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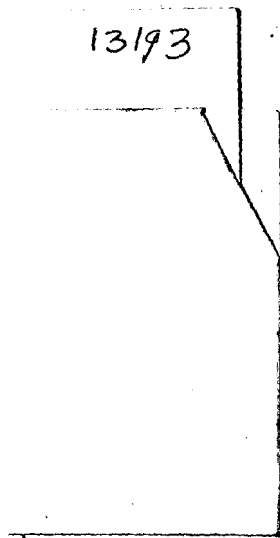
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TRAVANCORE



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ECONOMIC DEPRESSION
ENQUIRY COMMITTEE

REPORT

1931

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Read :—

Progress reports of the working of the Conciliation Boards during the years 1112 to 1114.

ORDER D. DIS. No. 122839/RKV., DATED, TRIVANDRUM,
11TH JULY 1939.

The Government have been for some years trying to deal with the problem of agricultural indebtedness in the State. As early as 9th January 1935 they appointed the Agricultural Debt Redemption Committee to enquire into the question and to suggest such measures of relief as could be given effect to. Their report was duly considered and two Statutes the Agriculturalists' Relief Act (Act III of 1112) and 'the Credit Bank Act (Act IV of 1113)' were passed into Law. Under the former, the Debt Conciliation Boards, and under the latter the Credit Bank were established. Statistics relating to the working of the Conciliation Boards do not justify the expectation that any appreciable result could be achieved by the system under which the Boards are functioning at present. In the year 1113, there were seven Boards conciliating debts in different centres in the State. While the total number of applications which the Boards had to deal with was 3,572 covering a total debt of Rs. 56,26,372 the number of cases in which conciliation was effected and agreements were actually executed was only 241 covering a total debt of Rs. 3,61,084 conciliated for Rs. 2,90,776. This has resulted in a total reduction of such debts only by Rs. 70,308. The total expenditure incurred by Government for the purpose during the year amounted to Rs. 60,411. The current year's results are no better than the previous years. As the security offered is inadequate for the relative debts, the Credit Bank, it is reported, is unable to render substantial help to the parties who have effected settlements. Neither the creditor nor the debtor seems to be able or very willing to take advantage of the machinery so far provided by Government. Numerous representations have been made to Government by the interests concerned which clearly indicate their urgent desire that if possible more effective steps should be taken for the relief of indebted agriculturalists. Government also are satisfied that a change in the Law and the system of conciliation is necessary.

The enactments now in force in British India and in several of the Indian States recognise and give effect to the element of compulsion in conciliation, but the extent to which compulsion is justifiable or expedient is a debatable point. The conditions affecting the agriculturalists in the State and the problem relating to their indebtedness cannot be said to be uniform in all localities in India and Travancore presents

several special features one of which is the circumstance that many of the creditors are also debtors and that there is no specific money lending community in the State. The question as to the extent to which legislation may be embarked upon therefore deserves further and closer scrutiny. The Government therefore resolve to appoint a Committee to go into the whole question of indebtedness with special reference to agricultural and industrial debts and the proper mode of dealing with the same and to report to Government their conclusion *inter alia* regarding the extent to which compulsion may be resorted to in scaling down and settling the existing debts and the legal procedure to achieve the end. The Committee will also forward their suggestions for keeping down the abnormal growth in the volume of future debts that may be incurred by the agriculturists and small industrialists in the State.

The Committee will consist of the following twelve Members :—

1. M. R. Ry. Dewan Bhadur Rajyasevadarandara V. S. Subramonia Iyer Avergal,—Chairman.
2. Mr. K. V. Joseph, Pottankulam, Kanjirapalli.
3. M. R. Ry. K. C. Karunakaran Avergal, Member, Sri Mulam Assembly.
4. „ S. Krishna Pillai Avl., Legal Remembrancer to Government.
5. „ T. Kumara Pillai Avl., Kalkulam.
6. „ Rao Bahadur Rajyasevanirata, N. Kunjan Pillai Avl.
7. „ Kottoor K. Kunjukrishna Pillai Avl.
8. „ C. O. Madhavan Avl.
9. „ N. Narayana Kurup Avl., Member, Sri Mulam Assembly.
10. „ Kainikara M. Padmanabha Pillai Avl., Member, Sri Mulam Assembly.
11. „ M. Ramachandra Rao Avl., Land Revenue and Income Tax Commissioner.
12. „ N. Venkitachalam Iyer Avl., Advocate, Alleppey.

The Committee will hold their sittings at Trivandrum and submit their report within two months.

(By order.)

(Sd). M. K. NILAKANTA AIYER,
Chief Secretary to Government.

To

The Chief Conciliation Officer,
The Gazette,
The Financial Secretary to Government,
The Members of the Committee,
The Registrar, High Court.

APPENDIX II.

QUESTIONNAIRE.

I. What are the classes of debtors that should be brought within the scope of Debt Relief measures ?

Would you recommend relief to every debtor irrespective of his total income from all sources or would you recommend the exclusion from such relief of any debtor having regard to the amount of his total income. If so, what is that amount ?

II. In view of the fact that the Committee is going into the whole question of indebtedness, do you think it necessary to differentiate between "Agricultural Debt", "Industrial Debt" and "Other Debt".

In that case what should be the definition of Agriculturist and Agricultural Debt. Do you accept the definition 'Agriculturist' and 'Debt' in Section 2 (a) and (c) of Act III of 1112, if not what changes do you propose ?

What would you mean by an 'industrial debt'. Do you consider that the indebtedness of both factory industrialists and cottage industrialists stands in need of relief.

Do you think that a definition of 'other debts' is necessary ? If so, what definition would you suggest ?

