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Prospecting Wasteland: The 'Discovery' of Nainital

By

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This paper explores the earliest official accounts of Nainital, a small hill town in the Kumaon region of north India, which aimed to transform its terrain into a place of residence for the British in mid-nineteenth century. While Nainital was part of an older, meaningful landscape and it was also not entirely unknown to the British themselves, scripting its 'discovery' in 1841 allowed them to possess it. Themes of exploration, wonder, adventure and wilderness which this word invokes conceal the violence ingrained in it. Discovery was a trope to mark a beginning, a ploy to silence local claims, but it soon became a fact of Nainital's History, with a name and a year attached to it. Passing from imperial history-writing to everyday parlance, its historical significance was lost just as its implications were normalised.

Prior to 1841 the glen at the head of the lake was covered with a dense forest, only resorted to by the herdsmen of the surrounding villages who brought their cattle there during the hot weather and rains for the abundant pasturage of the valley… Their first duty was to propitiate the goddess, and thus the temple retained its importance and sanctity. On certain days numbers of people resorted hither for bathing in the lake, which was the special property of the goddess. Otherwise the place was apparently unknown.

H. R. Neville, *Naini Tal: A Gazetteer*, 1904.

It is curious that a place, so suitable from every point of view as a hill settlement, should have remained so long undiscovered, but this is possibly explained by the fact that the lake was held particularly sacred by the hill men, who did everything in their power to prevent its being polluted by the intrusion of Europeans.

J. M. Clay, *Naini Tal: A Historical and Descriptive Account*, 1927.

Nainital is a small town located in the Kumaon region of north India. A hill-station (un)settled by the British from the mid-nineteenth century onwards, the narrative of its history is most often framed by its 'discovery' in 1841 by Peter Barron, a sugar trader from Shahjahanpur in the then Rohilkhund. After having visited the locality and hopeful of its transformation into a British settlement, Barron made an application for a grant of land in the vicinity of lake Naini in February 1842.[1] Within a few months his application was accepted, followed by those of other future proprietors of Nainital, and slowly a township came to gain a shape around the lake. Thus, its 'discovery' transformed its landscape from an 'unknown' space into a 'known' one. In the teleology of most official histories of the place, as well as many of the popular ones, what often follows this manner of beginning is a recounting of names and dates in chronological order.[2] From one point to another, what is charted is the 'growth' of Nainital as a hill-station through the coming up of cottages, schools, hospitals, churches, hotels, clubs, government offices, and so on. It is a very cohesive picture with no glitches and deviations. One fact leads to another, one event leads to another, marching along the tunes of History.

However, if we look closely, a tension is present in these very writings. For instance, H. R. Neville's words above attest to the shift that took place in 1841 for the space that Nainital was, but they also plainly mention the key exception to it: the relationships amidst which the place was situated for the people of the neighbouring region who had regularly resorted to the lake and the hills surrounding it much before the British registered their entry upon its landscape. They went there to collect wood or to graze their cattle or to worship the local goddess Naina whose temple stood on the lake's shore. Similarly, while J. M. Clay notes the late 'discovery' of so advantageous a place as Nainital, he also admits to its location within a local meaningful landscape. The presence of these relationships, however, did not situate Nainital any differently

vis-à-vis the claim that the British eventually made over it. The 'discovery' remained intact since *otherwise the place was apparently unknown*.

In this article, we take a more detailed look at this beginning. If Nainital was already a part of a social cultural landscape, how did the British go on to establish themselves there? How was a transformation secured for it, especially since it was a sacred space for the local people? Further, what doubts and convictions did the decisions of the British symbolise? These questions are explored through the cadence of the earliest official exchanges between the different government officials of the North Western Provinces (hereafter NWP) through the years 1842-43, which took place as a consequence of Barron's application. Underneath the epithet of 'discovery,' we find the colonial state's legal and administrative process of 'occupying' Nainital. By exploring a series of official exchanges we see how a handful of letters scripted a transformation for the space of Nainital as it had existed till then. What we also witness is the form of colonial power, the workings of its desire, with evidence at its service, and also its fragility, necessitating a reiteration here, a citation there.

A Changing Landscape

Interestingly, Barron was not the first European to have visited Nainital, and he was also not unaware of this.[3] George William Traill, the Commissioner of Kumaon from 1817 to 1835, knew of the existence of the lake and it finds a brief mention in his 1828 article 'Statistical Sketch of Kumaon.'[4] It is noted as a lake, alongside two others in the area, all three being labelled 'remarkable.'[5] In fact, this mention comes in the early part of his report which comprises of details on Kumaon's physical boundaries, topography, flora, fauna and climate. In the string of such features as mountains, valleys, forests and rivers, lakes were one kind distinguishing the terrain into knowable parts. Surveyor W. S. Webb, who was involved in survey work in Kumaon from the first decade of the nineteenth century, even before the region came under the British after the Anglo-Gurkha war, mentions some of the neighbouring areas of Nainital in his maps from 1810 and 1819.[6] It is in Webb's article of 1834 on altitudes of different places in Kumaon that the lake is eventually listed.[7] While Nainital finds a mention in these works, their focus was on a larger terrain which was being mapped and made known and simultaneously being brought under the administrative purview of the British Government of India.

Besides geographical and cartographic exploration, some of the areas neighbouring Nainital were also increasingly coming under the attention of the British through the nineteenth century due to a noticeable increase in agricultural expansion. By the 1820s it had was clear that this was especially the case with areas adjoining Bhabur, the dry belt at the foot of the hills which had been traditionally used for pasturage and partial cultivation.[8] These included the *parganas* of Chakkata and Kota that flanked the hills immediately on the south and west of lake Naini.[9] Divided into *pahar pattis* and Bhabur *pattis*, they witnessed an increase in cultivation and prosperity through the nineteenth century. As *nayabad* or new lands were brought under cultivation in such areas, 'great improvement' was seen in the condition of Kumaon, which

translated, amongst other things, into increased land revenue for the colonial state.[10] The hills immediately around lake Naini, however, remained outside the purview of this agricultural regime as they are too steep for agriculture. In contrast to these developments which were taking place in the larger region, Peter Barron's application of 1842 emphasised the singularity of Nainital.[11] It focussed on the lake and the hills which surrounded it and the official exchange which followed his application, retained this singularity of form and attention.

For John Hallet Batten, the Assistant Commissioner of Kumaon, Barron's application was without precedent and he forwarded it to his superior George Thomas Lushington, the Commissioner of Kumaon. He also attached a brief report on the place along with a sketch, both of which favoured Barron's application.[12] Lushington had never visited the locality in question and therefore could not account for it himself. However, when he wrote to the officials at NWP on the matter, he too recommended Barron's application citing Batten's report which stated, 'there is good building ground near the lake for a limited number of houses and that the hill people of the vicinity are anxious for their erection.'[13] He went on to suggest that in case of a positive response from the Lieutenant Governor's office, 'rates lately laid down for the new sanatarium of Kusolee' could be adopted for 'Nynee Thal,' if found applicable.[14]

In response, the Sudder Board of Revenue made the following inquiry:
The Board request to be informed whether the land in question is occupied and if so in what manner, and on what terms the holders are inclined to dispose of it; or if unoccupied and waste whether the power of letting the land rests with Government and if the owners of the land have any right.[15]

