining the line of succession to the madad-i-maash grants.³⁰ The farman which contains regulations for succession after the death of grantee empowered the sadrs and the gazis to take up disputes on the question of succession and decide the issues in accordance with guidelines defined in the farman.³¹ It was also stipulated that as the land given in was madad-i-maash was held on loan (a'uriyat) and not in complete ownership, its inheritance was to be governed more by

administrative regulations that the shariat law of inheritance.³² The line of succession included the daughters also whose share was known as dukhtari.³³ The qazis were not permitted to interfere in the quantum or quality of land assigned. The predominance of administrative regulations implied that the madad i maash grants had become more a product of the law of the land (urfi) than a mere preserve of any one community.³⁴ The farman was a turning point in the Mughal agrarian set-up for several reasons. It legalised the common inherent tendency among the grantees to treat madad-i-maash as an article of personal benefit. The share from madad-i-maash continued to be an additional means of benefit.³⁵ The periodic confirmation and renewal of the grants were relaxed. The officers did not have any leverage in choosing the descendant to a particular grant. All the complaints of succession arising from local feuds or disputes on account of partition of the shares in the land or usurpation by force or forgery or loss were to be referred to the qazi's court or to the office of the sadr for settlement. The absence of periodic inspection by the authorities while making the grantees complacent with their holdings also placed some of the smaller grantees who had no link or influence (wasila) in a very pitiable condition. Talish records a despicable practice in Bengal about the heirless grantees.³⁶ In the post-1690 period which witnessed the weakening of the central authority, we find madad-i-maash rights acquired by force by powerful people from top down or by local influences from bottom 2KI up without any effective remedy from the qazi's court.³⁷

The impact of the farman of 1690 was slowly felt in the early eighteenth century when we find a new phenomenon of madad-i- or less like the maash grantees treating themselves more 282 intermediary zamindars in their particular areas began to emerge.³⁸ The sale and transfer of such rights, as distinct from ownership, started until it became absolutely difficult to distinguish between the original zamindari rights and the new zamindari rights acquired as a result of the madad-i-maash. However, our sources of the 17 century do not prove the hereditary position of the madad-i-maash grantees prior to 1690 A.D., for there is perhaps no sale deed or transfer deed of these rights in our sources. The farman of 1690 regulated the line of succession to the grant and as such the land allotted to them ultimately acquired a universal value. The hereditary claims on madad-i-maash and the weakening of the Mughal central authority provided a base for treating the grants freely in transfer transactions similar to the zamindari rights. While such a historical development led to increasing dependence on the qazi for attestation and registration of documents as also for settlement of disputes in the specified shares in the grants,³⁹ it also encouraged the tendency among the grantees to strengthen their holdings by acquiring zamindari rights. In the 18th century these rights resulted in better economic status which posed indirect threat 284 to the local officers of the sadarat department.³⁹

Though the grant to Muslims is not so important, the grant to Hindus is definitely significant. These grants must have brought a social transformation by creating a new class of land owners who not only enjoyed the fruits of the soil but also attained a superior position in the society. Even during the days when the empire was facing great financial hardships and the economy of the empire was on the verge of collapse, this tradition was kept alive. The continuance of the practice of granting mada-i-mash bear's ample testimony of the benevolence of the later Mughal emperor proves that they were alive towards the socio-cultural activities of the society. It also testifies the continuance of the state assistance for the cultural community of the country.