III. For purposes of relief, would you classify debts into those prior to 1105 and those from 1105 as recommended by the Agricultural Debt Redemption Committee of 1935. If you are in favour of classification and if you are not satisfied with the above classification, what is your alternative suggestion ?

IV. Are you in favour of classifying the debtors on the basis of the burden of their debts, e. g., into (i) those whose liabilities so largely exceed their assets that even after a fair reduction their assets cannot be expected to bear the debt, burden and (ii) those whose liabilities can be brought reasonably below their assets so that their debts could be repaid in instalments extending over a period of years. Would you suggest any other classification ?

V. Is it necessary to fix an upper limit for the agriculturist borrower to get the benefit of the relief measures ?

VI. To your knowledge, what are the usual terms of borrowing ? And how are repayments of principal and interest made ? Are there any iniquitous conditions attaching to repayment, such as claim by creditors of the right to take and sell produce at ruinous rates and so on ? If so, where and in the case of what class of creditors or debtors ?

VII. What has been the trend of Agricultural prices since 1935 ? How has it affected the value of agricultural land in particular and the

problem of agricultural indebtedness in general? What is the present value of land wet and dry as compared with the value in 1935. To what extent has land been sold or mortgaged by Agriculturists since 1935?

VIII. To what extent is land mortgaged by agriculturists as security for debts? Has land changed hands during the last four years to a greater extent on the average than previously?

IX. To what categories of non-cultivating classes has land been passing during recent years? What has been its effect on the efficiency of cultivation? What is the effect of absentee-landlordism on the agriculturist who remains in the village?

X. If you consider that the various means by which agriculturists derive their credit are not sufficiently co-ordinated, or that the rates of interest are high, or that the promptness with which the loans are granted is not sufficient, or that there are any other defects in the present system of credit to agriculturists, can you suggest remedies?

XI. Are you in favour of scaling down and settling the existing debts? If so, what is the principle which you would adopt?

XII. What is your view regarding the principle of 'damdupat'? Should any interest already paid and appropriated as such be taken as reducing the principal amount itself? If so in what circumstances and to what extent? Should the fact that the transaction has already matured into a decree make any difference and if so what?

Should any interest paid by a debtor, as a matter of fact, in excess of what may by future legislation, be declared the maximum, be compelled to be repaid to him? If so, in what circumstances and under what conditions?

XIII. In case, you are of opinion that the rate and amount of interest should be reduced, what should be done in the case of banks and such other institutions which have already realised interest on loans at agreed rates and paid dividends?

XIV. Are you in favour of placing a limit on the rate as well as the total amount of interest a creditor can levy from the borrower? Are you in favour of prohibiting compound interest? Would you prohibit renewals in which the interest accumulated is to be treated as a part of the future principal debt? Would not such prohibition precipitate suits which might otherwise be avoided? Would you, allow such renewals under any conditions and if so what? What is the rate of interest that you would propose for future transactions?

XV. Are you in favour of any machinery for debt conciliation? If you are, are you satisfied with the provisions in Act III of 1112. Do you think a change in the law and the system of Conciliation

necessary? Should there be any and if so what element of compulsion in conciliation schemes. What are your suggestions on these points?

XVI. A good percentage of the creditors are themselves agriculturists. Should this fact influence in any way the problem of debt relief? If so how?

XVII. Do you think that separate conciliation boards are necessary to deal with (1) industrial debts, (2) Kuttanad agriculturists, (3) Planters and (4) Co-operative Societies.

XVIII. Should there be separate agencies for conciliation and scaling down of debts or do you think that the jurisdiction for such purposes may also be vested in the regular courts themselves like insolvency jurisdiction.

XIX. What should be the relation of the capacity of the borrower to repay to the problem of relief?

XX. Do you apprehend that these relief measures would cut out not merely superfluous credit but also necessary credit?

What has been the effect of the Debt Relief Act of 1112 upon agricultural credit? What effect beneficial or otherwise has it had upon the discharge of agriculturalists' debts which existed at the time or upon the relations between such debtors and their creditors.

XXI. What in your view should be the arrangement for the repayment of conciliated debts? Is the Credit Bank machinery adequate? If not what changes would you suggest?

XXII. Do you think that it is necessary to enact a Rural Insolvency Act which would save to the honest debtor, who is willing to place all his assets at the disposal of the liquidator, his homestead and at least a small portion of his holding to enable him and his family to have bare subsistence?

If you are in favour of this proposition what is the percentage of the debtor's assets that you would permit him to retain? How will you check voluntary or involuntary alienations of property thus saved?

XXIII. Is it necessary to control money-lending by suitable legislation? If so, what are your proposals?

XXIV. What methods would you suggest for preventing future borrowing by agriculturists? What sources would you provide and how; for necessary future credit for the agricultural needs of the cultivator?

XXV. Future indebtedness can be checked only by controlling improvident borrowing and speculative leading. How can you do this? What practical methods would you suggest?

XXVI. What do you think is an economic agricultural holding in Travancore? Are you in favour of consolidation of agricultural holdings? Would you penalise the cultivation of uneconomic holdings? Is legislation desirable? If so, on what lines?

XXVII. What system would you recommend for preventing the agriculturist from raising loans except for productive purposes and in such a manner as to enable him to repay them punctually?

XXVIII. 'All the World over, especially in agricultural tracts it is co-operation that has reduced, if not suppressed private money lending. Further expansion of the co-operative movement while more urgently needed than ever because of the fact of restricted credit must proceed on altered lines to suit the changing environment' (Page 3, Indian Co-operative Review Vol. V). Is this true of Travancore? How will you link the measures for the control of future debts with the re-organisation of the co-operative movement?