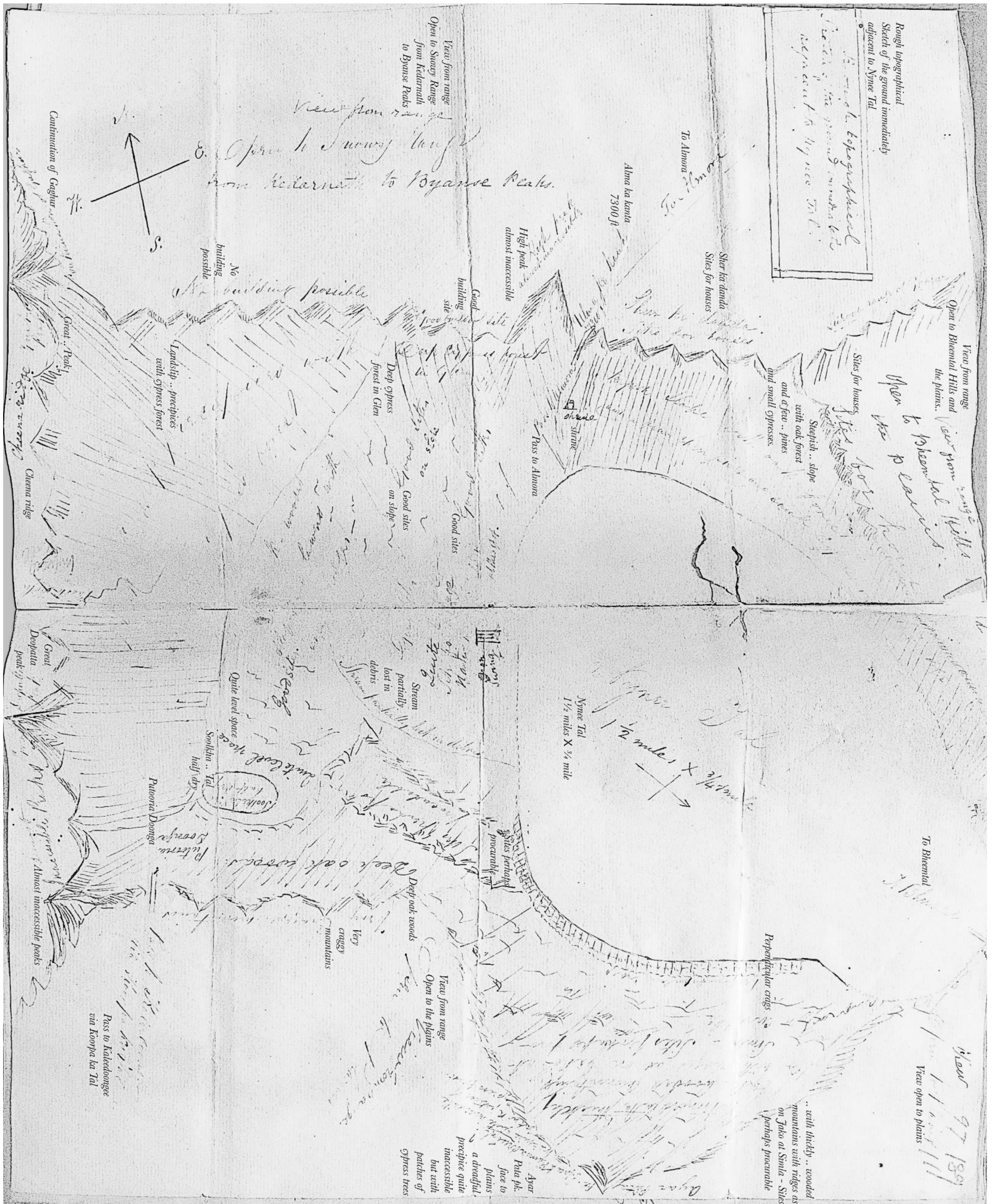

Image 1: Rough topographical sketch of the ground immediately adjacent to Nynee Tal by Captain Webb, 1842, UPSA.

Within a few months, these questions were adequately answered and the Board's officials satisfied, finally leading its secretary at Allahabad, H. M. Elliot, to the following conclusion:

It appears from the report of the district Officer that the land immediately around lake Nynee Tal is unoccupied and waste, and entirely at the Disposal of Government for any purpose to which they may be pleased to assign it. It also appears from a previous report of the 9th March, forwarded direct to Government by the Commissioner of Kumaon, that the people in the vicinage of the lake, so far from having any objection to the appropriation of the lands bordering on it to building purposes, are sensible of the many advantages which would result to them when once the lake becomes a place of general resort. Mr. Barron's application, therefore, may be safely complied with, without fear of molestation to the rights or even prejudices of the people, and upon such terms as his Honor may be pleased to determine.[16]

Within less than a year of applying, Barron's application had been accepted and his hopes for a British settlement at Nainital approved, so much so that officials governing NWP advised their counterparts at Sudder Board that 'care should be taken to avoid the error of granting too large holdings, and convenient spots should be set apart for public purposes, such as Fairs, Markets, Bazars, &c. and also for public buildings, as a Church &c.'[17] That there was little difference of opinion amongst the British, officials and non-officials, as to the possibilities that Nainital could offer as a settlement is no surprise. By the early 1840s, hill-stations were a welcome aspect of colonial life in the sub-continent. The earliest ones, those of Simla, Mussoorie, Ootacamund and Mahabaleshwar, initially starting out as sanitaria were by now well-established in multi-faceted ways.[18] The desirability of elevated residential locations for the health and well-being of Europeans had acquired a very palpable materiality by mid-nineteenth century.[19] Although the heat and humidity of much of the sub-continent was not just a physical attribute but also a trope for all that was unfamiliar and hostile, the reason and rhetoric of physical health was the prime mover behind the promotion of hill-stations.[20] Over the years, even when the beneficial aspect of the physiological effects of living in hills and mountains became less definitive, hill-stations continued to be popularly resorted to.[21] As Dane Kennedy argues, what such a rhetoric enabled was the 'medicalization of leisure,' allowing Europeans to resort to the hills armed with a scientific justification.[22] And this practice was so popular that it stood not only medical contestations but also economic and political ones.[23] The degree to which these notions and practices were beginning to get entrenched in the European psyche becomes evident when we note Barron's emphatic surprise at such a late find of so attractive a place as Nainital.[24] But once recognised, it quickly went on to realize the hill-station story, complete with estates and cottages, churches, military barracks, schools, hospitals, clubs, hotels and the Mall. As early as 1847, just five years after the first land-grants were approved, Lushington eagerly reported that forty houses (out of which one of the earliest was his own) had been built at Nainital and two more were coming up; sixty-one visitors had resided there during that season, and were going to stay till after the rains; moreover, twenty-six casual visitors had at different times come up to the lake from March till early August.[25] Barron's hopes had very soon transformed into reality, and into the stuff of history.

But before this transformation became a fact, the colonial state had to resolve certain issues. If we return to Sudder Board's initial response, its concern was with the land in question. Was it 'occupied'? Or was it a 'wasteland'? Did the local people have any right over it? Under whose power did it lie? Answers to these questions required gathering up of appropriate evidence. And this was largely undertaken by Batten. He submitted two reports on Nainital, which gave details about the locale, the neighbouring villages and their inhabitants. The descriptions and arguments he presented claimed the space of Nainital for the British and repudiated the assertions of local people. Within the space of these letters, the colonial state asserted its right to dominion and appropriated a place.[26] But what were its strategies of appropriation? How did Batten's description reorder the landscape of Nainital and lay it open for a takeover by the British? As we shall explore in the following pages, the language of power was as much a language of desire. It was marked by authority and a tendency to control. At the same time, it also required constant re-enactment. Power had to be reproduced in order to be effective. And that even an uninhabited place had to be taken control of and ordered says something about the fragility of colonial power and the vulnerability of its agents who required a continuous process of justification and reason for its exercise.

