
Role of the British Government in the Administration of Justice in the Princely States of India

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"The British had undoubtedly introduced the concept of modern communalism in Rajasthan, under which institutions like law, revenue, police, and judiciary were established. However, the operation and control of these institutions largely remained in the hands of the same feudal lords against whom this communalism should have stood. Thus, in form, modern communalism was new, but in spirit it was deeply influenced by the traditional feudal values. As a result, instead of serving the interests of the common people, communalism ended up becoming a protector of the interests of the feudal class."

Abstract: Until recent decades, Rajasthan's princely states were governed under the feudal rule and traditional political systems. In the early 19th century, the British East India Company entered into subsidiary alliances with these princely states, through which they effectively gained political control. After these agreements, the princely states of Rajasthan remained nominally independent but, in reality, came under British influence. This process preserved the old feudal framework while introducing a new dimension of communalism.

Following these arrangements, the British government began implementing modern administrative institutions—such as legal systems, revenue departments, police, and courts. However, the establishment of this modern communalism was merely a superficial change; its control remained in the hands of the same feudal elites whose primary aim was to safeguard their own interests rather than work for the welfare of the common people.

This research examines the socio-political structures that emerged in Rajasthan's princely states after the subsidiary alliances made by the British East India Company in the 19th century. Through these arrangements, the British government, while not directly annexing the princely states, succeeded in establishing political and economic dominance over them. Although the British introduced the concept of modern communalism, the actual political order remained under the authority of the feudal elite, which not only maintained social inequality but also reinforced it in institutional form.

Keywords: Subsidiary Alliances, Modern Communalism, *Communal Harmony / Communal Relation*, Revenue Department / Revenue Administration, Political System, Judicial Department, Reforms, Social Conflict, *Modernity versus Tradition*.

Objectives of the Research Paper:

1. To study the historical context and consequences of the Subsidiary Alliances.
2. To analyse the process and structure of the establishment of modern communalism in Rajasthan.
3. To identify the role of the feudal class in social institutions.
4. To examine the interrelationship between modernity and communalism.
5. To evaluate the socio-economic impacts of this system on the general population.
6. To explain how communalism influenced or controlled modern institutions.
7. To understand the socio-political impact of this process.

Research Methodology

This research is based on historical and analytical methods. Secondary sources have been used in it.

- Gazettes and British Administrative Reports
- Historical records of various princely states of Rajasthan
- Research writings of scholars and historical reference books
- Evaluation of the role of the British and princely state administration through comparative analysis
- Timeframe: From 1803 (first alliance) to 1947 (Independence)

Subsidiary Alliances: Historical Background

Under Lord Wellesley's policy of Subsidiary Alliances, the British East India Company entered into separate treaties with the major princely states of Rajasthan—such as Jaipur, Jodhpur, Bikaner, and Udaipur. Through these agreements, the British took on the responsibility of protecting the states from external threats, but in return, they secured the right to interfere in political administration, provide military assistance, and intervene in foreign affairs. Although the princely states appeared nominally independent, their foreign policy and military organization came entirely under British control.

Through these treaties, the internal sovereignty of the kings and feudal lords was undoubtedly preserved, but their political autonomy was almost completely lost. The British established modern administrative structures—such as the judiciary, collectorates, ministries, tehsils, and districts—but appointments to these posts were usually given to loyalists, feudal chiefs, or their close associates.

Although the administrative departments were expanded and modernized, their operation continued in accordance with traditional feudal mentality. This so-called *modern* communal framework did not prove beneficial for the common people. Judicial institutions were certainly established, but the distribution of justice remained under the influence of the feudal elite and could not be impartial.

Laws were often used to suppress peasants, public movements, and dissenting voices. Revenue departments underwent modernization, but the excessive taxation, exploitative practices, and harsh rent-collection systems continued as before

New communication facilities such as railways, postal services, and telegraphs were also utilized in the service of feudal interests. Efforts in the field of education were limited and class-based, benefiting mainly the feudal and pro-British groups. The common people received little advantage from these developments. Overall, illiteracy remained widespread, and the general public remained distant from political power.