XXIX. "The solution depends entirely on the organisation of cultivators of whom only a small percentage has so far joined the co-operative movement. The time has come when it will no longer be advisable to leave the matter to voluntary enterprise and a scheme of compulsory organisation should be undertaken by the Co-operative Department as has been done in Japan."—Devadhar Committee.

Do you endorse this view? If you do, on what lines would you suggest the compulsory organisation to be carried out?

XXX. Can you give some idea of the number of subsidiary industries, allied or supplemental to agricultural existing in your locality? Can you suggest methods by which any such industries could be encouraged and by which the producer might be enabled to get a better return for his produce? Can you suggest any enterprises which may give employment to the farmer during seasons when he cannot make use of his time on his farm and thus enable him to supplement his income and to raise his standard of living? What would be the best method of securing working capital for these enterprises? What financial machinery would you suggest for this purpose?

XXXI. Do you think that a re-organisation of the existing marketing system would materially check the growth of future indebtedness? What in your opinion are the possibilities of forming pools, and of co-operative effort generally in marketing produce? Do you think that the organisation of co-operative sales societies linked to a central organisation would be useful?

XXXII. It has been suggested that the grower of produce does not get the full value for his produce on account of the speculative

buying and selling activities of firms and companies who deal in the export trade and on account of the control of prices by these and other bodies. What are your views on this suggestion? Please support your views by any facts and figures within your knowledge. Have you any observations to make with a view to ensure a better return to the growers of produce?

Have you any reason to think that lack of facilities to persons engaged in the movement of the principal crops of your locality such as cocoanut, copra, pepper, ginger, etc., is due to causes other than the borrower's lack of credit, e. g. any position of monopoly which the buyers might enjoy, or any other cause or causes.

XXXIII. Are any measures possible or desirable for improving the financing of cultivation and the economic condition of the agriculturist generally by measures for improving marketing, stapling, co-ordination of crop production, warehousing, etc.

XXXIV. Do you think that the Government schemes for promoting general utilities e. g., roads, irrigation projects, sanitation programmes, etc., would be able to control the growth of future indebtedness and if so, what recommendation would you make to Government on this subject?

XXXV. Are any Government schemes possible for the general industrial development of the State as a means either (a) of improving the market for our agricultural produce, or (b) of affording alternative means of employment to the rural population either, (i) as wage-earners, (ii) as workers at village industries.

XXXVI. Has the incidence of land revenue taxation any bearing on the problem of indebtedness? Does the present burden of taxation press unduly hard on the agriculturist?

N. B. If the above questions are not sufficient to cover your views on the subject, a general note on any other points that might strike you may kindly be forwarded.

APPENDIX III

A note by Mr. T. Kumara Pillai.

In G. O., D. Dis. No. 1228/39/Rev., dated 11th July 1939 Government have directed the Committee to consider and report on the methods of liquidating the debts of the people of the country. At the same time, they have also directed that the Committee should suggest ways of preventing the further growth of indebtedness among the agriculturists and small businessmen. In my view, in spite of whatever measures Government might adopt for affording relief from debts, as long as, the economic condition of the people remains as at the present day, there can be no way of escape from further debts. In this note, I refer mainly to the condition of the agriculturists and particularly to that of the paddy cultivators. If the agriculturists are to be enabled to pay off their present debts without incurring future debts, the objective cannot be realized unless and until their economic condition is improved. For this purpose, the facilities required for successfully carrying on agriculture should be provided and, what is equally important, all handicaps to agricultural occupation should be removed.

We should never lose sight of the vital principle that the food crops that we require should be produced in this country. The tracts best suited for paddy cultivation are Nanjinad, Edanad and Kuttanad. Prior to the economic depression, the income from one acre of paddy land in Nanjinad was Rs. 120 and it has now come down to Rs. 20. From the Karapadams of Kuttanad, the yield per acre was 56½ paras and it has now come down to 33 paras; and in the case of Kayal lands, the yield has gone down from 38½ paras to 16 paras (Vide Report of the Economic Depression Enquiry Committee, paras 64 to 67 and 75 to 82).

On account of various causes, the yield from agriculture has gone down; and at the same time, the prices of agricultural produce have fallen to a very low level. The agriculturists who are already groaning under the weight of heavy debts, find that they can neither carry on their occupation nor leave it off. Unless and until the agriculturists who form the backbone of the country's prosperity and who produce food for all other classes of the population, are saved from the present deplorable condition, we will have to put up for ever with our daily increasing helplessness and dependance upon others in regard to the food supply of the country. This is a very grave matter on which the earnest attention of the Committee should be concentrated. I, therefore, proceed to draw attention to certain very important requirements of the paddy cultivators.

(1) It is not possible to carry on paddy cultivation properly under the *over-heavy assessment on land* existing at present. According to the

last settlement, the first class lands in the country were assessed at the standard rate of Rs. 20 Ch. 10 C. 6. But, disregarding the standard rate, the Nanjinad paddy lands have been assessed at rates higher than the standard rates, as shown below :—

	Rs.	Ch.	C.
1st tharam	25	15	6
2nd tharam	23	20	0
3rd tharam	21	25	4

The extent of lands so assessed at rates higher than the standard rate is 55 per cent. in Nanjinad and 22 per cent. in Edanad. (Vide Kodayar Project Papers Vol. III, Statements VI, VII and XI). The above discrepancy arose on account of the fact that the last settlement was not made on the basis of the principles laid down in the Royal Proclamation relating to the settlement. This is a matter that has been acknowledged by Government themselves. (Vide G. O. No. 13721/L. C. and F. dated 25th December 1913, wherein it is stated as follows :—

“The proclamation dated the 14th Kumbhom 1061 M. E. clearly laid down how the rice lands should be assessed. The directions contained therein were, however, ignored and the assessment on the lands was fixed on the principle that in no case was the resulting revenue demand payable to the Government on any individual property to exceed or fall short of munkaram by 10 per cent. or more”.