A Prospecting Vision

'The scenery at the lake in question is very beautiful, and the climate is that of similar alpine situations with northern aspects in these mountains.'[27] Thus began Batten's first letter on Nainital dated March 9, 1842. As an opening line, it set an overall mood, an enveloping theme of beauty and salubrious climate, through which this place was evoked. Details were then filled in as the scenery was itemized. The lake, standing at an elevation of about 6200 feet, was surrounded by hills rising up by another 800 to 1500 feet. These hills, sometimes steeply descending on the banks of the lake, and at other times gently rolling down through undulating slopes and lawns, were interspersed with small streams and rivulets. They were also densely wooded with oak, rhododendron, chirpine and cypress trees. Slate, limestone, talcose and other calcerous rocks composed the terrain. And finally, views of the Himalayas as well as the plains spreading below were visible from different points along the ridges. Duly noted and measured, these objective ingredients produced the foremost facts of the place. Undoubtable features, visible to one and all, from then even up to now. Everything else came after. Or so it seems.

But as we know, at least less than two months before the above description was written by Batten, he had received an application for a land-grant in this very area. Barron had applied for sufficient land for 'the site of a house, garden and out offices.' He did not give any measurements; neither did he specify a precise location for the site. It was simply to be *somewhere* 'on the banks of the Lake, situated on the Gaghur range of mountains in Kumaon and generally known by the name of Nynee Tal.' But what might seem like a vague description for the location of an individual plot was indeed a very clear demarcation of an entire place as a space for such sites. And read in this light, Batten's description was equally an assessment. His eye did not rove dispassionately over this landscape. His words were implicated within an intention. His objectivity, despite its neutral claims, had its own incline. As he moved across wooded ridges and grassy slopes, noting

their gradient and elevation, he evaluated the possibilities for 'numerous good sites' for building purposes. When too steep for construction, the slopes could 'afford sufficient soil for the growth of numerous larger cypress trees yielding good timber.' The forest itself was praised not only for its pristine beauty but also for being a source of 'inexhaustible' supply of wood. Geological notes on the terrain approved the nearby quarry of clay slate which could be 'admirably adapted for roofs.' And finally an aesthetic endorsement was garnered by securing 'magnificent' views of and from the place. Through this enumeration of elevations (of hills and lake), gradients (of ridges and slopes), volumes and directions (of the water of the lake and streams), densities (of forest) and distances, Batten enunciated the values for a future he could see littered upon the landscape.

This bare plane of nature was always in the present, a ground zero from where to begin.[28] Like an introduction, it made way for future conversations. And upon it, depending on the values prescribed, a future could be projected, and a past lamented. How come, Barron had forcefully questioned, as we earlier heard, had a place such as Nainital *not yet* been settled? For it had to be – the advantages of the land around it were too unusual to be ignored. And Batten clearly concurred. What remained was the settling of a few 'doubtful' claims.[29] And, as we shall explore, whose doubts would be settled was a question of power. The land which had traditionally belonged to the locals was already, as Batten wrote, 'the land included in my description + sketch.' Describing it had already inscribed upon it 'numerous good sites,' an 'almost inexhaustible forest' and spectacular views. The settlement was already there, *in words and images*. What remained was effecting it upon the terrain. This intention was the route to Nainital – an active, embodied intention, which surveyed and mapped, noted particularities and extracted values.

In this regard, it is important to engage with the sketch which accompanied Batten's report (Image 1).[30] Titled 'Rough topographical Sketch of the ground immediately adjacent to Nynee Tal' and made by Captain Webb, the sketch spreads over two foolscap sheets of paper and presents an outline of the place from a bird's eye view. It can be thought of as the first map of Nainital, although it has very clear pictorial features as well. As a 'rough' image which is neither the more formalised map of a later period, nor just a line drawing or painting, it combines the elements of both in a unique way working through both two and three dimensional planes. The directions of the compass are represented in it as is the direction of the flow of the lake's water along with an estimate of its dimensions. The size and shape of the surrounding hills is roughly drawn. They form the boundaries of the drawn space and one does not get a sense of the larger ranges of which they were a part. Beyond them lies some blank space whose presence is not imposing.[31] The scale of the sketch required the focus to be on the lake and its immediate surroundings. The blank spaces are on the sides, and even there they are written over to some extent, thus downsizing their possible impact. This brings us to the other key feature of this sketch – its consonance with the text of Batten's letter.

It seems that Webb's sketch was more of an illustration of Batten's letter than anything else. And the latter had promised Lushington as much when he said, 'The accompanying very rough sketch will I hope enable

you to understand the above written description.' The hills, as we can see, have been flattened out in order to show the innumerable building sites. And their slopes are replete with writing – 'good sites on slope,' 'good building site,' 'sites perhaps procurable,' 'quite level space, 'sites for houses,' 'no building possible' and so on. The lake, on the other hand, is smaller and rounder. Clearly, neither its breadth nor its depth would be of any value to a propertied gaze. This presence of elaborate texts on the map betrays the intention behind it. Clearly, it was not enough to represent the topography of the place alone. It was equally important to include within the 'topographical sketch' the contours of a future settlement.

Local names of hills and places are present in the sketch. These include 'Ayar Pata,' 'Puttooria Doonga,' 'Soolkeka Tal,' 'Deopatta Peak,' 'Cheena Ridge,' 'Ulma ka Kanta,' and 'Sher ka Danda.' As points on a map, they are used as identifying markers. Their qualitative worth is also expressed at times - underneath Soolkeka Tal is scribbled 'half dry'; 'high peak almost inaccessible' is written near Ulma ka Kanta; over Ayar Pata's slope it says, '... thickly oak wooded mountain with ridges as on Jako at Simla'; and on the blank space beyond its ridge, indicative of its outward side is written 'face to plains a dreadful precipice quite inaccessible but with patches of cypress trees.' As we have already noted, Batten's letter follows the same format. The names of these hills occur in it as facts, valuable only in the light of what they represent in terms of the geography and vegetation of the place. Outside their physical, natural state, they have no significance, no relation, and no history.

Views of the plains as well as the 'Snowy Ranges,' pleasurable directions for one's vision and well-being, are marked out in the sketch. Similarly the routes to and from Nainital are depicted. Without them, a settlement would remain impossible. They include route 'To Bheemtal' in the south-east direction, the 'Pass to Kota' between the Cheena and Deopata peaks and the 'Pass to Kalee Doongee via Koorpaka Tal.' 'Pass to Almora' on the Ulma ka Kanta ridge, which connected Nainital to the hills further into Kumaon, is also marked. One route which is omitted here is the one along river Ballia, possibly due to paucity of space. Batten's letter also describes these routes briefly, giving directions and key markers and places along the way. For the routes via Kota and Koorpaka Tal he says, 'The two last routes are at present each one long march to the Plains, but with good roads the distance would – to Kaleedoongee and Kota respectively, not exceed that from Landour Hospital to Rajpoor.' Landour and Rajpoor are references to places at the hill-station of Mussoorie. Early on Lushington had mentioned Kusolee (Kasauli), yet another hill-station, for the adoption of rates of land rent. We see here a new set of references within which Nainital was being placed. We see an initial and rudimentary mapping of routes, which would later be transformed into roads of some kind. We see a settlement just waiting to clear the ground and set the foundation stones for its first cottages and buildings.

As has been noted previously, while survey work was underway in Kumaon by this time and places neighbouring lake Naini had been mapped, Nainital figured in them, if at all, as a lake. What changed with Webb's sketch of 1842 is that it emphasized the exclusivity of Nainital, its singularity. In the surroundings

of Nainital, Batten and Barron saw the prospect of a hill-station and sanatarium for the British. For the last two decades such places had come up across the sub-continent. What probably was not visible to earlier officials and surveyors had by now become commonplace. While the observations of the former noted a lake, the latter visualised an entire township. A geographical feature was now a landscape up for possession. And that it was not part of an already worked out system of routes was not a problem. It was valuable enough to be made a part of such a network. Roads would be laid out for it. Maps would be produced. Surveys would be undertaken. And rules and regulations formalised. And so an internally coherent picture would be finalised.