Communalism in Rajasthan was caught in a contradictory situation. On the surface, it appeared to follow the British-introduced modern administrative framework, while in practice the functioning of the administration remained entirely under feudal influence. As a result, social reforms remained only at the policy level, and the concentration of social values and power continued in the hands of the elite.

Modern society is characterized by the Industrial Revolution, which brought about comprehensive changes in social, economic, cultural, geographical, and political life. The system that emerged from these changes is referred to as modern communalism. Its roots are embedded in the process of administrative modernization. The administrative system of any state cannot be studied without considering the aspect of communalism. This system has been given different names in various social and political contexts, but its nature has remained more or less the same. Although communalism had originated centuries earlier, the Industrial Revolution played a

decisive role in organizing it into a systematic form. Communalism is that system which, by diverting modern society from the path of national unity, directs it towards serving the interests of specific groups.

Removing communalism from the life of the state is as difficult as imagining life without oxygen. Still, its form can vary. In monarchical states, the ruling class considers it a means to exploit the common people, while in democratic states, the political class sees it as a tool to gain public support. In reality, communalism represents a non-neutral, self-serving class that is not chosen by the people, yet remains at the center of the state's decision-making process. It serves as an instrument (functional organ) for achieving the objectives of the government or administration. Over time, it has been addressed by various names, both favorable and unfavorable. The entry of British communalism into India began during the 1770s–1780s. For the first time, Warren Hastings was appointed as the first Governor in 1772. The state had no clear independent communal framework at that time; therefore, the initial communal arrangement of the state was essentially in accordance with the Mughal administration.

However, certain necessary changes in the nomenclature of administrative posts were definitely made. During this period, as in the Mughal Empire and other kingdoms, the king was the central authority of the administration. For the king's assistance, there were councils and officers². Keeping in mind the policy of cooperation with the British as well as their own protected and stable position, the princely states entered into treaties with the East India Company³. In these changes, the main alteration was that, according to the Company's monetary policy, the practice of collecting land revenue in cash was started in place of collecting it in kind⁴. For the collection of this land revenue and other taxes, tehsildars were appointed⁵. Rejecting the state's traditional judicial system as defective, the British introduced their own judicial framework as modern, and began the process of establishing magistrate and civil courts in the state⁶. Moreover, through the influence of these same magistrates, they replaced Hindi with English as the official language⁷. On the basis of the report of the Committee on Public Instruction, formed by Governor-General William Bentinck at the all-India level, modern Western education was introduced in India on 2 February 1835. Under the Act of 1858, the sovereignty and administration of India were formally transferred to the British Crown. Along with this, in matters of Indian governance, the Secretary of State for India was appointed in the British Parliament, with a Council of India under him. In India, the Governor-General and the Viceroy were appointed as the representatives of the Secretary of State, and under them, Political Agents were placed in the princely states to provide the administration with a systematic mechanism of supervision. Under the chairmanship of the Political Agent, Mr. Kaye, an Administrative Council was formed⁸, through which efforts were made to replace all the administrative staff and establish a clean administration⁹. Under the administrative reforms carried out under the leadership of the Council chaired by Kaye, a regular revenue officer was appointed in the state, and in accordance with British policy, a new system of land settlement was introduced. These changes reduced the state's revenue to such an extent that the economy, dependent mainly on levies and duties, fell into serious financial crisis⁹. Through the medium of language, the British government also introduced a separate language policy in the field of education in order to make the British administration and governance system more easily understood in the state¹⁰. Through the medium of language, the British government introduced a separate language policy in the field of education in the state to make the British administrative and governance system easier to understand¹¹. In the course of reorganizing the communal system, the *Bazal Khāl* was renamed as the State Secretariat and the Government Office was designated as the Chief Office. Subsequently, in 1907–08, other scattered departments were grouped into separate sections and placed under supervising officers. The directive departments were kept under the 'Serista,' while the other scattered departments were placed under the 'Siksa.' The Serista officer was called 'Hakim,' and the Siksa officer was called 'Munshi.' Almost all the departments of the state were reorganized as needed and placed under competent officials¹².