“It has to be said that the Government did not adhere to any continuity of policy in the treatment of settlement matters or always deal with them in accordance with the spirit of the Royal Proclamation of 1061 M. E.”

Land Revenue Manual Vol. II—Pages 1077 and 1081.

“The assessment for dry lands has been fixed on the acreage basis according to a schedule which classified the lands into 13 tharams or classes, the maximum rate per acre being 15 fanams and the minimum 1 fanam. The rates below the sixth tharam have been abolished, with the result that the lowest rate is 7 fanams per acre” (Banking Enquiry Committee Report, Page 22). Thus, when we consider the policy adopted by Government in the last settlement, it will be seen that there is no force in the argument that the assessments made at that settlement cannot be revised till the next settlement. If the provisions of the Royal Proclamation were over-looked in an executive order, the error can undoubtedly be rectified by means of another executive order. As a matter of fact, the assessment on the paddy fields of Nanjinad and Edanad is too heavy for the ryots to bear in the present conditions and, as long as the said assessment continues to be enforced, the indebtedness of the ryots cannot but grow and accumulate.

9. (Kodayar Papers Vol. III, Page 14, Para 17)

"The average rate per acre for wet lands under pattam tenure, both channel-fed and rain-fed, in the four taluks. (Thovala, Agasteeswaram, Eraniel and Kalkulam) comes to Rs. 16-27-12. The comparison becomes more striking if we take the figures given in the Madras Manual of Administration Vol. I, Page 145. The statement given there shows that the average assessment in 20 settled districts, including second crop-assessment and water tax, ranges between Rs. 1-8-3 in Nilgiris and Rs. 9-1-9 in Tinnevely, which is the highest average for the Madras Presidency."

Page 15, Para 21.

"These figures speak for themselves. Not only are the rates adopted at the settlement higher than the highest in British India, but a considerable portion of the existing wet area has been brought under these high rates. The average rate per acre is thus much higher than in other parts of the State or in British India. From these data, the conclusion is irresistible that the channel-fed lands in Nanjinad and Edanad are heavily taxed."

The above statement will clearly substantiate the weight of the burden of land revenue assessment borne by the paddy cultivators of Nanjinad and Edanad. The Banking Enquiry Committee has, at page 20 of its Report, recorded that the lands in this country included in the first tharam are 75.13 per cent. No doubt when the payment of tax becomes impossible, on account of failure of crops, some portion of the tax is remitted. But, from such remissions, the ryots do not derive the benefits that the Government have in view. For, apart from the shrewder and richer ryots, the ordinary agriculturists do not, as a rule, obtain, in actual practice, the real benefits of tax remissions. On certain occasions, coercive action is held in abeyance and the tax is permitted to be collected along with the next instalment. This practice, though considered to be convenient to the ryots, in reality, turns out to be a danger and a snare; for, to the ryot to whom the payment of one instalment is a great burden the payment of two instalments at the same time becomes sheer impossibility, with the result, that ultimately his lands come to be sold in auction for arrears of land tax.

In, G. O., R. O. C. No. 2764/31/Rev., dated the 14th July 1931, Government ordered coercive steps for realisation of arrears of land to be held in abeyance under certain conditions. But the then Land Revenue Commissioner, Division Peishkars and many Tahsildars are said to have reported against the necessity for the order. The argument of the then Land Revenue Commissioner, was that the prices of agricultural products had not fallen below the level of the prices at the time

of the last settlement and that the pattadars were not able to pay the tax. But the Land Revenue Officers failed to remind the Government of the extent to which the daily needs and requirements of the ryots had increased since the last settlement and of the extent to which indirect taxation had, in the meantime advanced. It is not possible for those who have carefully studied the condition of our villages and our rural folk and the handicaps under which they carry on agriculture and studied also the resultant burden of their debts to agree with the views of the kind expressed by the Land Revenue Officers in connection with the G. O. mentioned above. There can be no doubt that, as long as the burden of assessment is not reduced and the facilities for agriculture are not adequately provided, the economic condition of the agriculturists cannot but continue to deteriorate.

At page 65 of their report, the Unemployment Enquiry Committee have held the view that the one cause of the decline of agriculture is the excessive land revenue assessment and they have recommended that an expert Committee should be appointed to enquire into and report on this matter. In these circumstances, as a measure of relief and encouragement to the agriculturists, land tax above the settlement rate of Rs. 10-5-10 (fixed for the 5th tharam) should not be realised, at least till the economic depression is over.

(2) To the paddy cultivators, the most urgent necessity, is adequate water supply. The Kodayar scheme was carried out at enormous expenditure and it was, at the time, expected that it would supply water to 56,239 acres of paddy lands in Nanjinad and Edanad.

But in recent times, it has become very clear that the Kodayar Project has not brought to Nanjinad and Edanad the benefits that had been expected from it. According to the Settlement Register, there were 3650 tanks in Nanjinad and Edanad. The number of tanks has now decreased to 2109. The rest of the tank-beds have been sold to private owners. The Minor Irrigation Committee found that there were only 663 tanks which held water so as to be of use to the cultivators. The remaining 1446 tanks are partially filled up or have become otherwise useless for agricultural purposes. Relying on the Kodayar Project, many tank-beds have been sold off and the remaining ones have not been regularly repaired or maintained in a useful condition. There have, therefore, been repeated failures of crops and the indebtedness of the ryots has been increasing beyond their capacity to bear it. Frequently the yield is not sufficient even to meet the tax payment. The result is that agricultural lands have steadily passed from the agricultural classes to the non-agricultural creditors.