But were not the lake and the surrounding hills already part of an older meaningful landscape? The Sudder Board had declared it 'unoccupied' and 'waste' but these are colonial categories.[32] We know now that often a landscape, especially a rural one, was considered occupied by the colonial state when it was under settled agriculture. It also disregarded the claims of a variety of other livelihood practices over landscapes, whether they were used for forest produce or as pastures. But despite what the British understood as the correct way of occupying a place, surely cultivation could not be the only relationship with one's environment. The hills surrounding lake Naini were too steep for agriculture, no doubt, but that did not erase them from an older, local, historical landscape. Their very names are suggestive of this. Batten listed them in his report and Webb marked them on the sketch-map, but were the names and the hills they represented just facts for enumeration? Facts upon which subsequent action could be based? Henri Lefebvre has argued that the social nature of spaces is often concealed by means of an illusion of transparency. He says, and I quote him at length,

Here space appears as luminous, as intelligible, as giving action free rein. What happens in space lends a miraculous quality to thought, which becomes incarnate by means of a *design*.... The illusion of transparency goes hand in hand with a view of space as innocent, as free of traps and secret places. Anything hidden or dissimulated – and hence dangerous – is antagonistic to transparency, under whose reign everything can be taken in by a single glance from that mental eye which illuminates whatever it contemplates. ... Hence a rough coincidence is assumed to exist between social space on the one hand and mental space. By what path, and by means of what magic, is this thought to come about? The presumption is that an encrypted reality becomes readily decipherable thanks to the intervention first of speech and then of writing.[33]

In the previous pages we explored precisely this transference, of a mental space onto a social space. Batten's report *deciphered* Nainital's landscape at a glance. Within the realm of his vision, the place had been *illuminated*. And whatever stood antagonistically towards this transference had to be adequately concealed. And this included the claims of local people from neighbouring villages over this land.

The New Proprietary Regime

Before exploring the way in which Batten went on to dismiss local entitlements over Nainital, it is important to understand the changing regime of land revenue and proprietary rights, which the British had instituted in Kumaon during the first half of the nineteenth century. Under Traill, seven successive settlements of Kumaon were undertaken. Unlike the previous settlements under the Gurkhas which took assessments for the whole *patti* or *pargana*, Traill's settlements dealt with villages directly as 'it became necessary to fix the land revenue according to the actual produce, and therefore recourse was had to the village landholders themselves.'[34] These settlements were undertaken for short periods of one to three to five years, due to the 'migratory habits of the lower class of cultivators.'[35] It must be noted that no actual measurement was carried out for these settlements. Baden-Powell, writing decades later, described the process as follows: 'In 1823 a "guess measurement" had been made, and a *description* of the boundaries recorded.'[36] This was some cause for frustration for the Board of Commissioners at Furruckabad, under whom Kumaon had been placed in 1816, and which was keen on developing a detailed and precise system of assessment. But its objections were met with such assurances from Traill: 'From the nature of the country in Kumaon, it would be impossible to ascertain the assets of every individual village by actual inspection except by giving up many years to the service.'[37] Changes followed under his successors. Once Kumaon was subordinated to the control of the Sudder Board of Revenue by the Act X of 1838, the pressure increased for assessments for longer periods as well as detailed surveys of the state of affairs in terms of land, revenue and rights.[38] The next settlement under Batten in 1842-46 was 'the first partial attempt to measure and examine the capabilities of the land and form a record of rights.'[39]

The question of proprietary rights was a crucial one for the British since it would determine the relation between the colonial state and its dominion. Across the sub-continent, they had been following a policy of claiming all the rights which pre-colonial rulers had enjoyed, and this continued in Kumaon as well. For instance, Traill wrote,

The full property in the soil has here invariably formed an undisputed part of the royal prerogative, and on this right was founded the claim of the sovereign, either in person or through his assignees, to a large fixed portion of the produce, both of agriculture or mines.[40]

This interpretation of the rights and powers of the sovereign might be true on paper but not necessarily on ground. As Chetan Singh has argued in the case of Himanchal, the position of the real cultivator was not as vulnerable as what the above statement would suggest. There was always a distinction between the right of the cultivator to cultivate the land which belonged to him and the right of the ruler to claim a share in the produce of the land.[41] The difficult terrain of the hills also disallowed the exercise of absolute control by the ruler and Traill himself recognised this. He wrote, 'The land in the interior, seldom changed proprietors: the greater part of the present occupants there, derive their claims to the soil, solely from the prescription of long established and undisturbed possession.'[42] Although the sovereign had the right to give grants of land

and also to resume them to himself, such exchanges took place largely in the neighbourhood of the kingdom's capital.[43]

A variety of tenures and proprietors relations existed between the different classes of people and the ruling power and we do not need to go into those details here.[44] What needs to be noted is that majority of people cultivated their own land. Further, the expansionist policy of the colonial state with respect to agriculture also contributed to this. The government granted proprietary rights to those who brought new lands under cultivation and also did not charge any revenue for the period between two land revenue settlements. This was part of a broader policy for the colonial state and Neeladri Bhattacharya has identified its contradictory objectives as follows: 'the need for large revenues to support the apparatuses of the colonial state; the need to expand the purchasing power of Indian consumers of British manufacturers; the need for the colonial state to attain stability and legitimacy.'[45] And as we have already noted, expansion of revenue resources for the state, creation of a prosperous peasantry as well as a growing stability was especially taking shape in the Tarai-Bhabur regions, some of which lay in the regions neighbouring Nainital.

What this new regime of proprietary relations does not immediately reveal is that as a consequence a number of traditional rights exercised by local people over their landscapes were also getting redefined. The everyday lives of people were intimately connected with their environments, whether it was for firewood, grazing or fodder, for medicinal herbs or fruits.[46] However, such practices did not neatly translate into a regime of property. This situation further intensified once scientific forestry was initiated in these hills from mid-nineteenth century as the colonial state's method of managing forests.[47] But even before the process of systematic categorization of forests and other lands became fully operational, the state was categorical in terms of its rights over the territory. And in order to provide legitimacy to its own increased powers, it also exaggerated the rights of pre-colonial rulers.[48] Traditionally village boundaries included the forests and grasslands in their immediate neighbourhood. When Traill fixed village boundaries in 1823, he recognized this right. While these boundaries remained valid for some time, the situation began to change when the possibilities of revenue generation became apparent to the colonial state, whether it be through tea plantations or timber extraction, it tightened its grip over the commons which villagers had till now used and cared for.[49] Such lands were claimed as 'waste land,' as though they could be redeemed only through the state's appropriation.

This was a common categorization for the colonial state and antecedents to it lay in Britain itself where vast amounts of common lands were appropriated for the purpose of 'improvement.' In the sub-continent, an 'enormous area of waste' existed according to Baden-Powell.[50] He wrote, 'When British rule began in Bengal, it was estimated that from one-third to one-half of the total are of the province was waste and uncultivated. And in all provinces there was much waste.'[51] Initially the colonial state's policy about such waste lands was non-interventionist and it encouraged their appropriation by private proprietors, specifically for the purpose of cultivation. By 1828, however, there was a change in attitude and the state

asserted its right over such lands. This was specifically the case with the forest tracts in eastern India. By the 1860s much more serious thought was given to the issue as the value of forest resources was realised and in 1861 rules for waste lands were jotted down.[52] Until then, wrote Baden-Powell, 'The value of State Forests – to be made out of the best and most usefully situated wooded and grass lands – was not even recognized, and the occupation of the waste by capitalists and settlers was alone discussed.'[53] Returning to Nainital, it is noteworthy that Barron was described as an enterprising capitalist by John Hallet Batten, the Assistant Commissioner of Kumaon who received Barron's application. Further, Batten argued that Barron's presence at Nainital would be of great advantage to the place itself.[54] And it is in this light that Batten's response to local claims over Nainital needs to be located.