Revenue and civil cases were separated from the administrative machinery and placed under the jurisdiction of judicial officers, thereby strengthening the independence of the judiciary. By formulating and implementing forest and excise regulations in the state, the revenue code was thus prepared¹³. During his administration, the third permanent land settlement was implemented, leading to an increase in land revenue and the abolition of the special privileges previously enjoyed by hereditary landlords, which was regarded as a significant and commendable decision in the history of Udaipur state¹⁴. At the international level, during this period (1929–30), under the leadership of the League of Nations, imperialist powers were carrying out armed suppression of colonial uprisings. England, facing economic depression, was tightening its grip on India. In this context, in 1930, under the leadership of Gandhi, the Civil Disobedience Movement was launched in India against British imperialism. As a consequence, to crush the Indians, severe repression was unleashed at three round table conferences held in London. This national upheaval also influenced Udaipur, where during the movement, the statement issued by the British government to the Maharana can also be seen as a form of warning.

The position/status of the king in the central administration after the British laws

Due to the exploitation by British officers and officials, as well as the oppressive policies imposed on the local rulers and foreign merchants, the British East India Company established an exploitative and restrictive law¹⁵. As a result, all administrative officers, including the king, in the central administration came under its influence. The responsibility of the main functions of state governance (military, economic, and judicial) was taken over by the Company. Because of this, on the one hand, the rulers began to feel powerless and insecure, and on the other hand, foreign influence on them increased. With their cooperation, the rulers began to lose their sense of responsibility toward their honor and their subjects. Under the influence of political agents in the central administration, and with the growing impact of flatterers and sycophants in governance, the authority of the kings began to weaken. This led to the consolidation of British political dominance. The Indian rulers, caught in the web of British power, abandoned their duties toward the state religion and began misusing their traditional rights, thereby adding to the suffering of the people¹⁶. Along with their growing willingness to submit to British authority, many rulers found themselves in a state of increasing dependency. Taking advantage of this situation, the Governor-General, who presided over the Political Agents, further expanded opportunities to consolidate British control. In the administrative history of the states, there were many periods during which, even after the abolition of the Political Agency system, the dominance of British power in state administration continued much like during the era of the Governor-General's Council. In this way, the king in the central administration was reduced to a ceremonial figurehead, retaining only titular and symbolic rights and powers. The most important policies of governance were either kept under British interests, regardless of the king's wishes, or were implemented entirely by British authority¹⁷. Under British rule, the influence of nobles and courtiers on the king also diminished significantly, because from the British perspective, the king's dependence on them had ended. The decline in their political and social importance cut off the channels through which they could influence royal decisions. Therefore, it was natural that the British strengthened their control over the kings by limiting their contact with such nobles. In this way, the era came to an end in which kings could rely on the support of their courtiers and nobles¹⁸. In the history of the state, the position of the Prime Minister in the royal court became even more important than that of the king himself during British supremacy, until the office of the British Resident was established. The Prime Minister held significant administrative authority, often enjoying considerable autonomy. His influence grew to such an extent that, along with diminishing the king's independence, he also became a cause of discontent and dissatisfaction among the nobility and the people of the state¹⁹.