According to the report of the Minor Irrigation Committee, there are 6518 tanks and 3748 canals in this country serving the needs of

agriculture. At page 21 of the report, paras 66 to 69, the following observations are made:—

Para 66. "The area commanded by tanks is about 66,000 acres or 10 per cent. of the total area of wet lands in the State. Of this, the ayacut under tanks which are reported to be good or in fair condition on account of restoration works carried out in recent years or otherwise and do not require immediate attention may be taken to be about 18,000 acres. The balance or 48,000 acres stand in need of the benefits of restoration works."

Para 67. "The punja cultivation in Kuttanad covers an area of about 66,000 acres—only a little less than the total area commanded by tanks. The excessive net work of canals and drainage channels in this region serve the purposes of navigation, drainage and irrigation and also of supplying manure in the form of silt brought down by the floods. Very little has been attempted here so far by Government to improve irrigation facilities etc."

Para 68. "The agricultural witnesses before the Committee in this area were unanimous in their requests for improvement to canals, drainage, channels and bunds and the provision of locks and regulators to control the inflow of brackish water."

Para 69. "The area of wet lands in the Kummatunad alone is 61,000 acres while in the adjoining taluk of, Muvattupuzha it is 46,000 acres. In addition to the restoration of tanks in these taluks, a good deal has to be done by way of improvements to the drainage channels and the protection of fresh irrigation works where they do not exist at present. The investigation of works of the latter character is considered necessary in every taluk."

As long as the tanks and canals so necessary for the agriculture are in such deplorable condition, agriculture cannot but deteriorate and as the income from agriculture decreases, the indebtedness of the agriculturists is bound to increase. If the agriculturists are to be really redeemed from the burden of indebtedness the first and foremost consideration should be that of *providing adequate water supply to the needs of agriculture*. Until, therefore, the tanks and canals necessary for agriculture are repaired and maintained in proper condition, it is necessary to create an irrigation fund by setting apart towards it annually a sum of not less than Rs. 5 lakhs, to be utilized entirely for irrigation works. This is one of the main recommendations of the Minor Irrigation Committee. (*Vide* Page 26 Paras 94 and 95).

(3) According to the existing rules, the cost of minor irrigation works in Nanjinad and Edanad are to be borne entirely by the Government and in the rest of the country, the ryots are liable to a half-contribution of the cost of such works. This is realized from the crops along with the tax. In the existing circumstances, it is impossible for the agriculturists to bear this burden, at a time when even the payment of the tax is too heavy a burden. The result is that the agriculturist sinks further and further into debt and ultimately loses his land to his creditors. In some cases, big amounts are spent on irrigation works, but on account of faulty designs and execution, even the facilities that previously existed cease to be available after the completion of the works. By a strange irony of fate, even in such cases, the ryots are bound to pay the half-contribution. The Minor Irrigation Committee noted various works of the kind and recorded their views on them. (*Vide* Report Page 17). In the circumstances, I am definitely of the view that the system of half-contribution should be discarded and a uniform cess should be levied for minor irrigation works. (*Vide* pages 28 and 29 of Report, Minor Irrigation Committee, paras 93 and 97).

Here I may also point out that the Unemployment Enquiry Committee has recommended that the entire cost of Minor Irrigation works should be borne by the Government (Report, pages 66, para 107 (2)).

(4) Passing on to another very important matter, it is necessary to amend the Land Revenue Remission Rules so as to make it possible for remissions to be automatically made in cases of crop failures. At present, various irregularities take place in remission proceedings. When the crop is destroyed on account of drought, the ryot has to spend half the amount of the tax (പുലയം) in order to get the crop failure recorded by the revenue staff. Hence, very often, it happens that cases of 'Karivu' are not recorded at all and, what is more interesting, well cropped lands are recorded under 'Karivu'. On account of such vagaries, the ordinary agriculturist has to bear heavy unjustifiable losses. For preventing such irregularities, remission rules should be suitably modified so that remissions may become a matter of routine to be automatically applied wherever crop failures occur. Moreover, in making record of 'Karivu', some local agriculturists should be called in as witnesses and their signatures also should be affixed to the reports of the revenue staff. There is a circular to this effect. If it is strictly enforced, ryots, will be spared the necessity to spend half the amount of the tax to get a record of 'Karivu' entered in the registers. As things are at present, the ryot knows nothing of 'Karivu' proceedings till the demand notice arrives or he goes to pay the tax. Then it would be too late to file an appeal or to complain to the higher authorities. The result of the present remission rules is that both the Government and the ryot have to bear unjust losses. It may be observed here that the Minor Irrigation

Committee have recommended that the Remission Rules should be suitably amended. (*Vide* Page 27, Para 87—88 of the Report).

(5) Passing on to the question of *transfers of registry*, it is highly necessary that strict instructions should be issued to Land Revenue Officers to the effect that transfers of registry should be attended to and completed as speedily as possible. There is a circular order that transfers should be completed in three months; but the order is not carried out in practice at all. In para 208 of the Banking Enquiry Committee Report, the following statement is made:—

“The complaint is that transfers of ownership are never attended to in time, etc. Some of the Tahsildars who appeared before the Committee themselves admitted the delay in mutation of pattas, but explained it as due to insufficiency of hands, the absence of the intimate local knowledge on the part of the Proverthikars which the hereditary karnnams in British India have, and the multifarious duties the village staffs have to attend to. Whatever be the causes, the consequences are too serious to be over-looked”.