The Language of Power

In his report from March 1842, Batten mentioned the claims of the local people of the neighbouring villages towards the end, after all the elaborations on possibilities he saw at Nainital. He had been told, he wrote, that the inhabitants of Choorsa village, which was about five miles north of the lake, 'assert that the *land included in my description + sketch* is a portion of the wasli tract within their boundaries.'[55] But Batten was also quick to dismiss this assertion within the space of the same sentence, stating,

I have *purposefully abstained* from making enquiries lest, on the one hand *preposterous expectations* should be raised, and lest on the other, the mooting of such a question should suggest the getting up of *evidence for the proof of imaginary or to say the least doubtful claims*.[56]

Simultaneously he was also quick in recognizing the favourable response of the locals of other nearby areas in the very next sentence:

all the natives of Chakkata and Kota with whom I have spoken, appear to desire the appropriation at Nynee Tal for the residence of English gentlemen and their families, and to expect great profit to themselves from the erection of a site so near to their homes.[57]

One can suggest two strategies employed by Batten in dismissing these claims. Firstly, he pitched one set of local claims and opinions against another, thereby producing doubts about their veracity in general. Secondly, he also ordered information based upon the authenticity of the source - Batten had himself spoken to the people of Kota and Chakkata, whereas he had only heard about the Choorsa natives from others. However, one cannot but admit the overall inclination of Batten's own sentiments on the issue. The fact that he chose, at least at that moment, to *purposefully abstain* from enquiring any further about the Choorsa claimants speaks not of a judgement upon the validity of sources but of a pre-determined conviction. That he used a contesting claim not just to produce doubts about the other but to nearly dismiss it is indicative that his sense of direction was assured. Undoubtedly, such claims and their possible evidence were *imaginary* because his own conviction was mature. If the pursuit of this conviction required the suppression of local claims, suppression of evidence in the support of such claims and the suppression of any truthful expectations based upon these claims, whether they were in terms of compensation or rights,

so be it. Since, if these claims were indeed entertained, it would probably lead to a vast outlay in securing Nainital for the British. European individuals had shown definitive interest in the place and it was for the government to reap its benefit, besides other advantages of acquiring a hill-station for themselves.

Batten's conclusions, however, were not met with approval by members of Sudder Board who required evidence. In response, he submitted another report on Nainital in August of the same year.[58] Once again addressed to Lushington, this letter opened with the following claim:
The land surrounding Nynee Tal is not, and has never been occupied. It is entirely waste, and the power of letting it rests with the Govt, the proprietor of the soil, there being no other owners who have any right to share in the rent which may be obtained.[59]

Details of the inquiry which led to this conclusion revealed that physically Nainital was located at the union of three *parganas* - Kota, Phuldakote and Chakkata. Out of these, the people of Kota made no claim to 'Nynee Tal, or any spot lying on the north side of the ridge, which immediately faces the plains.'[60] People of Phuldakote *pargana*, especially the inhabitants of Choorsa village, and those of Chakkata *pargana*, particularly of Bilua Khan village, separately and simultaneously asserted that Nainital lay within their respective boundaries. While asserting these rights, Oodey Sing, the claimant for Choorsa, and Nur Sing, the claimant for Beloa Khan, also denied each other's rights. Batten added that neither Choorsa nor Beloa Khan was situated within four miles of the lake. Batten did admit that according to measurement book of 1823, 'the boundaries of Choorsa and Beloa Khan, the distance from each other more than 8 miles, meet somewhat about Nynee Tal (thus mentioned "Nynee Ke Tal Ke Wure").'[61] But he also tellingly added that the 'book in question is no authority in matters of right, and was prepared by native officials without much investigation and that the boundaries of villages more especially, were written down merely in the ipse dixit of the Pudhun of each village.'[62] Moreover, the nearest village from Nainital was *mauza* Dak in Phuldakote, about three miles from the lake, and according to Batten, Dak's inhabitants made 'no claim whatsoever to the waste land in question.'[63]

The report further stated that the local officials including the *Peshkar*, *Kanungo* and *Patwaris* were united in declaring that these claims had reference merely to *pargana* boundaries and not to proprietary rights.[64] The claimants from Choorsa and Bilua Khan possessed no 'Zemindaree Sunuds, and no exclusive occupancy of any kind' in the area concerned.[65] Moreover, it was also '*universally* admitted that no manorial dues are taken by any persons from the graziers and woodcutters who frequent the ground,' and no taxes are paid for the use of the ground during the annual fair.[66] Lastly, G. W. Traill's settlement books for the last assessment of 1833 showed that 'whatever their nominal boundaries may be, the assessed Rukba of village Choorsa and Beloa Khan respectively, does not extend to Nynee Tal, or even beyond the immediate neighbourhood of the two homesteads.'[67] The following table was cited in proof:

Name of the village	Cultivated		Waste		HuqPudanee		Juma
	Beesees	Nalees	Beesees	Nalees	Beesees	Nalees	Rupees
Choorsa	100	0	24	0	8	0	93
Beloa Khan	40	0	None		2	0	33

Batten concluded, 'Thus, supposing Oodey Sing, or Nur Sing, to assert their superior claim to Government to any *profit* derivable from Nynee Tal, the statement just given would be a demonstration of the *argumentum ad absurdum* against them.'[68]

What we see in this letter is a systematic dismissal of any claims in opposition to those of the British. To begin with, the physical location of Naini Tal was used to create ambiguity. Sharing borders with three *parganas* at the same time and also being equidistant from the claimant villages of Choorsa and Belua Khan, displaced all local claims of possession over it territorially. That Oodey Sing and Nur Sing also contested each other's claims only extended this ambiguity. And that the closest village, Mauza Dak, laid no claims to it at all, added to the confident stance of the British about the supposed dubiousness of all the other claims. For such claims to be accepted, the land in question had to be first demonstrated as property. Either *sunuds* had to be displayed or taxes and rents collected over the use of that land had to be evinced. But none of these 'proofs' were available in the case of Nainital. The land was not even under any kind of 'occupancy.' And the local officials, according to Batten, were unequivocal in suggesting that there was no proprietorship over the land around the lake. The villagers had indeed confused *pargana* boundaries for ownership. They had confused the *use* of the land — for grazing of animals, for collecting wood and fodder, for the annual fair — for *rights* over it. For their habitational practices did not qualify as lawful 'occupation.' For a land to be occupied, it had to be a demonstration of what the British called 'settled agriculture.' That agriculture was practised in a variety of ways in the sub-continent and that settlements could range in their size as well as form, were details that the colonial government could not accommodate in its limited categories of governance.[69] Instead it sought 'evidence' which supported its own rules of governance and not the lived realities of its 'subjects.' In the case of the area around lake Naini, this translated as it being labelled 'wasteland' — an unoccupied land over which there was no proprietorship.