After the Laws: The Condition of the Central Administration and the Provinces/Districts

In the entire princely administration, districts began to be referred to as *tehsils* from the very beginning of the 19th century¹⁹. With the introduction of laws in cooperation with the British, administrative changes also began. In 1858 CE, in accordance with British policy and with the aim of improving the revenue system, Captain Baines introduced the practice of appointing permanent, salaried tehsildars²⁰. In the Deccan, all districts came to be called *tehsils* or *subdivisions*, and their chief administrative officers were known as *tehsildars* or *mamlutdars*. Here, the entire responsibility for the law and revenue system was placed on the tehsildar, while the power to evaluate his work was given to the collector²¹. Tehsildars were granted the authority of first-class magistrates in revenue matters and second-class magistrates in criminal cases. Apart from this, in cases where the final decision was given by the Deputy Collector, the preliminary inquiry was also conducted by the tehsildars in accordance with the law. For the execution of revenue-related tasks in the tehsils, tehsildars were assisted by the appointment of patwaris, kanungos, surveyors, and measurers for maintaining land records, preparing maps, and settling land disputes. Among these revenue officers, written examinations were held for the recruitment of *naib tehsildars*. Schools were also established at the local level to provide training to *naib tehsildars* and patwaris²².

After the Laws: Rural Administration

In the beginning, the British shifted from a system of collective village responsibility for revenue payment to collecting revenue on an individual basis. This had an adverse effect on the panchayats. After the establishment of Crown rule, the period of Liberal Viceroy Lord Ripon (1880–1884 CE) came to be known as the “Golden Age of British Liberal Thought.” He stated, *“My heartfelt desire is that individuals capable of serving the nation should begin to contribute to the solution of their local problems.”*

In order to promote local self-government, Ripon introduced the Local Self-Government Expansion in 1881 and 1882 CE (which, for their dedication to India’s welfare, were called “the God-sent Boons for Indians”). For this reason, he is referred to as the “Father of Local Self-Government” in India.

However, before Ripon, Lord Mayo had already begun the process of decentralizing financial powers between the Centre and the provinces. Ripon’s 1881 proposal instructed local institutions (village panchayats, district boards, municipalities, and municipal corporations) to manage local affairs at their respective levels. His 1882 proposal, which earned him the title of Father of Local Self-Government, stated that *“Our aim behind developing local self-governing institutions is to make them an instrument of political education.”* Ripon instructed all provincial governments to establish local boards in every district under limited jurisdiction, for addressing and resolving local issues. These boards were granted the authority to supervise, review, and exercise financial powers over the provincial governments. However, these local bodies maintained their dependency on the Government of India, as the Viceroy did not wish to reduce his own powers²³.

Suggestions were made that villagers should elect their own representatives, assign the responsibility of rural development to panchayat officials, and be given the right to settle petty civil and criminal cases. Despite these suggestions, no significant progress was observed.

For the reorganization of these panchayats, for the first time in India, after the First World War, the system of **Dyarchy** was introduced under the Government of India Act of 1919. In this direction, the Department of Local Government was established under the control of Indian ministers, and the related powers were entrusted to them. After the Government of India Act of 1919 came into force, almost all provinces enacted their own panchayat laws in 1919–20 CE.

Post-Legislation: Structure of the Judicial Administration

During this period, all judicial changes and reforms took place at the discretion of the British government. Whenever a king opposed British advice, reforms, developmental measures, and modernization efforts were

used as a pretext to alter the traditional system²⁴. However, the traditional judicial system also had certain inherent shortcomings. One of the aims of the British government in establishing High Courts in the princely states was to create a uniform judicial system across the entire country. When the Penal and Procedural Code of 1803 CE gave the British the opportunity to intervene in the internal affairs of the states, they did not make significant changes in other administrative areas but completely rejected the traditional judicial administration. They introduced a judicial system that was very simple and had mild punishments.

In the case of criminal offenses in princely states, the issue of protecting the rulers, nobles, and officials often arose. This arrangement came to be known as the “Privileged System.”

The Police Administration

Due to the infiltration of robbers and bandits, the adoption of the Penal and Procedural Code by the princely states—similar to that of the British—made it natural for the responsibility of maintaining law and order in the states to be entrusted to the British. This law curbed the power of unruly nobles but, on the other hand, completely compromised the external sovereignty of the states. After this, the states continued to depend on the army and police primarily to suppress external aggression.