REFERENCES

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2. Mirat-i-Ahmadi, I, 303-04; K.K. Datta, Basta 299 dt. 7 Zilqad 25 RY/1682, p. 107.
3. JRAS (Bombay, 1903), Doc. 4.
4. The tashinama was originally drawn up by the sadr-us-sudur on the authority of the previous sanads.
5. Allahabad Doc. 9, 154 of 1049 A. H., 165, 168, of 1079 A.H., 170 of 1073 A. H., 176, 178; Proceedings IHC (Delhi, 1961), B. R. Grover, "Position of Desai in the ParganaAdministration of Suba Gujarat under the Mughals", pp. 150-5; Selected Documents of Sahajahan's Region, Doc. 81 dt. 6 Zilqada 1060/21.10.1650, pp. 177-8; Farman-I- Salatin Doc. 45 dt. 20 Rajab 1068; also Imperial Farmans to Tikyatji Maharaj Farman dt. 7 RY of Sahajahan which states the words naslan bad nasl.
6. Allahabad Doc. 55 of 1106 A. H., Siyaq Nama pp. 82-3; Bilgram Collection, Doc. 39 of 1095 A.H.; Faramin-i- Salatin, Doc. 55, 63; Sambhal Doc. Farsia 6/52 dt. 1071 A.H.; K.K. Datta, op. cit., p.41.
7. Faramin-i-Salatin Doc. 63 dt. 20 Rajab 1068, Doc. 55, Parwana 34 RY/1690 of 1087 A.H. Even a small grant of 40 bighas in village Chak Moharrar, Pargana and sarkar Hajipur given in 13 Ry/1670 in favour of Shaikh Habib was renewed and confirmed three times between 40 RY/1073 and 51 RV/1707 in the names of the heirs of the grantee.
8. Mirat-i-Ahmadi, I, 35.
9. Badshahnama, ii, 365; Maasir-ul-Umara, iii, 449.
10. Studies in Aurangzeb's Reign, Sarkar, pp. 166-8.
11. Ibid.
12. Badshahnama, ii, 363, 365-66.
13. Selected Documents of Shahjahan's Reign, Doc. 61 dt. 18 Jamadi I 1054/1644, p. 15.
14. K. K. Datta. op. cit., Basta 687, p. 15.
15. Ibid.
16. Ibid., Basta 694, p. 16.
17. Ibid.
18. Allahabad Doc. 315; also see Bilgram Doc. 7, 17.
19. Allahabad Doc. 204 dt. Muharram 1080/1669.
20. K.K. Datta, op. cit., pp. 66, 76, 85.
21. Ibid., p. 79.
22. Ibid., p. 26.
23. JPHS, 1957, Vol. V, Jnan Chamdra, "Aurangzeb and Hindu Temples", p. 250.
24. Basta 2/76 Nos. 8-19 and 26-31 of Jodhpur Records, Bikaner as quoted by Satish Chandra, "Some Religious Grants of Aurangzeb to Maths in the State of Marwar", Proceedings IHC (1970), I 405-7.

25. Ibid.
26. Ibid.I
27. mperial Farmans granted to Tikayatji Maharaj (ed, K. M. Jhaveri), Various Farmans.
28. Parwanas dt. 8 Jamadi I, 8 RY of Aurangzeb, JPHS, vi, (1958), Jnan Chandrz, "Alamgir's Grants to Hindu Pujaris", pp., 55-65.
29. This has led some scholars to think that madad-i-maash grantees enjoyed a better social and economic status.
30. Allahabad Document relating to a judicial decision of January 1666 as quoted by Irfan Habib, op. cit., p. 304.
31. Mughal Farmans, ed, K.P> Srivastava, Vol. I, Doc. XLIX.
32. Ibid.
33. Ibid. : Clause V of Farman: 'If a man dies leaving his wife, his land shall be left in her possession and she as a life tennat, shall continue to hold the same and after her death, the land shall be given to the heirs of the aforesaid woman'.
34. Clauses 2, 3, 4 of the Farman, Also see Farman-i-Salatin, Doc. 77 which relates to a madad-i-maash of ! rupee as daily allowance from treasury of Panipat and 100 bighas of land from pargana Panipat suba Shahjahanabad, in favour of Sayyid Jamal and his descendants. The copy of the farman which was received in the office of the sadr on 11 Ramzan 35 RY/1691 contains as provision of shares of madad-i-maash in favour of daughters viz. Sahib Daulat, Noor Bibi etc. On the pusht of the document the daily allowance was increased to Rs. 5 Cf. daughters probably never claimed any share in zamindari rights during this period.
35. This is clear from various clauses of the farman: Married daughters who received land from their husbamd were to forgo their shares in favour of their brothers. Strangely, of the farman appears to be in contravention of the Shari'at principles. Yet the words "in accordance with Muhammadan code of law (mutabiq-i-shar-sharif)" appear frequently in clause VI and so on.
36. "Even if all the heirs to a grant possessed land at some other place, the share in madad-i-maash shall be treated as additional means of income and shall not be interfered with".
37. Fathiyya-i-ibrjyya quoted in History of Bengal, Sarkar, pp. 372-3.
38. Local feuds or dispute among the grantees gave an opportunity for exploitation by a powerful zamindar.
39. The aimadars of amethi had to pay the customary land revenue amounting to Rs. 10,015. The Iaimdars of Haidargarh, Satrakh, Ibrahimour and Anbola parganas had also tp pay a fixed revenue, Allahabad Doc. 218 of 1179/1764. Thus certain types of madad-i-maash land acquired more or less the same character as zamindari lands. Cf. A document in Bilgram collections makes a reference to a madad-i-maash mortgaged in 1136/1724 (Bilgram Document 67).