But even when there was evidence in the form of measurement books which noted distance and marked out boundaries, they were inadequate 'in matters of *right*' since according to Batten, they were prepared by local officials, lacked investigation and simply relied on the word of the village headman. It is noteworthy here that this measurement book, known as *Sun Assi* or *Sumbat Assi* in local parlance, was compiled in 1823 after a general survey of the whole of Kumaon Division and was preparatory to a new settlement under Traill.[70] And hence it was not a matter of coincidence that the figures in Traill's settlement records and the measurement book matched. Compiled by the same *Tehsildars*, *Kanungos* and *Patwaris* whose authority

Batten had earlier cited, it led to the compilation of *mauzawar* registers.[71] This piece of work which is dismissed by Batten, was in fact, an essential part of Traill's revenue assessments, upon which much of the later settlements in turn depended, including those undertaken by Batten himself. The *pudhan* in whom Batten placed no confidence, was a non-official village representative who carried out police and revenue functions, and was an acknowledged part of the administrative setup under Traill. On the one hand, Batten quoted from Traill's settlement in the support of his arguments and on the other, he rejected many other aspects of that very system.[72]

Given this manner of reasoning, it is not surprising that local notions of and relationships with land were promptly labelled as imaginative acts bordering on the absurd. To demonstrate such customary irrational tendencies, Batten drew attention to local practice according to which,

Inhabitants of the furthermost village of any tract, that is, the village beyond which in a given direction there is no other near Settlement or clearing, generally lay claim to all waste-land intervening between them and the next village however distant. Thus, the 2 villages of Soopee and Peelkee in Dunpoor, actually divide the great snowy peak of Nunda Devi, and the glaciers of Pinduree between themselves.[73]

These boundary claims, he clarifies by referring to his settlement report, 'have reference rather to the spirit of clanship between different Puttees and villages, and to convenient arrangements in the matter of pasture ground, than to any opposition to the proprietary rights of the Government.'[74] The last part of this sentence amply presents the official British point of view. The local claims and arrangements had a logic of their own, which pre-dated the British presence in these hills. And, as Batten suggests, they were not in conflict with the Government's rights and rules. It was the Government which was in conflict with them. To recognize them would be to abjure its own claims. To accommodate them would mean dissolution of its own sovereign authority.

Hence, only the Government could decide what was 'waste-land,' even if that land had been consistently used by local inhabitants for various purposes. And in this project of transformation, which rendered common village lands a 'waste,' and assigned them a completely different set of meanings and relations, the colonial state expected its subjects to be loyal and to 'never think of denying the right of the Government to let the land for its own advantage.'[75] For its own self-image was that of a benevolent and paternal ruler.[76] A rhetoric of public good clothed its imperial ideology. In the case of Nainital, this veiled language of self-interest surfaced continuously. In the years which immediately followed its inauguration as a British settlement, it was used to seek an immediate survey of the land, the establishment of certain roads, the appointment of medical practitioners at the station, and so on.[77] Repeated time and again, this generosity did not come as a choice, but, whether accepted or not, it was enforced. It was a trope for legitimization. Batten's letter lent authority, reason and evidence to the Government's claim over the land around Nainital. And yet it was fraught with inconsistencies and contradictions.[78] But Batten's power and determination as

well as the system of which he was a part, hammered away these ambiguities and denials and cleared the way for a radical transformation of this land and the practices and relationships it had existed within.

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[1] P. Barron to J. H. Batten, Assistant Commissioner of Kumaon, dated 26 Feb 1842, reprinted in Pilgrim, *Notes of Wanderings in the Himmala* (Nainital: Gyanodaya Prakashan, 1990 (1844)), 183.

[2] See entry for Nainital in Edwin T. Atkinson, *The Himalayan Gazetteer*, Vol III, Part II (Delhi: Cosmo Publications, 1973 (1882)); H. R. Neville, *Nainital: A Gazetteer* (Allahabad: Government Press, 1904); J. M. Clay, *Naini Tal: A Historical and Descriptive Account* (Allahabad: Government Press, 1927).

[3] 'Mr. Barron… does not take to himself the credit of being the first European visitor to the lake.… But he adds that no European then residing in Kumaon had seen it, and that he had not been able to discover more than three visitors to it since the province had come into British possession.' Clay, *Naini Tal*, 6.

[4] G. W. Traill, 'Statistical Sketch of Kumaon,' reprinted from *Asiatic Researches*, Vol. XVI, April 1823 in J. H. Batten ed. *Official Reports on the Province of Kumaon* (Agra: Secundra Orphan Press, 1851).

[5] The two other lakes he mentions are Bhim Tal and Now Kuntia Tal or Naukuchia Tal, as it is locally known today, the name derived from its nine-sided form.

[6] *Map of the Survey to Gangotri* by Surveyor Lieut. W. S. Webb, 1810 and *Sketch of Kumaon* by Surveyor Capt. W. S. Webb, 1819. The latter not only identifies places such as Chakata, Mehragaon, Samkhet and Bamouree located near Nainital, but also marks some of the lakes of the region as tiny blue dots, although they are left unnamed.

[7] W. S. Webb 'Altitude of Places in Kumaon,' *Journal of the Royal Geographical Society of London*, Vol. 4, 1834, 394. He mentions the altitude of 'Nynee Tal' and 'Ulmakhan (ridge of Gaghur above Nynee Tal).'

[8] Neville, *Naini Tal Gazetteer*, 146-48.

[9] *Pargana* was an administrative division comprising of not more than fifty villages.

[10] Neville, *Naini Tal Gazetteer*, 146.

[11] This is as true of his application as it is of the subsequent descriptions of Nainital he went on to give in two newspaper articles as well as his journal *Wanderings in the Himmala* published in 1844.

[12] Batten to G. T. Lushington, Commisisoner of Kumaon, dated 9 Mar 1842, Miscellaneous Letters Received (here onwards MLR), Vol. 69, 181-89, Kumaon Division Pre-Mutiny Records (here onwards KDPMR), Uttar Pradesh State Archives (here onwards UPSA).

[13] Lushington to R. N. C. Hamilton, Secretary to Government, NWP, dated 17 Mar 1842, Revenue Letters Issued (here onwards RLI), Vol. 14, 234-35, KDPMR, UPSA.

[14] During the 1840s and 1850s, the name of the place was spelt variously as Nainee Tal, Nynee Tal, Nynee Thal, Naini Tal and Nynee Tall. I have kept these variations in primary records. In the 1860s, uniform use of Nynee Tal came into view, and around 1872 this changed to Naini Tal. Today the name has further transformed to Nainital.

[15] H. M. Elliot, Sec. to Sudder Board of Revenue, NWP, to Lushington, dated 1842, MLR, Vol. 70, 283. KDPMR, UPSA.

[16] Elliot, Sec. to Sudder Board of Revenue, NWP, to Hamilton, Sec. to Govt., NWP, dated 21 Oct 1842, cited in Pilgrim, *Wanderings in the Himmala*, Appendix No. III, xvii.

[17] Hamilton, Sec. to Govt., NWP, to Elliot, Sec. to Sudder Board of Revenue, NWP, dated 3 Dec 1842, cited in Pilgrim, *Wanderings in the Himmala*, 187-8.

[18] The development of Simla, Mussoorie, Ootacamund and Mahabaleshwar as hill-stations began in 1820s. Several others came up in the following decades with a noticeable spurt specifically in the decades 1840s and 1850s. For a working definition of hill-station and a chronological pattern see Dane Kennedy, *The Magic Mountains: Hill Stations*

and the British Raj (Berkeley: University of California Press, 1996), 9-15. For a geographical distribution of hill-stations across Asia in erstwhile British, Dutch and French colonial empires see J. E. Spencer and W. L. Thomas, 'The Hill Stations and Summer Resorts of the Orient,' *Geographical Review*, Vol. 38, No. 4, Oct 1948, 637-51.

[19] For an elaboration on the theme of health and the hills see, Kennedy, *Magic Mountains*, 19-38.

[20] For more on the discourse of climate see, David Arnold, *Colonizing the Body: State, Medicine and Epidemic Disease in Nineteenth-Century India* (Berkeley: University of California, 1993); Mark Harrison, *Climates and Constitutions: Health, Race , Environment and British Imperialism in India, 1600-1850* (New York: Oxford University Press, 1999); Karen Ordahl Kupperman, 'Fear of Hot Climates in the Anglo-American Colonial Experience,' *William and Mary Quarterly*, Vol. 41, April 1984, 213-40.