Some Tahsildars misuse the power of transferring Proverthikars from place to place with the result that transfers of registry records are not completed in time and even the pakuthy accounts are not maintained properly. A Proverthicar who incurs the displeasure of the Tahsildar cannot remain in the pakuthy for any length of time or properly carry on his duties in the pakuthy. I know of one instance in which a Proverthicar was shifted seven times from pakuthy to pakuthy in the space of 16 days. Numerous errors and irregularities take place in Pokkuvaravu records on account of the frequent transfers of Proverthikars. It frequently happens that registry is transferred without at the same time cancelling the previous ownership. In the result, for the same property, two persons are forced to pay tax. This is how excess collections take place. There are various instances in which the tax on one property is paid by one person and for the same tax another man's properties are brought under auction sale proceedings. Agriculturists are thus put to immense trouble and loss on account of the failure to complete pokkuvaravu records without delay. Similarly, for the fault of the pakuthy staff, the properties of previous owners are brought under auction sale. The trouble is very common in the case of subdivided family properties. The failure of one share-holder to pay tax brings the properties of some other share-holder under auction sale. If the Land Revenue Department will pay special attention to avoid irregularities of this kind, the ryots can be spared immense annoyance and unnecessary expenditure without involving additional cost to the Government.

According to the transfer of registry rules of 30-12-1054, it was laid down that even for Otti transactions, transfers of registry should be recorded. This rule was modified on 22-7-1056 to the effect that in regard to Otti, panayam etc., the actual person who is in enjoyment of the property should pay the tax. (L. R. Manual Vol. V, pages 670 and 691). It is even now a practice for the actual possessor to pay the tax in the name of the Jenmi. Thus, even though the name of the actual possessor is in the transfer of registry, when the tax falls into arrears, without notifying the mortgager, steps are taken against the Jenmi's own properties which are brought under auction. It is a common occurrence that the mortgagee deliberately allows the tax to fall into arrears and when the property is brought to auction, he gets it knocked off by a friend of his and the property is subsequently transferred to his own name. In all such cases, coercive steps should be taken against the actual mortgagee and not against the Jenmi.

(6) The ryots incur very great losses on account of demand notices. Although there is a circular of the Land Revenue Commissioner to the effect that, in one and the same pakuthy, one person should not have more than one thandaper, demand notices are issued to the same person in more than one thandaper. Similarly in the case of joint pattadars, the demand notice used to be issued to one of them and copies of it sent to the others. But now it has become common to issue demand notices to each one of them. Thus the number of demand notices increase year by year. In the year 1105, when the economic depression commenced and agricultural prices began to fall, the number of demand notices was 4,42,097. In 1113, the number rose to 9,89,288.

Regarding the demand notice fee, it has to be noted that it is as much as the rate of assessment on the 13th tharam land, viz., 1 fanam. In the present condition of the agriculturists, the demand notice fee is too heavy. In my opinion up to Rs. 5, the demand notice fee should 1 ch. and above that limit 2 chs. Besides, the rule that one and the same person should not have more than one thandaper should be strictly enforced. In the case of joint pattadars, only one should be served with the demand notice proper and the rest should be given copies of the notice only. In regard to the question of demand notices, the Economic Depression Enquiry Committee have made their own recommendations (*Vide* page 101, para 199 of the Report).

(7) There are various irregularities taking place in the auction sale of properties against arrears of land tax. So the agriculturist bear great hardships and losses.

(a) In the case of sub-divided family properties, steps are frequently taken to realize arrears of tax from the properties of any one of the share-holders by bringing his share under auction. If anyone of them makes payment

of his own share of the tax, he is compelled to pay the tax on all the shares. If he does not do so, his land goes in auction for the tax due from the other share-holders. Numerous cases of this kind happen by influence being brought to bear on the proverthicar. In order to avoid hardships of the above description, Mr. George, the Land Revenue Commissioner, issued a circular to the effect that all properties on which tax is in arrears should be shown on the attachment schedule and that such of them on which the tax is paid should be released. It was a very sensible and helpful arrangement; but the difficulty is that the revenue authorities are not carrying out the rule and thus the ryots suffer a great deal of a avoidable trouble and expense. Hence the said circular should be strictly enforced.

- (b). Revenue attachments against arrears of land tax in 1105 were 9,267. In 1113, the number was 25,953. In many cases, the auction sales are not known to the owners. The majority of agriculturists are not now in a position to appeal to the higher authorities and obtain redress of their grievances in respect of the irregularities taking place in auction sales. It is however, a matter for thankfulness that the complaints that reach the Land Revenue Commissioner are justly and sympathetically disposed of.

In some taluk offices, they make their own arrangements for the properties under auction to be knocked off for the tax amount. If the auction is confirmed, they divide the profit after sale of the property. If others did at the auctions, they have to incur a great deal of unauthorised expenditure when they pay the deposit and the balance of the auction amount and also preliminary to the issue of the sannad. Some proverthicars get their own friends and condants to bid at the auction sales and subsequently get the properties transferred to themselves.

From the Administration Report of 1113, it is seen that the average price fetched at auction sales of agricultural lands was Rs. 49-5-15 in the case of paddy fields and Rs. 14-5-9 in the case of garden lands. Ordinarily, revenue sales result in properties being knocked off for very low prices. In the Ponmana Pakuthy of Kalkulam Taluk S. No. 1483/10 comprising 39 cents of coconut garden was sold for realizing arrears of kist Rs. 3-12-3. The property fetched a lease of Rs. 71-12-0. The auction was conducted without taking the steps provided in Section 24 and 32 of the Revenue Recovery Act. The

Land Revenue Commissioner has set aside this auction sale. Numerous instances of auction sales of the kind for very low prices can be seen from the Government Gazette. In para 198 of the Economic Depression Enquiry Committee, report the following observations are made about the sale of agricultural land for the realization of kist :—

“At the root of all agricultural enterprise in this country is an intimate bond between the cultivator and his land etc., etc. The happiness, contentment and the prosperity of a country like ours depend upon the happiness, contentment and the prosperity of the agriculturists. Unless, therefore, imagination and sympathy, in a large measure, takes the place of the rigour of the ordinary coercive measures available to the State, we are afraid, it is easily possible to inflict permanent ruin upon large sections of the people etc. We therefore recommend that strict instructions be issued to the Division Peishkars and the Commissioner Devicolam, that, in cases in which immoveable properties are attached and proclaimed for sale for the realization of kist, the sale should be postponed, if in their opinion, the properties put up to auction have not fetched a fair, and reasonable price or the management of such properties should be taken over by Government in suitable cases”.

The charges incidental to coercive steps for realisation of arrears of tax are a source of very great embarrassment to the cultivators. There is the demand notice fees for notices issued to one and the same person under more than one thandaper. Then there are the attachment fees, murasu (beat of drum) fees, all of which add immensely to the burden of the taxation which by itself is far more heavy than in British India. The murasu-pati is a perfectly meaningless exaction. The beat of drum does not take place now-a-days. For each stretch of paddy lands, the Proverthicar appoints a murasukaran and he exacts paddy from the cultivators at harvest times and then they have also to pay a ‘Murasu-pati’. This is entirely unjustifiable. It is highly necessary that the murasu-pati should be stopped forthwith.

Unless and until the ryots are saved from such unjustifiable expenses in auction sales and are dealt with in a more sympathetic manner, they are quite likely to lose their lands and add immensely to the burden of their indebtedness.

(8) The ryot has to sell his produce in the market. When he reaches the market, three adversaries confront him :—(1) the market contractor, (2) Desakavalkaran and (3) the market sweeper. On account of their oppression, it is not possible for agricultural products to be sold conveniently or to sell them for their proper

value. The market contractor invariably realizes more than the schedule rate. Besides, he oppresses the poor in other ways and deals with them in a brutal manner. The next enemy is the Desakavalkaran who is usually appointed by the local Police Inspector. At harvest time, he collects from each field what is known as "Kaval-kathir" and thus obtains lot of paddy. A portion of the articles taken from the markets is given to the local police and the balance is appropriated by himself. The next oppressor is the market sweeper. The ryot can sell his produce only after the sweeper takes what he wants. A portion of what the market sweeper collects goes to the Taluk subordinates. He appropriates the rest. If this kind of oppression and exaction taking place in the market is stopped, the ryots can sell their produce in the markets for their full value.

Apart from all the above difficulties, the lack of uniformity in weights and measures is a source of very great loss and trouble to the ryots. At present there is no one to attend to this matter in the markets and shops in the rural part of the country.

(9) If paddy production in this country is to be increased, the object can be achieved only by increasing the area under cultivation and by intensive cultivation of the existing fields. The last Census showed that the population increased by 27 per cent. while agricultural land increased only by 9 per cent. Agricultural land cannot increase in proportion to the increase in population. There are various hindrances to increasing the yield under cultivation. In para 39 of the Economic Depression Enquiry Committee, the following observations occur :—

"The effect of the fall in the prices of our agricultural products is aggravated by the disproportionate increase in their cost of production. Money costs have risen in real value and mean at least 50 per cent. more in commodities now than two years ago. Labour charges have not come down in conformity with prices. Thus between low prices on the one side and increasing cost of production on the other the agriculturist is confronted with a perplexing situation.

Apart from the increasing costs of cultivation, there are other reasons for the decreasing yield of the fields. The agriculturists do not possess the essential requirements of agriculture, viz., water, cattle, compost manure, green manure etc. Nor has he money to meet the expenses of cultivation. There was a time when cattle rearing was a profitable profession; but now the whole industry is merely a nominal affair. There are no grazing grounds, not even open spaces for cattle to move about for exercise. Nor can the cultivator afford to feed cattle in the stalls. The result is, the ryot buys cattle when he commences cultivation and sells them when the need is over. Hence the lack of

compost manure so necessary for agriculture. The cost of green manure is worse. In the Kodayar Project area, trees meant for green manure have been cut off to make room for more fields. Now the old fields and the new conversions have to fetch green manure from elsewhere.

The needs and requirements of the agriculturists in regard to the above matters are referred to in the following Reports:—

Economic Depression Enquiry Committee Report—P. 208

Unemployment Enquiry Committee, Paras 46 and 107 (3)

Banking Enquiry Committee, Para 69.

The Economic Depression Enquiry Committee Report has made a pointed statement as follows:—

“We are definitely of opinion that the State should pursue a policy of active assistance to the local paddy grower so as to enable him to bring down his cost of cultivation and to increase the out put of his fields”.

(Vide para 202 of the Report)

(10) The tolls collected at numerous points in the rural parts of the country are a source of worry and unnecessary expenditure to the ryots. Even the agricultural implements, manure and seed cannot be conveyed in carts without payment of tolls. The ryot pays tax on his land and on the standing trees on the land. He pays a water cess. When, he conveys the produce to his house, he pays a toll on it. When he takes it to the market, there is another toll on it. The ryots are not able to bear all this burden at this time. It is therefore highly necessary to exempt the conveyance of agricultural implements, manure, seed, and other agricultural requirements from the payment of tolls.

(11) When the Committee considers measures for the liquidation or existing debts and for the *prevention of further debts*, the points mentioned below may kindly be taken into consideration:—

In the present conditions of the agriculturists it is not possible for them to avoid the necessity for loans. It is also certain that they are not able to pay off such debts.

The following observations occur in the Banking Enquiry Committee's Report (Para 70):—

“The cultivator in Travancore as elsewhere requires capital for the purchase of live-stock, agricultural implements, manure and other expenses of production for payment of land revenue as well as for meeting his domestic expenses when his stock of grain is run out. His requirements for certain items may be more pressing than others and he cannot but borrow to meet them”.

For the present, I mean to refer only to the Co-operative Societies and Government agricultural loans which provide convenient loans to the ryots.

In para 71 of the Banking Enquiry Committee Report, the following observations occur:—

“During 1928-29 these Co-operative Societies have granted 54,531 loans to the value of Rs. 20,47,983. Of this a sum of Rs. 4,82, 623 was for cultivation purposes. Rs. 1,30, 245 for purchase of cattle and Rs. 25,406 for payment of Sirkar Kist or Jenmi Michavaram”.

Many agriculturists have joined Co-operative Societies. The great majority of them have taken loans for cultivation purposes. Once they take a loan from Co-operative Societies, they find it impossible to pay off the debt. When they take a loan, they consider that they can pay it off from the improved production of their fields. But on account of the continued fall in prices, they find it impossible to do so. In such circumstances, the arrest of agriculturists for default of payment of debts due to Co-operative Societies and the auction sale of properties for agricultural loans for the nominal one chuckram is a great hardship to them. The process will soon disrupt the agricultural occupation in the country. Besides whole families become a prey to destitution and starvation. It is highly necessary to save the agriculturists from such distress.

Agriculture does not yield more than 3 per cent in these days and so it is not possible for agriculturists to pay 10½ per cent interest on the loans from the Co-operative Societies. Hence, it should be provided that under no circumstances, whatever should a rate of interest higher than 6 per cent be realized from the ryots by co-operative societies. Besides, whenever any amount is paid towards loans taken from Co-operative Societies or from Government agricultural loans, it should be provided that half the amount should be credited towards the principal and half towards interest. If we continue at the present rate, all money paid will go to interest and fines and it would become impossible ever to pay off the principal.

In para 49 of the Report of the Economic Depression Enquiry Committee, the following observations occur:—

“Broadly speaking, the present economic stress is severely felt by the middle class agriculturists who form the preponderating element in the composition of our population. The middle class in Travancore affect much of the expenditure and social status of the rich. But they have none of the surplus income of the latter. They depend almost entirely on their agricultural incomes and it is this class that feels the direct impact of a general depression. The middle class forms the backbone of society and, in normal times, a preponderating agricultural middle class population should be regarded as a sign of social health”.

It is highly necessary that the burden of the indebtedness of the agriculturists, who in numerous ways contribute to the prosperity of the State, should be saved from the burden of their debts.

(12) I believe the Government and the agriculturists have now well realized the evil consequences of not carrying out irrigation works at proper times. Consequently the expenditure on irrigation works increases year by year and sanctioned allotments are regularly surrendered by the P. W. D. The season for carrying out irrigation works is from Makaram harvest to the middle of Edavam. The works must be completed in the time in between. On account of the delay in sanctioning estimates and contracts, it is impossible to begin works or to complete them in time. Even the works that are completed often prove useless to the agriculturists and turn out to be mere waste of public money. There are various reasons for this. The irrigation needs of each locality are known best to the agriculturists of the locality. As plans of work and contracts are completed without consulting the local agriculturists, many works necessary to agriculturists are not included and many they do not require, are included in the estimates. Hence the agriculturists do not derive the benefits that they ought to get from the expenditure of Government money. In very many places, the drainage from the slopes have been let into the tanks which thereby become silted up and useless. It has become vain to inform the authorities about matters of this kind. The Minor Irrigation Committee took special care to ascertain the needs and requirements of the agriculturists in this regard and recorded their views at page 16 para 55 of their report:—

Para 55 (i) 'Estimates are prepared without consulting the ryots, and the works are therefore either inadequate or otherwise unsatisfactory. Silt is not removed from the beds of tanks in any appreciable quantity, so as to increase the capacity and tap the bed springs. The tanks therefore dry up shortly after the rains, and there is not sufficient storage or auxiliary supply from springs. The water spread area is considerably reduced on the plea that no ground is available for depositing the excavated earth which is therefore thrown within the limits of the tank itself etc.

Para 55 (ii) "Faulty designs or inefficient supervision; slips occur in bunds since the slopes are not turfed, and no pitching is provided. Earth is thrown loosely over the old bunds and is not properly consolidated. Sand from the tank beds is used in forming bunds,

and this is alleged to be partly responsible for the slips. In the absence of ramps for cattle, the slopes of bunds are often spoiled soon after restoration. Suitable provision is not made for preventing the free entry of silt into the tanks. Mud is used instead of cement or surki mortar in foundation and there is leakage through and round the sluice. Sluice barrels get choked and no water flows out. Sluice shutters are too tight and unworkable. Earthen pipe sluices are not satisfactory, being very leaky. The acceptance of low tenders necessarily results in bad work, and their prevalence is an index of the existence of an undoubted belief among contractors that inadequate supervision would save them from the loss that their unworkable rates would otherwise land them in".

Para 55 (iii) "Restoration works drag on for two or more years (even up to five years) depriving the cultivators of all supply of irrigation water during that period".

Para 55 (iv) "Work is got through without any regard to its quality and nobody who has any stake in the business is made to sign the completion certificate".

Para 55 (v) "Due consideration is not given to the relative needs of different pakhies in selecting works for restoration. Some pakhies are absolutely neglected in spite of repeated complaints, while undue attention is being paid to others in the same taluk".

In order to avoid these evils *there should be Irrigation Relief Committees in each P. W. D. Division*. If irrigation works are carried out with their advice and consultation, wasteful works can be avoided and those that are carried out will be useful to the ryots. Where Village Panchayats are established, irrigation works may usefully be carried out in consultation with them.

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