Although, in the beginning, the British did not use any state’s standing army for their own purposes, after the Revolt of 1857 they began to provide modern training to the armies of the states and use them when needed.

On one hand, in the last quarter of the 19th century, competition for British colonial supremacy was increasing in Central Asia (especially with Russia), while on the other hand, British political influence in Rajasthan and throughout India was growing rapidly. Following this policy, in 1888, the Imperial Service Troops were formed in Jaipur, Bikaner, and Udaipur as auxiliary police forces for the states. These troops were trained in the British system and equipped with modern weapons and equipment. After the Revolt of 1857, the British government began to change its police policy toward the princely states. In 1885, under the initiative of Lyall, the process of forming the Imperial Service Troops began. These were forces raised within the states, along with their training, but stationed under their own rulers. They were supervised and trained by British police officers, and whenever required, the British themselves deployed these forces.

The Administration of Forests

During the colonial period, under the pretext of revenue collection, law enforcement, and the protection of government lands, forests were systematically exploited in India. Forests were cleared for timber, fuel, and other commercial purposes, and the local population’s access to forest resources was increasingly restricted. This policy was formalized in 1906–07²⁶.

Forest administration aimed at regulating the use of forest resources by villages and communities, ensuring rights over common lands, protecting reserved forests, imposing fines for illegal cutting, managing forest produce, and regulating grazing and hunting. In the provinces, this system of forest management was enforced with official regulations and forest officers overseeing its implementation²⁷.

By 1919–20, this administration had become more organized, but its main focus remained on exploiting forests for government revenue rather than safeguarding local rights. By 1934, the system came under the direct control of the central government. Although the central government regulated forest management, much of the practical administration of forests continued to be carried out at the provincial level²⁸. However, due to lack of local awareness, the forest officers were given broad powers and responsibilities under the forest laws and regulations to enforce this system²⁹.

Conclusion: It is clear from the discussion of the above topics that, in the princely states, the establishment of a regular police system played an important role in maintaining law and order. The efficiency of the police was high, and it acted as a deterrent to crime. Officials such as the *Daroga* oversaw law enforcement and administration, while the *Subedar* supervised the collection of fines and enforcement of regulations. In practice, the implementation of law and order responsibilities rested with these officials, who maintained direct control over local enforcement.

From this discussion, it is also evident that where a regular police system existed, cases of theft, robbery, or social disputes were effectively controlled. The British administration, state rulers, and trained officials ensured that the police maintained order and accountability, which in turn strengthened the authority of both the state and its rulers. During the survey, it was observed that the British judicial officers recorded these cases carefully, and thus the judiciary functioned in a very systematic manner. Although efficient on paper, in practice, it remained largely rigid.

The princely states established their own regular courts for villages, towns, and cities, along with officials responsible for enforcing laws. The administration of justice and the collection of fines was handled by these local courts. In principle, these courts provided a legal framework for the states, and the judiciary was given authority over crime, civil disputes, and revenue matters.

However, in reality, this judicial system did not fully reach the local populace. While it was meant to supervise customary laws and local disputes, ordinary villagers often did not directly access these courts. The British officials overseeing judicial matters did not effectively involve local representatives in decision-making. As a result, although the judiciary system existed formally, the practical involvement of the local population remained limited.

This shows that in the princely states, even where a regular judicial system was introduced, it mainly served as a tool of administration, while the actual resolution of local disputes often remained outside its direct influence.

- The regular courts were established in a systematic manner, and local issues were brought under their jurisdiction.
- Qualified officials were appointed to handle cases in rural areas, so that local disputes could be resolved effectively.
- Judicial supervision and accountability were introduced in the princely states.
- Legal and police procedures were implemented under the supervision of courts.
- The judicial system was linked with the revenue and administrative departments of the state.
- Through proper enforcement, the courts ensured the compliance of local officials and villagers.
- The principle of “regularity” in judicial administration was clearly established.
- In the princely states, the role of regular courts in dispute resolution became well recognized.

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