[21] For instance, Kennedy shows that for patients of bronchitis, syphilis, rheumatism, epilepsy and heart diseases hill-station were not recommended. Hill-stations also didn't prove to be immune to cholera, one of the most 'tropical' of diseases, as it was carried by travelling parties. As populations of hill-stations rose, problems in the preliminary water supply and sanitation systems led to the spread of water borne diseases. Hence the notion of immunity of hill-stations to diseases was a misnomer.

[22] Kennedy, *Magic Mountains*, 31.

[23] A special committee set up in 1867 opined that the annual move from Calcutta to Simla should be prohibited as it regularly caused considerable financial drain and removed the government from the centre of public opinion. The latter was also the nationalist charge against the practice of resorting to summer capitals by the colonial government. See Kennedy, *Magic Mountains,* 161-62.

[24] Barron to Batten, dated 26 Feb 1842, re-printed in Pilgrim, *Wanderings in the Himmala*, 183.

[25] Lushington to Thornton, Sec. to Govt., NWP, dated 10 Aug 1847, RLI, Vol. 16, 88, KDPMR, UPSA.

[26] For similar processes of acquisition by the British in the case of Simla, Darjeeling, Ootacamund and Mount Abu see, Queeny Pradhan, 'Empire in the Hills: The Making of Hill Stations in Colonial India,' *Studies in History*, Vol. 23, No. 1, n.s., 2007.

[27] Batten to Lushington, dated 9 Mar 1842, MLR, Vol. 69, KDPMR, UPSA. All the information in the following four pages, whether directly quoted or otherwise, has been taken from this letter, unless otherwise indicated.

[28] Such an understanding of nature and of space in general was common sense to the British. Ravi Ahuja points out how it also informed their views of Indian transport infrastructure. He writes, 'the British had found a tabula rasa on which they could engrave a new pattern of circulation at will – constrained only by an as yet untamed nature and lack of funds.' See, Ravi Ahuja, *Pathways of Empire: Circulation, 'Public Works' and Social Space in Colonial Orissa (c. 1780 – 1914)* (Hyderabad: Orient BlackSwan, 2009), 27-8.

[29] As we shall soon see, Batten described local claims on Nainital as 'doubtful' and 'imaginary.'

[30] MLR, Vol. 69, UPSA, KDPMR, 188-189. This is a line drawing version of the original sketch. Due to the faint nature of the sketch, the writing has been separately highlighted.

[31] In the early stages of the mapping of different parts of the world by colonial powers, maps often had large imposing blank spaces representing the lack of knowledge in the Western world about them. Such spaces of *terra incognita* were filled up over time with features and attributes, as imperial rule became increasingly entrenched throughout the world.

[32] Letter no. 517, Elliot, Sec. to Sudder Board of Revenue, NWP to Hamilton, 21 Oct 1842, reprinted in Pilgrim, *Wanderings in the Himmala*, Appendix No. III, xvii.

[33] Henri Lefebvre, *The Production of Space*, (Oxford: Blackwell, 1991 (1974)), 27-8.

[34] Neville, *Naini Tal Gazetteer*, 145.
[35] Traill, 'Statistical Sketch,' 51.
[36] B. H. Baden-Powell, *The Land Systems of British India*, Vol. II, Book III (Delhi: Low Price Publications, 1990 (1892)), 309-10. Emphasis in original.
[37] Traill to the Board of Commissioners, dated 15 Feb 1820, cited in P. Whalley, *British Kumaon: The Law of the Extra-Regulation Tracts Subordinate to the Government, N.W.P.* (Varanasi: Vishwavidyalaya Prakashan, 1990 (1870)), 4.
[38] For agrarian changes taking place in neighbouring areas of NWP see, Asiya Siddiqi, *Agrarian Change in a North Indian State: Uttar Pradesh 1819-1833* (Oxford: Oxford University Press, 1973); Elizabeth Whitcombe, *Agrarian Relations in Northern India, Vol I. The United Provinces Under British Rule, 1869-1900* (Berkeley: University of California, 1972).
[39] Neville, *Naini Tal Gazetteer*, 147.
[40] Extract from Traill's report to the Sudder Board, dated 2 Jan 1829, quoted in J. H. Batten, 'Settlement of Garhwal,' in Batten ed. *Official Reports*, 137.
[41] Chetan Singh, *Natural Premises: Ecology and peasant Life in the Western Himalaya 1800-1950* (Delhi: Oxford University Press, 1998), 56-8.
[42] Traill, 'Statistical Sketch,' 31-32.
[43] Ibid., 31.
[44] For a detailed study of these issues see Dhirendra Datt Dangwal, *Himalayan Degradation: Colonial Forestry and Environmental Change in India* (Delhi: Cambridge University Press, Foundation Book Imprint, 2009); R. S. Tolia, *Founders of Modern Administration in Uttarakhand: 1815-1884* (Dehra Dun: Bishen Singh Mahendra Pal Singh, 2009).
[45] Burton Stein ed. *The Making of Agrarian Policy in India 1770-1900*, (Delhi: Oxford University Press, 1992), 28.
[46] For a detailing of these for the regions of Kullu and Kangra see, Neeladri Bhattacharya, 'Colonial State and Agrarian Society,' in Burton Stein ed., *The Making of Agrarian Policy*, 125-137.
[47] For a detailed examination of the impact of scientific forestry in Uttarakhand see Ramchandra Guha, *The Unquiet Woods: Ecological Change and Peasant Resistance in the Himalaya* (Delhi: Oxford University Press, 1989); Dangwal, *Himalayan Degradation*.
[48] Singh, *Natural Premises*, 56.
[49] Such actions and policies were met with resistance and this is well documented in the case of Uttarakhand. See Guha, *Unquiet Woods*; Haripriya Rangan, *Of Myths and Movements: Rewriting Chipko into Himalayan History* (Delhi: Oxford University Press, 2000).
[50] B. H. Baden-Powell, *A Short Account of the Land Revenue and its Administration in British India; with a Sketch of the Land Tenures* (Oxford: Clarendon Press, 1894), 56.
[51] Ibid.
[52] Ibid., 61-62.
[53] Ibid., 59.
[54] Batten to Lushington, dated 9 Mar 1842, MLR, Vol. 69, KDPMR, UPSA.
[55] Emphasis mine.
[56] Batten to Lushington, dated 9 Mar 1842, MLR, Vol. 69, KDPMR, UPSA. Emphasis mine.
[57] Ibid. Emphasis mine.

[58] Batten to Lushington, dated 27 Aug 1842, MLR, Vol. 71, 591-96. KDPMR, UPSA.
[59] Ibid.
[60] Ibid.
[61] Ibid.
[62] Ibid.
[63] Ibid. *Mauza* refers to village-estate, the unit of revenue in district administration.
[64] *Peshkar* was a government official at *tehshil* (sub-division of a district) level with judicial and administrative powers. *Kanungo* was a local government official in charge of matters related to revenue, its collection and maintenance of records. It was hereditary office and earlier carried the title of *Duftree*. Tolia suggests that in the early nineteenth century there were two main kanungoships in Kumaon, one of the Joshis and the other of Choudharies and the *parganas* were distributed amongst them. The institution of the *patwari* was initiated by Traill in Kumaon and through the 1820s and 1830s their numbers increased from nine to sixty-three. A government official, the *patwari* was assigned a number of duties pertaining to revenue, crime and general welfare in the villages under him.
[65] Batten to Lushington, dated 27 Aug 1842, MLR, Vol. 71, 591-96. KDPMR, UPSA. A *sunud* was a written document proving the proprietary rights over a land.
[66] Ibid.
[67] Ibid.
[68] Ibid.
[69] For instance, Traill noted that the total number of inhabited villages and hamlets in Kumaon Division numbered to 9034, while the total number of houses equalled to 44,569, giving an average of five houses to each village. Out of these, only twenty-five villages had more than fifty houses and 'the number of hamlets consisting of one house is very great.' Traill, 'Statistical Sketch,' 12.
[70] *Sun Assi* and *Sumbat Assi* being references to *Sumvat* 1880, the year when the measurement was undertaken.
[71] *Tehsildar* was the *tehsil*-level official. *Mauzawar* is related to *mauza* or village-estate.
[72] For more details on Traill's revenue settlements of Kumaon see, Tolia, *Founders of Modern Administration in Uttarakhand*.
[73] Batten to Lushington, dated 27 Aug 1842, MLR, Vol. 71, 591-96. KDPMR, UPSA.
[74] Ibid.
[75] Ibid.
[76] See, Peter Penner, *The Patronage Bureaucracy in North India: The Robert M. Bird and James Thomason School 1820-1870* (Delhi: Chanakya Publications, 1986).
[77] For instance, regarding a survey of Nainital Thornton wrote, 'It is a work of some importance not only to the persons directly interested, but *also to the inhabitants of the neighboring country both in the Hills and in the Plains at the foot of the Hills, for their prosperity greatly depends on the success of the Infant Settlement*.' J. Thornton, Sec. to Govt., NWP, to Military Board, Fort William, dated 12 Apr 1845, MLR, Vol. 78, 199-200, KDPMR, UPSA. Emphasis mine.
[78] Jon Wilson has argued that such inconsistencies and contradictions were central to colonial governance as it was worked out in the very process of its rule. What they signify is a fundamental anxiety on part of colonial officials in an unfamiliar landscape. He writes, 'India's colonial governors struggled to produce money and meaning from worlds of economic and social interaction they found unfamiliar, and as colonial subjects tried to make sense of being dominated by strangers.' However, this understanding of the colonial state as an 'unstable, restless entity, never quite

knowing what it was doing,' Wilson alerts us, should not be seen as a sign of weakness. Although Wilson's field of study is the Bengal of late eighteenth and early nineteenth century, the binding notions of anxiety as well as assertion are visible in Batten's words and actions from a slightly later period. Jon Wilson, *The Domination of Strangers: Modern Governance in Eastern India, 1780-1835* (Palgrave Macmillan, 2008), 8. Also see, Ranajit Guha, 'Not at Home in Empire,' *Critical Inquiry*, Vol. 23, No. 3, 1997, 482-493.

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Bibliography: -

Primary References

Atkinson, Edwin T., *The Himalayan Gazetteer*, Vol III, Part II (Delhi: Cosmo Publications, 1973 (1882)).

Baden-Powell, B. H., *A Short Account of the Land Revenue and its Administration in British India; with a Sketch of the Land Tenures* (Oxford: Clarendon Press, 1894).
--------- *The Land Systems of British India*, Vol. II, Book III (Delhi: Low Price Publications, 1990 (1892)).

J. H. Batten ed. *Official Reports on the Province of Kumaon* (Agra: Secundra Orphan Press, 1851).

Clay, J. M., *Naini Tal: A Historical and Descriptive Account* (Allahabad: Government Press, 1927).

Neville, H. R., *Nainital: A Gazetteer* (Allahabad: Government Press, 1904).

Phillimore, R. H., *Historical Records of the Survey of India*, Vols. I-V (Dehra Dun: Survey of India, 1845-1858).

Pilgrim, *Notes of Wanderings in the Himmala* (Nainital: Gyanodaya Prakashan, 1990 (1844)).

Traill, G. W., 'Statistical Sketch of Kumaon,' reprinted from *Asiatic Researches*, Vol. XVI, April 1823 in J. H. Batten ed. *Official Reports on the Province of Kumaon* (Agra: Secundra Orphan Press, 1851).

Webb, W. S., 'Altitude of Places in Kumaon,' *Journal of the Royal Geographical Society of London*, Vol. 4, 1834, 394.

Whalley, P., *British Kumaon: The Law of the Extra-Regulation Tracts Subordinate to the Government, N.W.P.* (Varanasi: Vishwavidyalaya Prakashan, 1990 (1870)).

Secondary References

Ahuja, Ravi, *Pathways of Empire: Circulation, 'Public Works' and Social Space in Colonial Orissa (c. 1780 – 1914)* (Hyderabad: Orient BlackSwan, 2009).

Arnold, David, *Colonizing the Body: State, medicine and Epidemic Disease in Nineteenth-Century India* (Berkeley: University of California, 1993)

Bhattacharya, Neeladri, 'Colonial State and Agrarian Society,' in Burton Stein ed., *The Making of Agrarian Policy*.

Carter, Paul, *The Road to Botany Bay: An Exploration in Landscape and History* (London: Faber and Faber, 1989).

Dangwal, Dhirendra Datt, *Himalayan Degradation: Colonial Forestry and Environmental Change in India* (Delhi: Cambridge University Press, Foundation Book Imprint, 2009)

Drayton, Richard, *Nature's Government: Science, Imperial Britain, and the Improvement of the World* (New Haven: Yale University Press, 2000).

Guha, Ramchandra, *The Unquiet Woods: Ecological Change and Peasant Resistance in the Himalaya* (Delhi: Oxford University Press, 1989).

Guha, Ranajit, 'Not at Home in Empire,' *Critical Inquiry*, Vol. 23, No. 3, 1997, 482-493.

Harrison, Mark, *Climates and Constitutions: Health, Race , Environment and British Imperialism in India, 1600-1850* (New York: Oxford University Press, 1999)

Kennedy, Dane, *The Magic Mountains: Hill Stations and the British Raj* (Berkeley: University of California Press, 1996).

Kenny, Judith, 'Climate, Race, and Imperial Authority: The Symbolic Landscape of the British Hill Station in India,' *Annals of the Association of American Geographers*, Vol. 85, 1995, 694-714.

King, Anthony D, *Colonial Urban Development: Culture, Social Power and Environment* (London: Routledge, 2007 (1976)).

Kupperman, Karen Ordahl, 'Fear of Hot Climates in the Anglo-American Colonial Experience,' *William and Mary Quarterly*, Vol. 41, April 1984, 213-40.

Lefebvre, Henri, *The Production of Space*, (Oxford: Blackwell, 1991 (1974)).

Penner, Peter, *The Patronage Bureaucracy in North India: The Robert M. Bird and James Thomason School 1820-1870* (Delhi: Chanakya Publications, 1986).

Pradhan, Queeny, 'Empire in the Hills: The Making of Hill Stations in Colonial India,' *Studies in History*, Vol. 23, No. 1, n.s., 2007.

Rangan, Haripriya, *Of Myths and Movements: Rewriting Chipko into Himalayan History* (Delhi: Oxford University Press, 2000).

Siddiqi, Asiya, *Agrarian Change in a North Indian State: Uttar Pradesh 1819-1833* (Oxford: Oxford University Press, 1973).

Singh, Chetan, *Natural Premises: Ecology and peasant Life in the Western Himalaya 1800-1950* (Delhi: Oxford University Press, 1998).

Spencer, J. E. and W. L. Thomas, 'The Hill Stations and Summer Resorts of the Orient,' *Geographical Review*, Vol. 38, No. 4, Oct 1948, 637-51.

Stein, Burton ed. *The Making of Agrarian Policy in India 1770-1900*, (Delhi: Oxford University Press, 1992).

Tolia, R. S., *Founders of Modern Administration in Uttarakhand: 1815-1884* (Dehra Dun: