

REPORT
OF THE
GOA LAND REFORMS COMMISSION



GOVERNMENT OF GOA, DAMAN AND DIU

FEBRUARY 1964

CHAPTER I

Preliminary

1 — The Land Reforms Commission was appointed by Governr Notification no. 2 dated 28th February, 1963 published in the Of Gazette of the 4th March, 1963 which is reproduced below:

“The land problem in Goa presents features which differ in certain important respects from those prevailing in the rest of the country. Over 60 per cent of the cultivable land belongs to Comunidades which, starting as village Republics, shed their original character and tended to become during the Portuguese regime profit sharing organisations. Although in theory rents payable by the cultivators to the Comunidades were limited to 50 per cent of the gross produce they came to be fixed in actual practice on the basis of bids obtained in auctions held once in six years. Rents at present range from about Rs. 72/- to Rs. 192/ per acre. The present system therefore gives the cultivators neither security of tenure nor the assurance of a reasonable surplus from the land to ensure decent standards of living. Agriculture cannot thrive under such a system. The Government consider that the entire land problem in Goa should be examined by a high level body who should be asked to make recommendations desired to ensure security of tenure to the cultivators and reasonable rates of rent in order to bring about on the one hand a rapid improvement in the economic condition of the tenants and a high level of efficiency in agricultural production. They accordingly appoint a Land Reforms Commission with Shri A. L. Dias, I. C. S., as Chairman and the following as members:

- 1) Dr. Antonio Furtado,
Judge, Goa High Court, Panjim.
- 2) Shri Narayan Naik,
Secretary,
Shetkari Parishad,
Goa.

- 3) Shri Madhav Bir,
Sarpanch, Nerul Gram Panchayat.
- 4) Shri Narsing Damodar Naik,
Chirman of the Executive Committee of the Association of
Proprietors.
- 5) Shri Pedro Correia Afonso, Benaulim.

2. The Land Reforms Commission shall make a general survey of the existing system of land tenures and land revenue administration in Goa. In particular it shall ascertain and report to Government the present position in regard to—

- i) Land tenures and their incidents;
- ii) Community lands and their management and administration by Comunidades;
- iii) Relationship subsisting between the owner of the land and the cultivator in respect of security of tenure;
- iv) Levy and recovery of rent by the landlord from the tenant;
- v) The extent of waste land available for grant to landless persons;
- vi) Agricultural Land holdings; and
- vii) Survey and assessment of land to land revenue and the maintenance of record of rights in land.

And with a view to the ultimate realisation of the objectives of land reforms, as laid down in the Five Year Plans, the Commission shall recommend to Government measures to be adopted for the improvement of the existing system of land tenures and land revenue administration and providing, in particular, for:

- i) Security of tenure to the tenant;
- ii) Levy of fair rent on agricultural lands;
- iii) Regulating the management and administration of community lands by the Comunidades;
- iv) Prevention of indiscriminate resumption of land by the landlord;
- v) Prevention of fragmentation and consolidation of holdings;
- vi) The survey and assessment of agricultural land and maintenance of record of rights in land.

3. The appointment of an officer as Secretary of Land Reforms Commission will be notified later.

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4. The Land Reforms Commission will submit an interim report to Government within three months of the date of this order on what constitutes fair rent on agricultural land and indicate the extent to which Comunidades should be relieved of their financial liability in respect of functions such as repair of bunds and maintenance of irrigation schemes which they are at present under an obligation to undertake, should its recommendations regarding fair rent result in a substantial reduction in their income”.

2—Subsequently on 6th April 1963 Shri A. F. Couto, I. A. S., Development Commissioner, was appointed Secretary to the Commission. In the places of Shri Pedro Correia Afonso and Shri Narcinva Damodar Naik who tendered their resignations on grounds of health, Shri Gopal Appa Kamat was appointed as member on the 31st May 1963 and Shri Nicolau Menezes on 5th December 1963.

The Commission held 18 sittings in Goa on the 20th March, 1963, 3rd April 1963, 8th April 1963, 25th April 1963, 8th May 1963, 17th May 1963, 18th May 1963, 11th September 1963, 14th November 1963, 27th December 1963, 28th December 1963, 30th December 1963, 31st December 1963, 1st January 1964, 2nd January 1964, 20th February 1964, 21st February 1964, and 29th February 1964. The Chairman visited various villages in Goa to examine conditions on the spot. On some of these occasions he was accompanied by members of the Commission.

The Commission issued a public notice through newspapers and also sent letters to Sarpanches, Administrators of Concelhos and Comunidades and to Religious and Agricultural Associations requesting them to send their views on the terms of reference. In response, 76 memoranda were received. Most of these memoranda related to individual problems of land tenure. After scrutiny of each memoranda the Commission decided to call representatives of various interests including those who had requested to be heard personally by the Commission for a hearing.

The following persons and Associations presented their views in person before the Commission:—

Goa Xetcari Parishad,
Betim.

Gomantak Xetcari Panchayat,
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Rev. Msgr. Gregorio Magno Antão,
Patriarch's Palace,
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Adv. Vinaeca Coissoro,
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Adv. Sridora P. Tamba,
Government Advocate,
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The Administrator of Comunidades,
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The Administrator of Ccomunidades,
Goa, Panjim.

Shri S. Balkrisnan,
Law Secretary,
Panjim.

The Registrar,
Co-operative Societies,
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CHAPTER II

Land Records

For the formulation and administration of a policy and a programme for land reforms an essential requirement is the availability of correct and up-to-date statistics and other data relating to land — the area, utilisation, the crops raised from year to year, acreage and yield, the nature of tenure, the names of the owners and of the persons actually cultivating the land, the precise relationship which exists between the owner and tenant, the distribution and the size of holdings, sources of irrigation, etc. The task of the Commission has been rendered extremely difficult by the absence of reliable data in respect of some of the important items mentioned above and to a large extent the delay in coming to conclusions and formulating its recommendations must be attributed to this cause.

2. Apart from the lands held by the Comunidades, for which there is sufficient data, there are no records at the village level in respect of the lands held on other tenures. In the context of the unsatisfactory position in regard to land records, the Commission is of the view that it would not be wise to formulate, at this stage, any far-reaching and extensive programme of land reform which must, therefore, await the survey or re-survey of all the lands in Goa, the maintenance of correct agricultural statistics and, at the village level, of an up-to-date records of rights. At the same time the Commission has been charged with the task of making recommendations in regard to some of the more urgent and pressing problems of the agrarian economy of Goa, keeping in view the broader objective of attaining, in the field of agriculture, gradually, and yet as speedily as possible, high levels of efficiency and productivity, of removing such impediments to agricultural production that arise from the character of the agrarian structure and above all of ensuring protection to the actual tiller of the soil and providing him with sufficient incentives for increasing agricultural production and attaining a higher standard of life.

3. The Commission, therefore, applied itself to the study of such statistical data as was available and also collected for its purpose additional data which had a bearing on the issues before it. For instance, the absence

of any records relating to land held on private tenure necessitated the careful investigation of land-lord tenant relationship in certain villages in Goa. A series of crop cutting experiments was also undertaken during the current harvest of the paddy crop, with a view to obtain some idea of the productivity of paddy in different areas and types of soil and also to ascertain to what extent the figures of gross production given in the Calculo (assessment) Register maintained by the Comunidades were correct.

4. We shall now briefly describe the various records which exist as well as the information collected at our instance and on which we have relied:—

(i) No regular survey of the lands in Goa was attempted till almost the end of the last century, when on the 4th of August, 1898, a Survey Department was first established. Its initial assignment was the survey of the lands of the Comunidades in Salcete Concelho, which it proceeded to undertake from the 3rd November, 1899. The advantages of survey were soon appreciated and between 1899 and 1910 and also thereafter, the lands of the majority of the Comunidades were cadastrally surveyed and the position today is that, with a few exceptions, lands belonging to the Comunidades have been surveyed and fairly satisfactory records maintained at the village level which give a clear picture of land utilisation, the crop pattern, estimated gross yields, the rent payable, the names of tenants, etc.

This survey, however, did not encompass all the lands of the villages but only those belonging to the Comunidades. There were other lands belonging to Government or private parties or churches or temples or lying-fallow which were not surveyed. When, however, Government leased out its lands on a permanent or temporary basis, a measurement and survey of such lands was done. It was only in 1904 that the Survey Department embarked on a comprehensive cadastral survey of all lands and by 1907 completed its task in Ilhas, Ponda and Bicholim Concelhos. Thereafter *i. e.* between 1911 and 1940 it intermittently continued the survey of parts of Bardez, Pernem, Sanguem, Satari and Salcete Concelhos. A map is appended showing the areas which have been cadastrally surveyed.

The survey so done was fairly detailed, but did not show the subdivisions of land nor the name of the tenant, or the actual cultivator of the land. The register prepared after the survey contains the following information: (a) description of the field; (b) area; (c) owner at the time;

(*d*) the crops then raised; (*e*) the classification of the land; (*f*) the nature of the tenure; (*g*) the sources of irrigation; and (*h*) wherever available, the owner's title. Unfortunately the village map and the register, however, detailed and accurate it may have been at the time, no longer reflects the land picture today. Nor does it show the names of the present owners or tenants. These survey records have some utility at any rate in respect of the area and the broad crop pattern in a village.

(ii) In 1896 the Portuguese Government decided to levy a land tax (*Contribuição Predial*) on rural and urban properties and for this purpose, the Fazenda maintains at each Concelho Head Quarters a register — *Matriz de Contribuição Predial* — in which immovable properties are registered. This register is prepared village-wise and contains information relating to the description of land, its boundaries, the name of the owner at the time, the estimated production and its value at the time of preparation of the register and the class of land. The Land Tax Regulation was promulgated by decree no. 170 dated 20th November 1896 and in accordance with it, the Matrizes of the various Concelhos were prepared in Bicholim and Pernem in 1896, in Canacona and Quepem in 1898, in Ilhas in 1908, in Bardez and Salcete in 1909, in Sanguem and Ponda in 1916, in Marmagoa in 1918 and in two villages in Satari in 1941.

The Register has not been kept up-to-date in respect of all the particulars *e. g.* gross yield, value, etc. that it contains. The names of the owners registered at the time of preparation of the Register have not been changed in all cases. This Register cannot, strictly speaking, be regarded as a record of rights and the entry of the owner's name is not sufficient evidence of title. The Register, therefore, has limited value for our purpose, but can serve as a useful document for the preparation of the record of rights which we recommend should be prepared and maintained at the village level.

(iii) Owners of properties can also at their option have them registered at the time of inheritance, sale, transfer or mortgage in the office of the Conservador of the *Registo Predial* on producing documentary evidence of title. Registration is, however, not compulsory and therefore, no comprehensive list of properties is available.

(iv) A register is also maintained by the Fazenda of Government lands given out on lease (*Aforamento*) or short lease (*Concessão Provisória*). It has been the practice for such lands before they are given out on lease to be measured and surveyed by the Survey Department, which also determines the «*Foro*» or the rent as the case may be, paid to Government.

(v) As stated earlier, the lands of the majority of Comunidades have been surveyed and fairly detailed and up-to-date records are maintained at the village level, showing, inter-alia, the name of the field, its area, the crops grown, the name of the lessee, the estimated gross yield and expenses of cultivation and the rent payable by the lessee. The list of records maintained is attached as an Appendix to the Report. (Table I).

(vi) An investigation was made, at our instance of land-lord tenant relations in private lands in a few villages. This investigation was undertaken mainly because of the absence of any records relating to private properties and the absence of any data relating to the terms of tenancy between the land-lord and the tenant. Much difficulty was however experienced in obtaining reliable data in the absence of trained agencies and the lack of co-operation from landlords and tenants.

(vii) A series of crop cutting experiments was also done during the current paddy harvest, as we felt that some attempt should be made to ascertain the present level of production in different types of soils and also to see to what extent they correspond to the figures of gross production given in the Calculo Registers. As crop cutting experiments yield statistically useful results only if collected over a period of 3 to 4 years, much care must be exercised in interpreting the results of the experiments done only in the current year.

(viii) We have relied to some extent also on the data and information in the detailed Report of the Agricultural Technical Commission appointed by the Portuguese Government in 1955, and which contains a study of the agricultural economy in Goa, the annual Statistical Reports published by the Department of Statistics and a useful Bench Mark survey of Goa, Daman and Diu prepared by The National Council of Applied Economic Research in March 1963.

5. The statistical statements appended to this Report have been compiled from the sources indicated above and though their accuracy cannot be vouchsafed, they do provide some basis on which to rest our conclusions. We cannot over-emphasise the necessity of maintaining up-to-date and correct survey and other land records as an essential pre-requisite for the introduction and effective implementation of even a limited land reform programme. We would, therefore, urge that Government should, without delay, undertake the following measures: —

(i) Legislation should be enacted for the whole of Goa, in order to provide for the survey, classification and assessment of all lands, the preparation and maintenance of land records, including the record of

rights and maps and disposals of land vesting in Government. Such legislation may be drafted on the lines of the relevant provisions contained in the Land Revenue Code and Rules of the State of Maharashtra.

(ii) The cadastral surveys already undertaken are mostly out of date. We are of the opinion that a fresh cadastral survey of all lands of Goa should be undertaken as soon as possible. For this purpose we suggest that the Survey Department should, immediately and in consultation with the Survey of India Department and the Land Records Department of adjoining States, submit proposals to Government for making a cadastral survey of all lands in Goa not already surveyed and a resurvey of lands which have already been surveyed. The extent to which the existing survey records can be used should be examined.

(iii) The present Survey Department is a very small one, consisting of a Director of Survey, three Surveyors of first grade, one Surveyor of second grade, three Surveyors of third grade and six Sub-Surveyors. This staff obviously is totally inadequate even for its present tasks and will have to be re-organised and greatly augmented for the purpose we have just mentioned. We recommend that the services of two or three experienced officers from the Land Records Department of adjoining States should be immediately obtained so as to assist the local Survey Department in drawing up a programme of cadastral survey and training of Surveyors. We recommend that the cost of work of the cadastral survey should be borne by Government and that the entire work should be completed within a period of five years.

(iv) The immediate need, however, is the maintenance at the village level of a rough and ready Record of Rights. Without such a record, we feel that it would be futile to expect our recommendations on Land Reforms to be effectively enforced. We have in mind a record of rights which will show the following particulars:—

(a) the description of the field and its boundaries; (b) area, if available; (c) the owner's name; (d) the name of the actual cultivator; (e) the terms of tenancy if any and the rent paid by the cultivator; (f) the estimated gross produce; (g) the land or other taxes to be paid to Government; (h) the crops grown; and (i) the classification of the land.

For the initial preparation of this document, we suggest that steps should be taken to obtain from the Fazenda a copy for each village of the properties situated in it. The Matriz de Contribuição Predial, as we have stated earlier, does contain a village-wise list of properties and this register can, therefore, be used for the purpose we have in view. In

addition, information will also be available in the Register of Lands leased by Government on a permanent or temporary basis.

(v) We also recommend that suitable legislation be enacted for: —
(a) compulsory registration of all immovable properties; (b) obtaining declarations from the owners of properties of every change in the ownership of properties as the result of inheritance, transfer, sale or mortgage. These declarations will be necessary in order to enable the proposed record of rights to be maintained up-to-date. Instructions should be issued to the office of the Conservador of the Registo Predial and Public Notary to send to the village official in a prescribed form all changes in the ownership of land soon after the registration of such change in that office.

(vi) We shall later deal at greater length with the setting up of suitable Revenue Agencies for the purpose of enforcing the Land Reforms programme. At this stage, however, we suggest that the preparation of the Record of Rights should be entrusted to the *Escrivães* of the *Comunidades*. Where there is no *Comunidade* a junior *Escrivão* may be appointed or the services of the gram sevak utilised. They *i. e.* *Escrivães* are already well-versed in the preparation of similar records and after a period of training, if necessary, could be entrusted, in addition to their duties, with the task of preparing the proposed record of rights which should relate to all the lands in the villages, including those held on the *Comunidade* tenure. We recommend that this work should be undertaken without delay and completed within a period of one year.

CHAPTER III

Land utilization and crop pattern

We have already referred to the absence of reliable data relating to the ownership and utilization of land. With the assistance of the Department of Statistics and Survey and the Administrator of the Comunidades, Goa, we have collected data from the various sources indicated in the preceding chapter. As, however, all the area of Goa has not been surveyed or re-surveyed nor have crops statistics been regularly maintained we have had to make up for gaps in the data on the basis of certain assumptions and by making «guestimates». We feel, however, that the data now compiled is fairly adequate to give a broad indication of the crop pattern and the use and ownership of land.

2. The total surface area of Goa is estimated at 3,61,113 hectares of which 3,26,671 hectares is under agricultural and tree crops, forests and culturable fallow, distributed as under:

Land use	AREA (in hectares)	Per cent
Agricultural crops (Paddy, Pulses, Inferior millets, Sugarcane & vegetables)	68,628	21.17
<i>Tree crops</i> — (Coconut, Cashew, Betelnut, Bamboos, Fruit trees and flower gardens)	60,381	18.33
Culturable fallow	92,367	28.25
Forests	1,05,295	32.25
Total	3,26,671	100.00

3. There are variations in land use in the different concelhos (talukas) as shown in table No. 2. About a third of the area in the coastal talukas of Salcete, Bardez, Ilhas and Marmagoa (known as the 'Velhas Conquistas' in the Portuguese regime), is sown under agricultural crops and one-third is under tree crops. There are practically no forests though some of the barren and waste lands are capable of sustaining tree growth. Paddy is the major crop in this coastal tract.

4. In the remaining concelhos (Bicholim, Satari, Sanguem, Quepem, Canacna, Pernem and Ponda) known as 'Novas Conquistas', forests predominate. It may be noted that in the area classified as forests (105, 295 hectares) there are extensive portions which contain only minor tree growth, though the land is capable of being afforested. The area under agricultural and tree crops in this tract is 42,302 and 35,333 hectares respectively. Fruit trees also occupy quite a sizeable area in this tract. There is a large area to the extent of 82,444 hectares of culturable waste.

5. The area under agricultural and tree crops is distributed as follows:

Types of cultivation	Area (Ha)	Per Cent
1 — Paddy fields	44,699.1845	34.648
2 — Khusky (inferior millets)	23,781.4364	18.434
3 — Coconut	18,496.1759	14.337
4 — Betelnut	1,721.1541	1.334
5 — Cashew	32,517.0750	25.205
6 — Sugar Cane	69.7104	0.054
7 — Vegetable and flower gardens and fruit orchards	7,144.6720	5.538
8 — Bamboo	580.2590	0.450
Total	129,009.6673	100.00

6. Paddy (44,699 hectares) accounts for nearly 65 per cent of the net sown area under agricultural crops (68,628 hectares). In the coastal tract paddy predominates to the extent of 92 per cent of the cropped area whilst in the interior tract the cropped area is distributed almost equally between paddy and inferior millets. Of the major tree crops the area under cocconut is more or less the same in the coastal and interior talukas, whilst the area under cashew nut is almost double in the interior tract.

7. It will be observed that the area under paddy is the largest portion of the sown area and its distribution as between the Monsoon (Sorod) and winter (Vangana) crops is as follows: —

Paddy plantations	Area (Ha)	Per Cent
Monsoon or Kharif Crop (Sorod)	38629.2534	86.420
Winter or Rabi (Vangana)	487.5236	1.047
Double crop	5602.4075	12.533
Total	44699.1845	100.00

Only 13 per cent of the total cultivated area in paddy is being utilised twice a year, the remaining 87 per cent being cultivated only once a year.

8. The main crop *viz* paddy may be classified into three broad categories: —

(a) 'Khajan' are marshy but fertile lands invariably situated near creeks and river-sides. Cultivation, however, in these fields is exposed to the risk of a breach in the embankments which destroys the crop entirely as a result of the incursion of saline water. The estimated area of khajan land is 18,000 hectares.

(b) 'Ker' are some of the best rice lands in Goa, having satisfactory drainage and soil of the alluvial type. In these lands a second crop of vegetable, onions and sweet potatoes can also be raised if irrigation facilities are available. Some of these fields are irrigated by water storage tanks or small diversion canals.

(c) The rest of the Rice lands are termed as 'Morod' which are situated on the high lands with very poor soil characteristics. It is only the pressure on land which has led to their cultivation. Yields are very low in the absence of fertilisers and good cultivation techniques.

9. In Goa two crops of rice are taken depending on whether water facilities are available after October. We have already earlier mentioned that the paddy area under double crops, is small.

10. *Inferior millets and Pulses*: The important millet is nachni which is a staple cereal in the consumption of poorer sections of the community. Pulses — mostly Kulith and Beans are — also grown in hilly areas not suitable for rice cultivation. The crop in these areas largely depends on timely rain fall and careful cultivation. The yields generally are low. The area sown with millets and Pulses is roughly 23800 hectares.

11. *Garden crops*: These occupy a prominent place in the crop pattern of Goa. The most important crop is cashew nut grown in an area of approximately 32,500 hectares, two-thirds of which lies in the interior tract. The largest concentration is found in the North of Goa and particularly in Satari and Bicholim talukas. There are no regular plantations and the trees are found on hilly sides along with other minor forest growth or in open pastures. Inadequate attention is paid to the cultivation, irrigation or manuring of this crop. The next most important garden crop is Coconut,

having an estimated area of 18,000 Hectares with about little over 2 million trees of which nearly half are in the coastal tract. There are some good plantations in Salcete and Bardez, but here again there is no organized effort to ensure that the trees are properly looked after and steps taken to improve yields. The other important garden crop is Arecanut which has been developed in Ponda, Satari, Bicholim and Canacona. Many of the gardens however were not cultivated owing to the uneconomic prices which prevailed in the last decade. Yields generally are low and there is much scope for the improvement of these gardens. Coming to fruit trees there are about 7000 hectares under mango, pine apple, jack fruit and bananas. Indifferent methods of cultivation and lack of care of these trees is responsible for yields being not satisfactory nor is any organized attempt made to improve the varieties.

12. *Irrigation*: — No proper data regarding irrigated area is available. A rough estimate has put the area at 6070 Hectares. The crops most benefited are paddy, Arecanut, sugar cane and vegetables. The main sources of irrigation are storage tanks, small diversion bhandaras, nalas, springs and wells. There are no major irrigations works. The only two Government canals are Candepar and Paroda which are diversion works on rivers having a post Monsoon flow. The area, however, actually irrigated by these canals is small. We may refer to the irrigation of Vangana (rabi crop of rice) which gets its water supply from storage tanks of which there are over 400 located mostly in Salcete and Bardez. The age old practice is to store rain water from the receding monsoon in the fields at the higher levels and then utilise the water for irrigating the low lying areas. In the interior tract especially in Ponda and Bicholim where rivers have a post monsoon flow small Kutcha diversion works are constructed to irrigate rice fields and Arecanut gardens. Well irrigation is found mostly in Pernem and Bardez and low lying areas.

13. A reference may be made here to the works constructed by farmers or the Comunidades to prevent low lying areas from inundation by saline waters. These works were in the nature of embankments and sluice gates to allow the flow of water and prevent ingress of saline waters. Unfortunately over the past decade the maintenance of these minor irrigation works which are so vital for 'khajan' lands, has been neglected. The factors which have contributed to this state of affairs have been the unsatisfactory financial condition of many comunidades, the increasing cost of maintenance resulting from inadequacy of labour and indiscriminate cutting of forests in the mining areas and the resultant erosion bringing about siltation of nalas, rivulets and rivers. An even more

important factor has been the heavy barge movements along the main rivers systems in Goa which have had the result of breaching many embankments. In the face of all these difficulties quite an appreciable area of khajan land has gone out of cultivation. A Bunds' Committee was formed in 1959-60 and a levy imposed on barges with the object of utilizing the revenue so collected to meet the cost either wholly or partly on the maintenance and improvement of embankments. Though the objects were laudable not much has been achieved in this direction and it is obvious that unless Government organizes on a systematic basis the repair and maintenance of embankments much damage will be caused to some of the most fertile lands in Goa.

14. Bearing in mind the limitation imposed by inadequate statistical data we may now attempt to ascertain by broad categories ownership of land in Goa. This is shown in the statement below (vide also Table 3) : —

Owners	Area in Ha	Per Cent
1 — Government	103083.2667	31.658
2 — Village Communities	36522.7440	11.176
3 — Religious associations (Confrarias and Fabricas)	926.1733	0.283
4 — Hindu temples	9391.1299	2.875
5 — Municipalities	12.8836	0.004
6 — Private owners	176606.6525	53.964
7 — Charitable institutions	115.9527	0.036
8 — In litigation	12.8836	0.004
Total	326671.6863	100.00

It will be seen that out of the total area covering agricultural and tree crops, forests and culturable waste, private owners hold about 54 per cent of the total area whilst Government and the Comunidades hold 32 per cent and 11 per cent respectively. These percentages however, do not give a correct indication of the pattern of land ownership. Leaving aside therefore the Government owned lands which are mostly forests the remaining area *i. e.* under agricultural and tree crops and culturable waste is distributed as follows: —

PRIVATE	COMUNIDADES	OTHERS (Religious and charitable bodies)
79%	16%	5%

Since much of the area held privately is under tree crops (coconut, cashew and fruit trees) and culturable waste, it is necessary to know the ownership pattern with reference to the area sown under the major crop *viz.* paddy: —

Concelhos	Paddy Area	Paddy area belonging to the village Comunidades	Per cent
Ilhas	6398	3569	55
Salsette	10184	5207	51
Bardez	6664	3764	56
Mormugão	1019	607	62
Ponda	2779	742	25
Bicholim	2599	548	21
Pernem	3504	—	—
Quepem	4838	195	4
Sanguem	2422	90	4
Canacona	2682	42	1
Satari	1609	1	0.06

It will be seen from the above table that in talukas having the largest paddy area *viz.* Ilhas, Bardez and Salcete the Comunidades held over 55% of the paddy land and it is only in the Quepem, Pernem, Sanguem, Canacona and Satari talukas that there is a large percentage of the paddy area with private owners. The area however of paddy in these talukas is small. As regards inferior millets (nachini) the larger percentage is, for Goa as a whole, held by private owners.

15. We may now briefly examine the position Concelho wise: —

GOA CONCELHO:

50 Per cent of the cultivable area is under paddy and about 42 per cent under cashew and coconut plantations. Taking the paddy area alone nearly 55 per cent is in possession of the Comunidades, whilst private owners predominate to the extent of nearly 71% in respect of the area under coconut and cashew plantations. Nearly 92% of the paddy area is cultivated during the Monsoon.

SALCETE CONCELHO:

Paddy occupies a greater part of the cultivable area to the extent of nearly 44% whilst coconut and cashew plantations cover about 26%. 66% of the cultivable area is privately owned and that in the possession

of the Comunidades is about 31%. The Comunidades, however, own 50 per paddy area whilst the private owners have 55 per cent of the area under cashew and coconut plantations.

BARDEZ CONCELHO:

Paddy covers 32% of the total area and is followed by cashew plantation (28%) and coconut (11%). The Comunidades and private owners hold respectively 46% and 53% of the cultivated area. The Comunidades hold 56% of the paddy area and 59% of the cashew area whilst the coconut plantations are mostly privately owned.

MORMUGAO CONCELHO:

There is a large area in this Concelho which is lying fallow to the extent of about 31%. Coconut plantation and paddy cover about 29% and 23% respectively. Though private owners predominate taking the total cultivable area the Comunidades hold a major portion of the paddy area, whilst coconut plantations are largely privately owned.

PONDA CONCELHO:

Nearly 50% of the total arable area in this Concelho is lying fallow or is under inferior millets. Paddy occupies only 12% of the area whilst forests, cashew and coconut plantation account for 13, 11 and 7 per cent respectively. The major portion of the paddy coconut and cashew area is held privately.

BICHOLIM CONCELHO:

The greater portion of this Concelho is occupied by inferior millets and cashew to the extent of 30 and 27 per cent respectively. Paddy exists in only 13 per cent of the area. Private owners predominate in this tract to the extent of nearly 80% of the total cultivable area whilst the Comunidades hold only 15%.

PERNEM CONCELHO:

Nearly 43% of the cultivable area here in this Taluka is lying fallow. Paddy, inferior millets and cashew exist in 15, 14 and 15% respectively. Here again private owners exist to the extent of nearly 80% of the total area and Government 10%. Comunidades hold a mere 6%.

QUEPEM CONCELHO:

A greater portion of the Concelho that is about 72% is occupied by forests and by culturable waste. Paddy exists in about 14% of the area. 64% of the cultivable area is owned privately and 30% is owned by Government.

The area owned by Comunidades is negligible.

SANGUEM CONCELHO:

The area under forest and of fallow land in this Concelho is 59% and 26% respectively. Inferior millets and paddy cover only 5 and 3 per cent respectively. Government owns nearly 58% of the area whilst private owners and Comunidades hold 40 and .2% respectively.

CANACONA CONCELHO:

43% of the area is covered by forests and 42% is lying fallow. Paddy exists in 8% of the area. 55% of the area is privately owned and 40% is owned by Government and the Comunidades hold only 0.1%.

SATARI CONCELHO:

Forests and fallow land cover 49 and 27% respectively. There is a sizeable area under cashew to the extent of about 10%. Paddy and inferior millets exist in 3 and 7% of the area respectively. 50% of the area mostly forests is owned by Government and 46% by private owners. The Comunidades hold only 0.1 per cent.

16. There is no adequate data regarding the size of holdings. We have been able to glean some information regarding three talukas and this can be regarded as fairly illustrative regarding the situation obtaining in the entire territory (vide tables 4, 5, 6 and 7). It will be seen from these tables that the size of the majority of holdings vary between .1 to 2 hectares. In the coastal tract large size holdings are mainly owned by Comunidades but the unit of cultivation is on an average less than .5 hectares. Private lands are much fragmented.

The interior tract presents a different situation. In North Goa, especially Pernem and Bicholim, there are very few large size holdings. The majority of private holdings are small and vary from .5 to 10 Hectares. Land is more or less evenly distributed in the rest of interior tract and the average size of the holding varies between 5 and 20 Hectares.

17. A brief description of the different tenures on which land is held may now be given: —

- 1) **Comunidades:** — The features of this tenure are already described in separate chapters of this report.
- 2) **Private:** — These are lands in the exclusive ownership of private individuals, and are held subject only to the payment of land tax.
- 3) **Government lands** have been leased to private parties under two systems: —
 - (a) **Concessao Provisoria** — Under which six Hectares of land can be given out for 10 years to any local villager who intends to bring the area under cultivation. The lessee could convert this lease into an Aforamento; and
 - (b) **Aforamento** under which Government leases out 20 Hectares of land on a long term lease. For all practical purposes, the rights in the lands held under this system, are permanent.

In both cases the leases are held subject to the payment of rent fixed by the Survey Department.

- 4) **Inam lands:** — The Portuguese Government recognised previously existing inams in certain entire villages or individual lands subject to the payment of land tax. These inam lands have however now no special privileges or concessions and for all practical purposes are no different from private lands.
- 5) **Lands held by Christian and Hindu religious bodies:** — These also can be regarded as private lands except that they are exempted from the payment of land tax.

18. We may now give a broad indication of the number of persons engaged wholly or partly in agriculture in relation to the total population. The population of Goa according to the Census of 1960 is 589997 inhabitants of which 285625 are males. Of this number about 142,096 are involved in agriculture as their main activity distributed as follows:

As cultivators	104,139
As Agricultural labourers	37,957
Total	<u>142,096</u>

The Concelho wise distribution of the above agricultural population is as follows:

Concelhos (talukas)	Total population (1960 Census)	Agricultural population			% of the inhabitants having agri- culture as their main activity in relation to the total po- pulation of each conce- lho
		Total	Cultivator	Agri- cultural la- bourers	
1st — Salsette	117,994	22,332	10,488	11,844	19
2nd — Bardez	97,725	18,718	12,818	5,900	19
3rd — Ponda	57,540	16,900	13,851	3,049	29
4th — Pernem	42,238	15,950	14,104	1,846	38
5th — Goa	79,400	14,397	29,642	4,755	18
6th — Bicholim	46,628	12,600	10,870	1,730	27
7th — Satari	26,136	11,222	9,654	1,568	43
8th — Quepem	31,354	9,959	8,167	1,792	32
9th — Sanguem	33,239	8,049	6,835	1,214	24
10th — Canacona	22,643	7,577	5,998	1,579	33
11th — Mormugão	35,100	4,392	1,712	2,680	13
TOTAL	589,997	142,096	104,139	37,957	

From the above table it will be seen that 70% of the agricultural population is found concentrated in the first 6 concelhos. This is due to the extensive paddy area specially in Salcete, Bardez, and Goa Concelhos and the large area under inferior millets in Ponda, Pernem, Bicholim and Satari concelhos.

19. The following broad conclusions may be drawn from the above survey of the pattern of the use and ownership of land in Goa:

- (1) Of the arable area in Goa about 40% is effectively agricultural and 32% and 28% occupied by «forests» and «culturable waste».
- (2) Paddy accounts for mainly 65% of the cropped area, and predominates to the extent of nearly 92% in the coastal tracts.
- (3) In the Concelhos of Goa, Salsette, Bardez and Mormugão where there is the largest concentration of the area under paddy the Comunidades own over 55% of the paddy area.
- (4) Inferior millets are mostly concentrated in the concelhos of Ponda, Bicholim, Pernem, Sanguem and Satari and private ownership of land predominates in this tract.

- (5) In the concelhos of Sanguem, Canacona, Satari and Quepem there is a heavy concentration of land under forests and cultivable waste.
- (6) The area under coconut plantation is largest in Salsette, Sanguem, Bardez and Ponda and under «Cashew» in Bardez, Bicholim, Satari and Goa.
- (7) There is much fragmentation of land and the unit of cultivation on an average in the paddy land is about .5 hectares.

CHAPTER IV

A Historical Sketch of the Comunidades in Goa

We do not propose giving a detailed account of the history of the Comunidades in Goa in view of the many books, monographs and articles which have already been published on this subject. We shall, therefore, only briefly narrate the important and significant changes in the historical evolution of these institutions which as Maine has described in his «Village Comunidades in India», existed in one form or another in various parts of India but gradually disintegrated except in Goa where they survived the vicissitudes of successive rulers and still continue to occupy a unique role in the economy of Goa.

2. There is no agreement among writers about the origin of the Comunidades in Goa. It appears that some centuries ago, long before Goa came successively under the domination of the Hindu rulers of the Kadamba Dynasty, the Muslim rulers — Malik Hussein and his son Sabain Dilkhan — and lastly the Portuguese, a large number of families from across the Western Ghats, abandoning their original homesteads on account of wars, epidemics or famine, came over and settled in Goa. They formed themselves into a co-operative association governed by heads of families who were known at that time as 'gaccares'. The gaccares reclaimed and brought under cultivation marshy and other lands lying waste in villages with the assistance of their dependants and the servants whom they had brought with them. They appropriated the lands collectively and divided the produce amongst themselves. It is not possible to know at this distance of time whether originally each separate family of the gaccares held lands as common property forming a family Comunidade and later these family Comunidades federated into a village Comunidade, or, whether the village Comunidade preceded the family Comunidade in Goa. Whatever might be the origin, the fact remains that the Comunidades functioned as petty republics.

3. The gaccares governed themselves by certain conventions dictated by the ideals of ancient institutions and tempered with the rules of natural justice. In the light of these conventions they managed their village

affairs. They met the expenses of religious services and the remuneration of attendants by reserving for them some village lands or giving them a share of the common returns. They paid for the services of barbers, washerman, blacksmiths and others on a similar basis. They also arranged for the registration of all male members, sons of gaccares, as soon as they attained a certain age and evolved rules for the division of the net income amongst the registered heirs on a per capita or per 'stirpes' basis.

4. In the course of time, new families migrated into Goa. The gaccares, who had fairly established themselves as heads of villages, allowed the new immigrants to cultivate village lands which had not already been brought under the plough on receiving from them «foro de cotubana». They also engaged some of the new comers to work on their lands as direct cultivators ('culacharins'). The increase in population, the admission of new immigrants as settlers and the induction of outsiders as 'culacharins' in the villages created new problems which it was not possible for the gaccares to solve on the basis of the old conventions. They therefore evolved a new set of regulations to govern their relations inter se known as 'mandavoli'.

5. These rules affirmed that the gaccares could not relinquish their status as gaccares and that only the gaccares could administer the 'gaccaria', 'gaopan', 'grampon' or 'Chamber'. The rules also regulated the system of agriculture, irrigation, the payment and distribution of rents, the determination of the personal share ('jono') of each gaocar, and of grants made in favour of temples ('jono fatiosins') etc. They also defined the powers of the associations affiliated to the gaccaria ('bouços'). In effect with the aid of these rules the assembly of gaccares exercised the powers of an administrative-cum-judicial body. Thus the gacarias were not only co-operative associations for agricultural development but were institutions having municipal, civil and criminal powers. They were also in charge of public education and assistance. In short, they were self sufficient and self-governing communities and the earliest embodiment of Gandhiji's conception of 'Gram-Raj'.

6. As far as can be ascertained from the records, the gacarias did not pay any tax or revenue to any sovereign or ruling authority until 1054 when they sought help from the Kadamba rulers against the infiltration of Muslims who were entering Goa via the sea route, and, in consideration of that help, agreed to pay to the ruler 'Coxi-vorodo' which was a tax given in free will. It is probably at this time that Goa was divided into Mahals

and that for each Mahal a general Chamber consisting of the representatives of the gaocarias was created in order to further the common interests of the gaocarias, administer elementary civil and criminal law and organise village defence.

7. There were continuous wars raging at the time between the Kadamba rulers and the Muslim invaders. These wars had an impact on the economy of the gaocarias which were called upon to bear a share of the war expenses. The gaocarias ran into debt and to meet their liabilities, issued shares ('tangas') in exchange for the loans and other help given to them by the 'foreiros' (the settlers who were not admitted to the administration of the gaocarias) and gaocares who had taken the lands on lease. The shares gave the holders a right to participate in the income of the Comunidade but not to intervene in its administration. The shares so issued were not-transferable until the XVII Century.

8. As a result of these wars, Goa become subject to the authority of the Muslim ruler Mallick Hussein. His rule was based on the doctrines of the Koran, according to which the ruler was the direct 'land-owner' and the system of castes and creeds or other social divisions was not recognised. As a result of the application of these principles, an attempt was made to deprive the gaocarias of some of their exclusive privileges of lands and the 'culacharins', taking advantage of the new doctrine of social equality, claimed a right of participation in the affairs of the gaocarias. The Muslim rule however lasted only for 40 years and no radical reform of the Comunidades was effected.

9. The Portuguese on establishing themselves in Goa initially recognised the autonomy enjoyed by the gaocarias and in fact ordered, with a view to enlist the sympathy of the local population, that the system of gaocarias be preserved and that the taxes payable by them be reduced to 1/3rd. At the same time in order to consolidate their power, they set up their own administrative and judicial machinery in Goa and framed a new Act on 16th September 1526 entitled *Foral de Usos e costumes dos gaocares e Lavradores das Ilhas de Goa*, for the regulation of the gaocarias.

This Act (Foral).

- (i) defined the rights and privileges of gaocares;
- (ii) prescribed the formalities which the agreements of the Comunidades should observe;

- (iii) confirmed the competence of the Comunidades to give their lands to whomsoever they deemed fit free of charge or on long term leases and to levy and collect taxes on the private properties existing in the village;
- (iv) prohibited the sale of immoveable property in the village without the consent of the Comunidade;
- (v) recognised the offices of Registrars as Public Officers and the registers maintained by them as official documents having evidentiary value;
- (vi) laid down rules regarding succession rights and division of estates;
- (vii) accepted the General Chamber as representatives of Comunidades.

10. The Act did not fulfil the original promise held out by the rulers that the constitution of the Comunidades would be respected and preserved. On the other hand it affirmed the right of the ruling authority to intervene in the affairs of the Comunidades and regulate their relations with the public authority as and when such authority deemed it expedient. It did not incorporate accurately the usages and customs followed by the gaocarias and did not hold out any assurance that such usages and customs would be preserved.

11. The Act also provided an opportunity to the local representatives of the ruling authority to exercise their powers arbitrarily. These representatives took decisions which were often at variance with the Act itself. This was the time when Hindu temples in Goa were demolished, people were converted to Christianity and gaocarias were compelled to meet additional financial liabilities. It was also during this period that the estates of a few Comunidades were confiscated and granted to Portuguese dignitaries or religious bodies. To make matters worse it was declared that the King of Portugal was the direct owner of the lands and that the gaocares were simple 'renters'. 'Coxi Vorodo', originally a voluntary contribution, was continued as a compulsory tribute.

The cumulative result of this policy was that villages were slowly getting depopulated and the cultivation of village lands was neglected. Several gaocares left their villages and migrated to other places. Other gaocares though anxious to retain their status as gaocares surrendered their shares (Tangas) to others. With the transfer of shares, the number of outsiders having a right to participate in the income of the Comunidade increased. This gave rise to frequent disputes between them and the gaocares which

created disharmony in the village: Gradually the Comunidades were deprived of the autonomy they had enjoyed and, their very basis was progressively changed.

12. To meet this situation and with a view to secure the return of the Hindu cultivators and artisans and restore the disrupted economy of the gaocarias the Portuguese promised them the restoration of their original sources of income and also passed the Regulations of 15th June 1735 which, inter-alia, provided that the strangers ('cuntocares') be permitted to bid for the lease of paddy fields but only by the agencies of the gaocares and that the disputes between the Comunidades and their members be resolved by Government. In spite of these Regulations aimed at restricting the scope for abuse of powers by the gaocares, the 'Cuntocares' could not exercise an effective role in the administration of the Comunidades even in those villages where they held a larger share of the income of the Comunidades than the gaocares themselves. Being dissatisfied with this state of affairs the Cuntocares went to the length of requesting Government to abolish the Comunidades and divide their estate. This agitation continued sporadically for several years. The Regulations of 1735 subjected the Comunidades to the payment of general taxes besides the 'foro' and this further weakened their financial position. There was discontent on all sides. Apprehending that the situation in Goa might be exploited by the British, the Portuguese authorities took the following among other measures to reduce the incidence of taxes and other ad hoc imposts: —

- (i) The contribution which was being paid by the Comunidades at 1/3rd since 1795 was reduced to 1/6th in 1808. It was eventually abolished in 1832;
- (ii) In 1838 an order was published to the effect that gāocares should not, by themselves dispose of the income of the Comunidades as, it was thought, that the bye-laws could not continue to be in force during the constitutional regime;
- (iii) On 26th April 1849 an order was issued that 'Cuntocares' should be admitted to the meetings of the gāocares and their opinion on subjects under discussion be given necessary consideration;
- (iv) In 1871 a Special Administrator along with his Registrar and bailiff was appointed for the Comunidades in each concelho (taluka) of the 'old conquests'.
- (v) In 1880 a decree was passed codifying all the previous legislation. The decree defined the Comunidades as agricultural asso-

ciations, reduced the powers of the Comunidades and restricted their activities to the cultivation of their own lands by means of three yearly leases. It continued the levy of 'coxi vorodo' renamed as 'foro' and directed that the Chambers (Consultative bodies representative of the Comunidades) should be composed of members selected by the attorneys of all the villages.

- (vi) The «Regimento» (Rules) of 1882 based on the decree of 1880 simplified the working of the Comunidades and converted the transferable interests into shares of the nominal value of Rs. 20/-. It reserved to Government the power to dissolve the Administrative Boards and the Agricultural Chambers (former general Chambers), to grant long term leases and to authorize public works and improvements. It also contained the principle of 'disentail' (desamortização) of Comunidades which by the later decree of 1896 was permitted by means of sale or long term lease of lands.

The measures mentioned above show that the Portuguese Government paid scant respect to the traditions and conventions under which the Comunidades originally functioned and interfered much in the administration of their affairs.

13. In 1904 Government published the Code of Comunidades which reproduced the previous legislation suitably adapted to the changed times and contained new rules regarding the administration of the Comunidades. In 1931 Government re-established the Comunidades of Assolna, Velim, and Ambelim which had been abolished in 1584 and also those of Revora, Nadora and Pirna which, on being abandoned by their gaocares were given in 1609 to Mukund Rane. The gaocares of Cuncolim and Veroda also at this time agitated for the re-establishment of their comunidades given on long lease in 1585 to Don João de Silva Costa. In 1933 Government revised the Code of 1904 and framed a new Code which maintained the system of lease of paddy fields by auction the reserve price being calculated on the average of the previous three years' income and introduced changes in the administrative set up relating to the composition of the Administrative Board consisting of 3 or 5 members depending on the size of the Comunidades of which the President was appointed by Government and the remaining members elected, the appointment of Special Administrators for the Comunidades in the concelhos of Ilhas, Bardez and Salcette and the establishment of a Council of Comunidades (a purely consultative body) of 2 or 4 members for each of the Concelhos.

14. In 1937 the Code of 1933 was revised by Diploma No. 966 of 1937 which, while introducing certain further changes in the administrative set-up, retained the system of lease of lands by public auction. Persons intending to bid for lease of lands in auction had to furnish security. A majority of the cultivators were not in a position to furnish the required security. As a result only gaocares or other persons having resources and influence could bid in auctions. Thus it often happened that a single individual with resources and influence obtained a large number of lots which he sublet to tillers on payment of «alças». To prevent this abuse and eliminate the middleman the Governor General Jose Cabral passed the Legislative Diploma No. 1035 dated 23rd December 1938 which prohibited sub-letting, required renters to cultivate lands directly and made other provisions as under:

- (i) the rents of lands belonging to the Comunidades should be assessed by a Committee of 3 experts, one appointed by the Board of Comunidades concerned and the other two were Technical Officers of the Agricultural and Colonization Services assisted by a land surveyor;
- (ii) The total rent assessed should not be less than the rent obtained in the last auction;
- (iii) The lands should be notified for being leased, offers invited and the lands should be allotted according to the following order of priority;
 - (a) The applicant who last cultivated the land directly and offered to pay rent equal to the notified rent,
 - (b) The applicant whose bid was the highest;
- (iv) If no offer was received for any lands within the time allowed such lands should be leased by private contract, and if that was not possible, the land should be cultivated by the Administrative Board through direct management.
- (v) The lessee should undertake the work preparatory to the tilling and cultivate the land leased and, failure to do so, would result in forfeiture and penalty or in default imprisonment;
- (vi) The provisions of the Diploma were to supersede all that was inconsistent in the Code and other legislation.

15. The Diploma was, no doubt, a valuable and progressive piece of legislation as far as it went. In actual working however its provisions were found to be inadequate. They enabled the direct tillers, who had

influence, to secure low rents for the lands leased to them by virtue of their having previously cultivated them. This necessitated the fixation of proportionately high rents for other lands as, according to the Diploma, the aggregate rent on the paddy lands held by the Comunidades was not to be less than that obtained in the previous auction. The result of all this was that the lands with high rents fetched no bids in the auctions and they had eventually to be cultivated by the Administrative Boards by direct management at considerable loss to the Comunidades.

16. To remedy this, Order No. 3645 dated 26th February 1942 was passed. It required the Managing Boards of the Comunidades to revise the assessment ('calculo') of the lands cultivated by them through direct management. It also directed that leases should be renewed by a mere declaration on the part of the previous lessee. Despite these measures, anomalies in the fixation of rents persisted. Persons who had manoeuvred to secure for themselves a large number of plots continued to be in enjoyment of them, while others with little or no influence did not have any lands at all for cultivation. Further the 'renters' (lessees) paid rents to the Comunidades calculated at official prices which were low and earned huge profits by selling their produce at high prices in the black market. Diploma No. 1244 dated 30th June 1948 was passed by Government to remedy this state of affairs. This Diploma extended by one year the period of the leases expiring in 1948, and, during the period of extension and for the purpose of the leases, fixed the price of rice at Rs. 20 per Khandi (160 litres). It required that only direct tillers should be the lessees. It also imposed a ceiling on the holding of lands and provided that a lessee should hold not more than 30 or 40 Khandis depending on whether the number of his dependents was four or more. The restriction did not apply where a single plot was assessed for more than 30 or 40 Khandis. For computing the production, the paddy fields owned by the tiller or held by them on lease from others were to be taken into account. The Diploma also directed that the assessment of rents of all paddy fields belonging to the Comunidades should be revised before the 31st of December of that year by appointing for the purpose committees each consisting of 3 members — 2 selected by the Comunidade concerned and the third one being the lessee or his nominee. The rent was to be assessed in kind.

17. This Diploma was followed by the Diploma no. 1294 dated 30th July 1949 which reintroduced the system of leasing of lands by auctions for a period of 6 years. The reserve price and the bids were to be expressed in kind, but the rents were to be commuted into cash at 80% of the rate officially fixed for sale to the public. The lessee had however the option

to pay the rent in kind provided he gave 15 days' advance intimation to the Administrative Board. Intending lessees could offer bids in auctions according to the following order of priority:

- (a) *First auction:* Only those residing in the village (freguesia) during the previous two years could bid but the previous year's lessee was given priority.
- (b) *Second auction for land for which there were no bids:* Residents of any village of the taluka (Concelho) could compete in the auction.
- (c) *Third auction:* Residents of any taluka could compete, and if necessary the reserve price was reduced.

18. On 22nd September 1949 the Diploma no. 1306 which regulated the rights and duties of the registrars and other Officers of the Administration was published. The Legislative Diploma 1578 of 24th February 1955 superseded the Diploma of 30th July 1949 in so far as the leasing by auction of lands other than vacant lands was concerned. It directed that such lands be leased for cultivation according to the following priority:

- (i) Those who had tilled the land before.
- (ii) In case the previous year's lessee was dead or there was partition, the relatives of such lessee.
- (iii) Those who belonged to the village, had the largest number of family members and whose profession was agriculture.
- (iv) Applicants who cultivated other lands of the Comunidade but did not have area upto the ceiling e. g. those having the largest family and the least area under cultivation.
- (v) The plots still remaining undisposed were to be leased by auction.
- (vi) The assessments (calculo) which served as the reserve price for the leases of the last 6 years ending in 1955, were to be in force. If any lessee of Comunidade was aggrieved by the assessment, he or it could apply to the Administrator for revision of assessment. The Administrator was to forward such applications to the Directorate of Civil Administration who had the assessment reviewed through the Agricultural Department and any revision made was approved by the Governor General.

19. The Legislative Diploma no. 1835, dated 25th September 1958 made the assessment of rent optional at the request of the tillers or the Comunidades and Administrative Board.

20. The various Legislative Diplomas mentioned above completely altered the Code of 1933. Several of these Diplomas laid down principles entirely different from or inconsistent with those embodied in the Code. The rules also issued after 1933 had the effect of modifying or enlarging the scope of the provisions contained in the Code. The need for revising, codifying and recasting the Code was felt. Accordingly the Committee appointed by Government for the purpose made an exhaustive study and submitted its recommendations to the Legislative Council which on 15th April 1961, passed a new Code called the 'Code of Comunidade, 1961'.

21. This Code of 1961 still prevails and its salient features are as follows:

I. The Comunidades shall be governed by the provisions in the Code and in the matter of the division of the net income by the private law (Instituto particular), of each Comunidade and in other cases by the general law. Private law shall mean any written law by which the Comunidade was governed since ancient times and, in its absence, the practice followed during 50 years prior to 1904 (i. e. the year in which the first Code was compiled).

II. The following shall be the components or members of each Comunidade:-

- (i) (a) Jonoeiros (those who can claim 'jono') (share of the net income) either per capita or per stirpes and their male descendants through the male line, or those legally adopted, whatever their number (articles 3 and 20-1).
- (b) Share-holders (those who possess registered shares in the Comunidades in their own names (articles 3 & 20-2).
- (c) Sharers (those who can claim a part of the net income of the Comunidades whatever be the nature and name of the claim) (article 3 & 20-3).
- (ii) (a) The right to 'jono' is personal and inalienable and takes effect after it is registered and the jonoeiro's claim is admitted (article 21). It is suspended if the jonoeiro is found to have encroached on the Comunidades land and

is extinguished with the death of the Jonoeiro. (article 379 and article 21-2).

- (b) The rights of the share-holders accrue with the registration of their respective shares (article 22). The provisions applicable to jono in regard to suspension, loss or extinction apply to dividends on shares (article 23-3).
- (c) The rights of the sharers also accrue on registration of the respective participants (article 23-3).
- (d) The shares of the Comunidades are transmissible (hereditary) and transferable (article 24).

III. Only the jonoeiros and the shareholders can participate in the profits and loss of the Comunidades and can exercise the rights and discharge the duties conferred or imposed on the components of Comunidades by the Code (article 4).

IV. Government may restore, wherever possible and convenient, the extinct Comunidades, or foster the creation of new ones (article 648).

V. The Comunidades shall not vote the disentail of their estate (article 647). If a 'disentail' has already taken place followed by the distribution of the lands or estate to the jonoeiros or shareholders the owners of such lands or estate shall be deemed to be the jonoeiros or shareholders for the purpose of discharging the duties imposed by the Code (article 3-2).

VI. The Comunidades are absolved from payment of ground rent to the Fazenda with effect from 1962, (Article 5). According to the remarks in the preface to the Code this exemption concedes the principle that the lands of the Comunidades belong to them as absolute owners (Propriedade perfeita).

VII. The immovable property of the Comunidades shall never be liable to seizure for debts due from them. For such debts the net income of the Comunidade may be seized (article 12).

VIII. All the services hereditarily rendered by certain families and paid out of the produce from certain lands are abolished (article 16). The lands shall continue to belong to their holders and the services rendered by them shall be assessed and transformed into ground rent in favour of the Comunidades (article 17).

IX. The Comunidades may seek, according to the existing law, the appropriation, for public use, of the land that they need for irrigation and protection (article 8).

X. The Comunidade shall exercise the powers mentioned in section II Chapter II Title I including, among others, expropriation of plots, long leases, sale or exchange of lands.

XI. (i) The Comunidades are to lease their paddy lands by auction for a period of six years in supersession of the orders issued under Diploma 1578 of 24th February 1955. The auctions are to be held in conformity with the provisions contained in articles 291-307 of Section VII of Chapter III — Title II in one or more auctions. For the first auction only the cultivators who have effectively been residing in the village can compete. If any plots are not leased in that auction for want of bids they will be again put up for auction at which cultivators of any village of any taluka can compete. In case any plots still remain, there will be a reauction with a reduced reserve price for which any cultivator can bid irrespective of the limit of his holding. The plots which are not leased even after the third auction will be cultivated by private agreement for any price for one year. The plots to be auctioned are to be so grouped as to give the following limits of cultivation to each renter (lessee): —

- (a) lands producing 20 Khandis of 160 litres each for a family consisting of 5 members;
- (b) lands producing 25 Khandis when the members of a family do not exceed 8;
- (c) lands producing 30 Khandis when the members of a family exceed 8.

assessment. (ii) The reserve price for which the leases are to be auctioned will be expressed in kind and will be based on the 'calculo'. The price so fixed will be commuted into cash at the official price fixed by Government. All lessees must cultivate personally the lands obtained by them and shall not sublet them to others.

- (iii) If the lessee does not cultivate the lands taken by him on lease, he is subject to a fine equivalent to double the rent or in default to suffer imprisonment. A lessee is also liable to pay, besides the rent, a fine of 50% of the rent if he does not execute the preparatory and other work in the manner prescribed in the lease

- or does not cultivate the lands in the way prescribed in the calculo (assessment) Register.
- (iv) Of the increases in income realised in public auction over the average income of the last 9 years, 50% will be earmarked for meeting agricultural development and unforeseen expenses and the remaining 50% will constitute the income of the Comunidades to be distributed between gaocares and share-holders.
 - (v) If the rent stipulated in the lease is not paid in time the lessee is liable to pay the penalties prescribed in article 298.

XII. The affairs of the Comunidade are to be handled by an Administrative Board selected every three years. The Board is to be composed of 3 members — a President, Attorney (Procurador) and Treasurer. The President is to be appointed by Government and the members elected as provided in article 41. Each Comunidade or a group of Comunidades is to have a *Escrivão* (talathi) whose functions are set forth in Section VI Chapter II Title I. In each of the talukas of Goa, Salcete and Bardez there shall be a special Administrator of Comunidades and in the remaining talukas except Satari the Comunidades shall be under the administration of the respective Concelho Administrators. Satari was under the charge of the Administrator of Bicholim. In each of the offices of the Special Administrators there shall be a Secretary and a Civil Engineer, (Sections I, II and III of Chapter III Title I).

XIII. The Comunidades are under the administrative tutelage of the State, (article 5). The powers of Government are those detailed in Chapter IV Title I. They include among others the power to dissolve and punish the Boards of the Comunidades which come within the mischief of article 178.

XIV. If the components of a Comunidade do not hold a meeting or after meeting do not wish to take charge of the management, the Administrator shall take charge of its management, (article 178).

XV. In case a Comunidade has no components, the estate shall be sold and the proceeds, after paying all dues shall, be deposited in the 'Caixa Economica de Goa' in favour of the Pensioners Fund (Caixa de Aposentação) article 181.

XVI. The employees and other agents of Comunidades and administrations have right to Pension in the same terms as those recognised in the case of public servants paid from the Pensioners Fund (article 155).

XVII. Fishing is prohibited in the 'portal' of the Comunidades but is permitted in the streamlets. The fishing nets are not to be spread at a distance less than 10 metres from the 'portal', article 649.

XVIII. The accounts are to be maintained in the manner and in the forms prescribed in the Code.

22. After the liberation of Goa, representations were made to the new Administration that the provisions of the Code had operated harshly on the cultivators of the lands of the Comunidades. In the auctions held on the basis of the 1961 Code bidding was very brisk and the bids were higher than the reserve price fixed on the basis of the Calculo. The result was that many persons who had previously been cultivating the lands were dispossessed. There was also agitation that the rents were excessive. As a result of these representations the following measures were taken:—

- (i) An order dated 9th April 1962 passed by the then Military Governor, reduced the official price of rice from Rs. 40 to Rs. 30 (as against the market price ranging from Rs. 45 to Rs. 50) per Khandi but fixed the price at Rs. 24 per Khandi for the commuted cash rent payable by the lessee to the Comunidades.
- (ii) On 12th September 1962 the then Lieut. Governor, ordered that the rents payable by lessees of paddy fields of Comunidades shall not exceed 50% of the assessment (Calculo).
- (iii) On 18th December 1962 the Lieut. Governor, regulated the allotment of vacant lots within the rules framed by the Legislative Diploma No. 1478 of 24th February 1955 without public auction.
- (iv) The lessees for the period of 1959-61 who had declined to take their lots on lease on the ground that there was excessive rise in their rents, now claimed that they should be given the benefit of the reduction in the maximum rate of rent and in the price of rice and the lands previously cultivated by them should be allotted to them. The Lt. Governor permitted under an order dated 5th March 1963, dispossessed lessees 45 days' time to exercise their right of option to recover the lands leased to others after the 1961 auctions.
- (v) The orders referred to in (iv) above meant the dispossession of many persons who had obtained leases in the 1961 auctions. On their representation the Administrator, ordered that the existing lessee who had no other lands to cultivate could retain 50% of the land in case the previous lessee exercised his option to recover possession.

CHAPTER V

The Present Position of the Comunidades

We have in the preceding chapter dealt with the historical development of the Comunidades and have described the main features of this unique institution, the manner in which it operates and how its working is regulated at present under that very comprehensive law — *Codigo de Comunidades, 1961*. We may now examine in greater detail various aspects of the Comunidades tenure with a view to ascertain to what extent the original objects of this institution are being served, the role it plays in the agrarian economy of Goa, its relationship with the actual tilers of the soil, and the scope for reform and reorganization of this institution.

2. The present number of Comunidades is 225 distributed between the various concelhos of Goa as shown below:-

Taluka	No. of Comunidades	Taluka	No. of Comunidades
1. Goa	31	6. Bicholim	21
2. Salcete	40	7. Pernem	12
3. Bardez	39	8. Quepem	24
4. Mormugão	14	9. Sanguem	7
5. Ponda	28	10. Canacona	7
		11. Satari	2
			225

3. A statement (Table 8) is also appended showing the area of the land held by the Comunidades from which it will be seen that it is mainly in Goa, Salcette and Bardez that the Comunidades have the largest land holdings and between them hold 22,470 hectares as against roughly 15,313 hectares held by the Comunidades in the remaining concelhos of Mormugao, Ponda, Bicholim, Pernem, Quepem, Sanguem and Canacona. It will be recalled that in our chapter dealing with land utilisation we have mentioned that nearly 55 to 60 per cent of the paddy area in the talukas of Goa, Salcette and Bardez are held by the Comunidades. In this tract, therefore, the Comunidades tenure is predominant and plays an important role in the agrarian economy of the three talukas.

4. In paragraph 21 (II) of chapter (IV) we have referred to the various components (members) of the Comunidade, viz. Gaocares or Jo-noeiros, Culacharins, and Shareholders. We append a statement (Table 9) showing concelho-wise the number of each of these components. In Goa, Bardez, Bicholim, Canacona and Sanguem talukas the majority of the components of the Comunidades are Gaocares whilst in the remaining concelhos shareholders predominate. In some of the villages notably in Salcette concelho the Comunidades originally composed of Gaocares have passed wholly unto the possession of Shareholders. Even in the remaining villages of this Taluka where there are Gaocares, the shareholders are in the majority.

5. We have ascertained to what extent the Gaocares and the Shareholders who participate in the net income of each Comunidade reside in the village or in the other villages in Goa or outside Goa and we append a statement (Table 10) giving this information. So far as the Gaocares are concerned it will be seen that roughly 50 per cent reside in the village. Of the remaining Gaocares about 60 per cent reside in Goa, but in villages other than the Comunidades to which they belong whilst about 40 per cent reside outside Goa. In case of shareholders 40 per cent reside in the village and about 55 per cent reside in the villages in Goa other than the Comunidade to which they belong. A very small percentage of shareholders reside outside Goa.

6. We have examined the financial position of the Comunidades, their sources of income, the main items of expenditure and the manner in which the net income is distributed amongst the various components of each Comunidade. The income of a Comunidade is derived from two sources;-

- (a) rent paid by the lessees,
- (b) foro and income from auction or lease of fishing rights, salt pans, etc.

We have already described in the preceding chapter the basis on which the rent used to be fixed under the Portuguese Regime and the manner in which has been regulated after liberation.

7. The following are the main items of expenditure of the Comunidades:—

- (a) *Land Tax*: This is payable to Government and amounts to roughly about 18.5 per cent of the gross income.

- (b) *Administrative expenses*: This is on account of the payment of salaries *etc.* of escrivaes (the Comunidades' talathi), contingencies and also a proportionate share of the Administrative expenses of the Comunidades' administration maintained at the Taluka level. The incidence of these expenses varies roughly between 20-27% of the gross income of the Comunidade and is undoubtedly high. We are of the view that much of this expenditure incurred on the maintenance of records and village administration, should be a legitimate charge of the State.
- (c) *Regular annual donations* to temples or churches or charitable organizations. These are age-old customary payments.
- (d) 5 per cent of the net income of Comunidades, is paid by way of contribution to the Juntas de freguesia which have now been replaced by the village Panchayats.
- (e) Expenditure for extraordinary works *i. e.* the construction or maintenance of bunds or sluice gates or works relating to agricultural lands.
- (f) Miscellaneous expenditure, *e. g.* special contribution for repairs to church buildings *etc.*

8. The net income of each Comunidade is then distributed amongst the various components according to the private law of each Comunidade. The basis for distribution has been evolved over the centuries and varies from Comunidade to Comunidade and is set out in the Code of Comunidades, 1961. Each Gaocar gets his share called 'jono' and each Shareholder gets a dividend on his share the face value of which is Rs. 20/-. We attach detailed statements concelho-wise (Table 11) showing the income and expenditure of each Comunidade immediately before and after liberation and also a statement (Table 12) showing the average amount of 'jono' or dividend in the four years prior to liberation and for the year 1962. A study of these statements reveals that the gross income of the Comunidades which is almost entirely composed of the rent received in respect of their land holdings is distributed as follows:—

	Percentage
Land Tax and contribution to the local body	18.5%
Administrative expenses at village and taluka level	27.0%
Donations to temples and churches and charitable organizations	6.5%
Expenditure on bunds and other agricultural improvements	33.0%

Miscellaneous	2.0%
Net income available for distribution by way of jono or dividend	13.0%
	100.00

The above percentages have been worked out for all the Comunidades in Goa and broadly reflect the pattern of income disposal, though the position in respect of each item will vary from village to village. In villages situated near rivers or creeks and where there are khajan lands there is relatively higher expenditure on bund maintenance, *etc.* Again in respect of villages in Bardez, Goa and Salcette where there is a separate staff at the concelho level to administer the Comunidades the administrative expenses are relatively higher.

9. In the preceding chapter we referred to the various measures taken by Government after liberation of Goa to bring relief to the tillers of the soil. These measures, however well intentioned, adversely affected the finances of all the Comunidades, reduced the amount of jono or of dividend and made it difficult for many of the Comunidades to honour their commitments and discharge their obligations. Some of the Comunidades have been unable to pay any dividend or to distribute 'jono' and in fact have run into deficit. As many as 76 Comunidades have shown a deficit budget. Others have balanced their budgets or shown a small surplus only by drawing upon their reserves or postponing urgent works or reducing donations to temples and churches. Legally the members of the Comunidades are liable to make good this deficit unless they are able to draw upon any reserve funds the Comunidades may possess. As a result of the depleted finance the Comunidades have also not been able to carry out properly the work of the maintenance or construction of bunds and other agricultural works. This has seriously affected the productivity of many lands.

10. Coming to the question of the incidence of the rent paid by the actual lessee or the tiller of the soil we find prior to liberation and specially after the auction held in 1961 the rent in many cases exceeded 50 per cent of the estimated gross production. In consequence of the measures adopted after liberation we find that, on an average, the present rent amounts in respect of Comunidade lands to not more than 40 per cent of the estimated gross production as shown in the Calculo register and may be even less. It may be noted that the liability for the payment of

the land tax and the cost of the maintenance and construction of bunds is borne entirely by the Comunidade and not by the Lessee.

11. It may also be noted that the percentages mentioned above are based on the assumption that the estimated gross production of each land leased to a tenant is reasonably correct. It will be recalled that this estimate of gross production and the expenses of cultivation were made by a Committee of three persons of which one was a representative of the Comunidade, the second a representative of the Tenants and the third was nominated by Government and was usually an Officer of the Agricultural department. Provision also existed for appeals against the assessment so made. In many cases the rent of the lands in the years in which the crops failed on account of inadequate rainfall or breaches in the bunds or other causes was wholly or partly remitted.

12. In the absence of crop cutting experiments or of any proper method of estimating the expenses of cultivation it is not possible to say with any degree of certitude whether the assumptions of gross production are correct. From our inquiries we have come to the conclusion that they are not unreasonable though it is possible that in some villages they may have been an under or over estimation of gross produce for the village as a whole or for particular lands in the village. At our instance a series of crop cutting experiments were undertaken during the current year and the results reveal that the estimates of gross production made in the Calculo register are, by and large, correct. Unless however these experiments are conducted over a period of at least 3 to 5 years it is not possible to arrive at acceptable figures of production.

13. From our study of the history and present working of the Ccomunidades the following broad conclusions emerge:—

- (i) In its origin the Comunidade was a socio-economic entity composed of the male descendants of the original settlers in the village, or those who were inducted into it later. It had a separate legal personality and owned collectively the lands brought under the plough. The Gaocares as male descendants of the original settlers, had only an unalienable right to the income of the Comunidade but had no proprietary right in the land of the Comunidade. The lands are cooperatively managed and the net profits of agriculture were distributed among the male descendants of the original settlers (Gaocares or jonoeiros) and at a later date among the Culacharins and Shareholders (accionistas).

In some villages the widows and orphans of Gaocares and Cula-charins were also entitled to a share. The Comunidade was an autonomous body and Government did not interfere in its affairs. It provided all civic amenities of the village, was responsible for public education and welfare and for the maintenance of essential common services. In its pristine form it was the embodiment of Mahatma Gandhi's conception of Gram Raj.

(ii) With the coming of the Portuguese the character of the Comunidade changed. Whilst the Portuguese had the good sense not to do away with this ancient institution they lacked the insight and imagination to comprehend its true character, to preserve its good features and to make the Comunidades powerful instruments for augmenting agricultural production. The measures introduced by them and which militated against the proper development of the Comunidades were: —

(a) increasing governmental control and interference in the administration and management of the Comunidades.

(b) the levy of a tribute or tax from each Comunidade.

(c) periodic exactions from the Comunidades to meet governmental expenses or its wars of aggression.

(d) financial commitments arising out of (b) and (c) above forced the Comunidades to raise loans and after a time their creditors claimed the right to participate in the affairs of the Comunidades and to share in the profits of each Comunidade. The Portuguese Government yielded to this agitation and eventually recognised the right of the shareholders to be inducted into Comunidades. By doing so the Portuguese introduced into the body of the Comunidade persons many of whom had no ties with the village and were mainly interested in the dividend they received on their shares.

(iii) Though the Code of Comunidades from time to time and even in the latest version of 1961 contained some salutary measures calculated to protect the interests of the tenants, to prohibit sub-tenancies and make for efficient agriculture it is unfortunate that these provisions were not effectively enforced. Moreover, the pernicious system of auction of leases of lands deprived tenants of security of tenure and unduly inflated rents. This was particularly so in auctions of 1961, when a number of tenants

who had previously been cultivating the lands, were displaced and in many cases the successful bids for the leases at the auction exceeded the previous levels and were much above the reserve price fixed according the Calculo Register.

- (iv) After liberation Government sought to give relief to the tenants and adopted certain measures like limiting the amount of rent payable by the Lessee and prohibiting eviction of tenants. This scheme of relief though necessary and perhaps inevitable in the circumstances prevailing at the time failed to comprehend in proper measure its repercussions so far as the Comunidades were concerned. One result was a drastic reduction in the income of the Comunidades, making it difficult for them to meet their essential commitments and discharge their customary obligations. It also resulted in some hardship to the poorer sections of Gaocares and Shareholders on account of the consequential sharp reduction in the 'jonos' and dividends.
- (v) It is obvious that any further reduction in the income of the Comunidades without relieving them of some of their liabilities will involve these bodies in serious difficulties and make it impossible for them to perform some of their essential functions or obligations like the maintenance of bunds or payment of the Land tax to Government or their customary contributions to temples and churches.
- (vi) A distinction must be drawn between the status of the Gaocares and the Shareholders (Accionistas). The Gaocar as we have seen is male descendant of the original settler and has a deep and abiding interest in the village, a hereditary right to share in the income of the Comunidade — a right which he sentimentally values a great deal. This is evident from the fact that Gaocares who have left Goa and have been residing in various parts of the world attach great importance to drawing their annual 'jono' even though it amounts to a mere pittance of a few rupees. The Shareholders, on the other hand, though some of them belong to the village to which their share relates, have not the same interest in the affairs of the Comunidades. A majority of the Shareholders reside in other villages of Goa and have purchased shares purely for their investment value. They cannot, therefore, be expected to have the same attachment sentimental or otherwise to the Comunidade and the village.
- (vii) Unfortunately, over the centuries the character of the Comunidade has changed and we have seen how circumstances com-

pelled a large number of Gaocares in each Comunidade to seek their fortunes outside Goa. They cannot, therefore, be said to make any effective contribution to the welfare of the village to the same extent as a resident Gaocar has an opportunity of doing.

- (viii) It is clear, however, that any measure taken to curtail or abolish the rights of the Gaocares or shareholders will involve the payment of compensation.
- (ix) Our studies have shown that as a result of the measures adopted under the Portuguese Regime the Comunidades were not geared to become powerful instruments for augmenting agricultural production. The result has been that by and large the actual tiller of the soil does not pay adequate attention to the cultivation of his lands. This is partly due to the insecurity of tenure and incidence of rent but also because agriculture in Goa has come to be regarded as a part time occupation, as a sizable percentage of the actual cultivators specially in certain Concelhos, seek alternative employment in Mines, Government Offices, domestic service or in commercial concerns and do not, therefore, devote their whole attention to the proper cultivation of their lands. The Boards of Management in the Comunidades have been content to discharge only their minimal obligations and have not played a constructive role in promoting better farming.
- (x) The Comunidade, in its original form was an ideal institution for the cooperative management of land. We therefore feel that it would be a hasty and retrograde step if this institution which has survived through the centuries were destroyed without making every effort to reform and reorganize it in a manner which would attract the co-operative effort of the actual cultivators of the soil and resident Gaocares. We shall suggest later the measures which should be adopted towards the attainment of this objective.

CHAPTER VI

Recommendations

We have in the foregoing chapters set out the results of our study on those aspects of the land problem mentioned in the first part of our Terms of Reference. We have already referred in Chapter II to the many limitations which have handicapped us in making an accurate factual appreciation of some of the essential features of the agrarian economy of Goa and the difficulty therefore of formulating at this stage a long term and comprehensive policy and programme for land reform capable of being successfully implemented. Our approach, therefore, has necessarily been dictated by the need for caution and gradualism in attaining the objectives laid down by the Planning Commission from time to time. Practical considerations, namely, the absence of proper land records and adequate machinery to implement land reform legislation and the unwisdom of making any sudden and far reaching transformation of an agrarian system which, in all its complex relationships and peculiar features, has remained insulated and unchanged over the centuries, would necessitate a pragmatic approach. In the other States of India including the neighbouring States of Maharashtra and Mysore the prevailing position in respect of land reform has been reached over a period of time. In some States, as the Evaluation reports of the Planning Commission show, hasty and ambitious land legislation has only resulted in ineffectual enforcement.

2. It is undoubtedly the consciousness of the necessity for a more gradual policy which prompted Government in formulating our terms of reference to refer to the *ultimate realization* of the objectives of the Planning Commission and to call for our recommendations only in respect of the more pressing problems of the land problem as set out below:

- i) Security of tenure to the tenant;
- ii) Levy of fair rent on agricultural lands;
- iii) Regulating the management and administration of Community lands by the Comunidades;

- iv) Prevention of indiscriminate resumption of land by the landlord;
- v) Prevention of fragmentation and consolidation of holdings;
- vi) The survey and assessment of agricultural land and maintenance of record of rights in land.

3. We shall now proceed to make our recommendations in respect of the above matters and in doing so we may state that we have given the fullest considerations to the views contained in the memoranda that we have received or expressed in person before us by individuals and representatives of the interests concerned.

i) *Security of Tenure to the tiller,*

And

iv) *Prevention of indiscriminate resumption of land by the landlords.*

4. One of the principal terms of reference in respect of which the Commission is required to make its recommendation relates to security of tenure. The necessity to provide the tiller of the soil with security of tenure has been recognised in tenancy and land reform legislation introduced in the rest of India. The arguments in favour of this item of reform are so obvious that they need not be restated. At the same time security of tenure by itself will not make for better agriculture unless it is accompanied by various other measures which either compel or encourage the tenant to strive for a higher productivity of his land. This is specially so in Goa where, by and large, it would be correct to say that agriculture is inefficient and has come to be looked upon as a part time occupation.

5. In the Comunidades the system of leasing lands has traditionally been through auctions which were held at intervals of 3 or 6 years. The disadvantages of this system have been the subject of much discussion under the Portuguese regime and certain measures were adopted to minimise its evils. A growing realization of the unsoundness of this method of leasing lands often resulted in auctions being not held and the leases being renewed to tenants in possession. It is not necessary to deal with the earlier period. For our purpose it is sufficient to state that in the auctions held in 1949, leases were given for a period of 6 years. Auctions were due in 1955 but were not held. Instead the existing tenants were given the option to renew their leases for a further period of 3 years and

this was done again in 1958. In 1961 however the pernicious auction system was reintroduced. Bidding was brisk on account of either the increasing pressure on land or the greater availability of funds with agriculturists earned in mining and other employments or the existence of factions. The successful bids in the 1961 auctions exceeded in many cases the reserve price fixed according to the Calculo Register. As a result as many as 3,500 tenants who had been cultivating lands for at least 12 years previously were dispossessed.

6. The agitation resulting from the 1961 auctions related to the high incidence of the rents payable by the tenants and the dispossession of a large number of persons who had previously cultivated these lands. Government sought to give relief by the following measures.

- (1) the imposition of a ceiling on the rent payable by the tenant to 50 per cent of the gross produce.
- (2) the commutation of the rent in kind to cash on the basis of Rs. 24/- a khandi instead of the previously existing price of Rs. 32/-, in the case of Comunidade lands.
- (3) In order to extend the same measure of relief as was given in the case of Comunidade lands, Government under an Order dated 11th December 1962 directed that rents payable by tenants of private lands in cash or in kind should be reduced by 20%.
- (4) An option was given to tenants dispossessed in the 1961 auctions to apply for the restoration of the land previously cultivated by them.
- (5) As the new lessees who had obtained lands in the 1961 auctions were liable to be dispossessed as a result of the orders referred to in (4) above Government passed a further order under which such lessees were permitted to retain half the land obtained on lease if they had no other land of cultivate.
- (6) As there were complaints that private landlords, apprehending land reforms legislation, were resorting to eviction of tenants Government passed orders dated 14th November 1962 that tenants who were in possession of land on 1st July 1962 shall not be evicted by any land owner except for non-payment of rent or neglect of land.

7. There is no doubt that these measures brought a substantial measure of relief not only to the tenants of Comunidade lands but also to tenants of private lands. The position now is that tenants all over Goa

with a few exceptions have in fact been enjoying security of tenure this the Comunidade lands there has hardly been any displacement of tenants since 1949. In private lands, though no records are available our enquiries reveal that, by and large, it has been customary not to change tenant except for special default on his part by way of non-payment of rent or neglect of land.

8. One of the necessary measures of land reform is to confer security of tenure on the actual cultivator of the land. Legislation for this purpose has been enacted in most States in India providing for protection from eviction of tenants who have been continuously cultivating lands for a period of 3 to 6 years prior to a specified date and also for allowing the owner to exercise the right of resumption of land for personal cultivation. We have considered this question carefully and do not think that it is necessary to prescribe any period of time for which a tenant has been cultivating land to enjoy protection from eviction. We have seen that tenants in private and Comunidade lands have been continuously in occupation of lands for periods longer than 6 years except that some eviction may have taken place in private lands immediately after liberation. Moreover, in the absence of records, it would be difficult for a tenant to prove continuous occupation in case the owner disputes his claim. Litigation should be avoided and the implementation of this important item of land reform made as simple as possible. We have mentioned that Government have passed orders prohibiting eviction of tenants who were in occupation of land on or prior to 1st July 1962, and we have come to the conclusion that all tenants who have been actually cultivating land on that date whether as direct tenants or sub-tenants should be protected. We consider it necessary to afford protection to the sub-tenants as it has been brought to our notice that in Comunidade lands it has been the practice for some of the lessees to sublet the land. Under the Code, this lessee as well as the sub-lessee are liable to penalty for subletting the land and this provision had made the detection of such unauthorised sub-lessees difficult. The majority of these sub-tenants have been cultivating the land for longer periods and we feel they should be protected. We would like to make it clear however that there will be no condonation in future of any sub-letting. Some tenants may have been evicted between the date of liberation, 19th December 1961 and 1st July 1962 and we propose that such tenants may be permitted to apply for restoration of land if they are able to establish that the eviction was wrong and mala fide. In other words the tenants claim for restoration would not be sustainable if the owner is able to prove that eviction took place because of non-payment of rent or neglect of land.

- (b) for any non-agricultural purposes with the permission of the authority notified by Government, provided he is not cultivating any other land and the income by the cultivation of the land which he seeks to resume is the principal source of income for his maintenance;
- (3) The right to terminate a tenancy may also be given to a minor or a widow or persons subject to mental or physical disability or a serving member of the Armed Forces subject to the following conditions:
- (a) By a minor within one year from date on which he attains majority;
 - (b) By a successor-in-title of a widow within one year from the date on which her interest in the lands ceases to exist;
 - (c) Within one year from the date on which mental or physical disability ceases to exist and
 - (d) Within one year from the date on which a serving member of the Armed Forces ceases to be a serving member;
- (4) Personal cultivation in respect of an owner may be defined as follows:—
- «to cultivate personally» means to cultivate land on one's own account —
- (a) By one's own labour, or
 - (b) By the labour of any member of one's family, or
 - (c) Under the personal supervision of one self or of any member of one's family by hired labour or by servants on wages payable in cash or kind but not in crop-share;

EXPLANATION:

Land shall not be deemed to be cultivated under the personal supervision of a person or a member of his family unless such person or member resides in the village in which the land is situated or any nearby village within a distance of 5 miles during the major part of the agricultural season.

- (5) The limit of the area which the owner can resume should be prescribed. We suggest that this should be not more than 2 hectares in the case of paddy land of the khajan and ker type and 4 hectares in the case of the Morod type as well as in the case of dry crop land growing inferior millets. We consider these

areas to be convenient units for the purposes of cultivation. We have also taken into consideration the desirability of avoiding displacement of tenants as far as possible.

- (6) If an owner resumes land as contemplated above and fails to cultivate such land within one year, the ejected tenant should have the right of restoration;
- (7) Owners who resume lands should not be permitted to convert the present agricultural use of the land without prior permission of the competent authority.

ii) *Levy of fair rent on agricultural lands*

13. We have in the chapter dealing with the Comunidades referred to the fact that our studies have revealed that the incidence of rent in terms of money value in paddy lands is about 40 per cent of the estimated gross production and in many cases may even be less. The rent payable by a tenant of a Comunidade land is expressed in kind though the actual payment is to be made in cash, the commutation being made on the basis of the official price of paddy notified by Government every year. Prior to liberation this price was Rs. 32 per Khandi and further the rent payable was limited to 50 per cent of the estimated gross produce. This artificially low rate of commutation against the market price of paddy which varied from Rs. 30 to 45 per Khandi and the imposition of a ceiling on rent gave much needed relief to the tenant and as stated above our assessment of the present incidence of rent even on the assumption of the market price of paddy of Rs. 30 (the tenant probably disposes it at higher rates) is not more than 40 per cent of the gross produce. As regards paddy lands in *private ownership* our investigations in a few representative villages and our enquiries generally showed that the customary rent is 50 per cent of the gross produce in respect of 'khajan' and 'ker' lands and 25% to 30% for 'Morod' lands. In respect of lands grown with inferior millets (there are hardly any Comunidade lands in this category) the rent varies from 1/4th to 1/6th of the gross produce.

14. Before proceeding to make our recommendations it is relevant to mention the following considerations which have influenced our conclusions: —

- (a) The land tax and the cost of the maintenance or construction of bunds drainage channels and other agricultural works in paddy lands is the responsibility of the Comunidade or the private land owner as the case may be. The land tax in the case of Comunidade lands is quite high and amounts

to nearly 18.5 per cent of the gross income. It is about 5 per cent to 6 per cent in the case of private lands. The cost of maintenance of bunds drainage channels and other agricultural works is considerable and on an average amounts to about 33 per cent of the gross income. It is obvious that any drastic reduction of rent will immediately raise the question of the agency for the maintenance of the bunds. It will clearly be beyond the resources of the tenant to bear this liability. As we have pointed out earlier the income of the Comunidade has already been reduced on account of the limitation on rent and many Comunidades are unable to discharge their obligations in respect of maintenance of bunds and other agricultural works. The average annual cost of these maintenance works taking all the Comunidades together is Rs. 8,10,000/- and with a further reduction of rent it will not be possible for these institutions to carry out these works so essential for the conservation of the paddy lands. The case of private lands is similar.

Since some reduction in rent is necessary the only solution is for Government to subsidize the cost of maintenance of bunds. Even now Government has a scheme for giving subsidy on an average to the extent of 50 per cent of the cost but this will have to be extended and effectively organized on a more extensive scale. At the same time we must ensure that the burden on the State is not excessive and the reduction of rent therefore should be gradual.

- (b) It has not been possible for us to obtain any reliable figures of the cost of cultivation. Some figures were given to us by the Agricultural Department but these would show that cultivation is uneconomic. These estimates are based on some theoretical and hypothetical assumptions and are not sufficiently realistic. We also have no satisfactory data regarding the actual production of agricultural lands. Crop cutting experiments were conducted for the first time during the current season but unless such experiments are done over a period of three years it is difficult to determine the present level of productivity for different types of soil. We feel that it should be possible to get more accurate data on both these factors within a period of 3 years. It would then be possible to assess more correctly the incidence of rent to the gross produce.

- (c) There is a general concensus of opinion that agriculture in Goa is inefficient and that with proper incentives and an effective extension system it should be quite easy to obtain higher levels of productivity. A mere reduction in rent or conferment of security of tenure would not, by themselves, secure this objective unless combined by greater individual effort on the part of the farmer and a well planned and organized scheme to enable him to grow more food.
- (d) We have pointed out earlier in this report that there are very few big land owners in Goa and that the average size of the holding in the paddy area varies from 5 to 2 Hectares. We have also stated that the economic circumstances of the large number of small land owners are not very different from those of the tenants. This would suggest that we should as far as possible avoid any sudden and drastic reduction in the rent so that these small land owners, many of whom depend on this source of livelihood, do not find it difficult to adjust their way of life and their budgets to the reduced income that they will be receiving.
- (e) Though it is true that at present the Comunidades get 40 per cent of the gross produce by way of rent we have shown that from the income so received only 10 to 15 per cent is distributed by them by way of «jono» or dividend, the rest of the income being utilised either for maintenance of bunds and other agricultural works, land tax and donations to charitable or religious bodies.
- (f) We have examined the measures adopted in other States for the regulation of rent. In the First and Second Five Years Plans it was recommended that the rate of rent should not exceed 1/4th or 1/5th of the gross produce. For the attainment of this objective, legislative measures have been adopted in all States. There are large variations in the rates of rent fixed in the various States. In Assam, Mysore, Manipur & Tripura it varies between 1/4th and 1/5th. In Kerala the maximum rent varies from 1/4th and 1/2 of the gross produce. In Orissa and Bihar it is 1/4th of the gross produce. In Punjab it varies between 33.1/3 to 40 per cent of the gross produce. In Andhra, Jammu & Kashmir and West Bengal it is as much as 1/2 of the gross produce. In Gujarat and Maharashtra the *present* position is that the rent has been fixed at 1/6th of the gross produce. It is important

to note however that in the latter states the introduction of tanancy reform and the regulation of rent started as far back as 1939 and the present position has been reached only recently. From 1948 to 1956 the rent in Gujarat and Maharashtra was one-third in the case of non-irrigated and 1/4th in the case of irrigated land and the liability for payment of the land revenue assessment and the cost of maintenance is on the tenant.

It would be useful to know in terms of money what the level of the rent was prior to liberation and after liberation and what it would be if the rent were reduced to, say, 1/3rd or 1/4th of the gross produce. This would enable us to gauge the financial effect either on the Comunidade or private land owner of a sudden reduction in his income. For this purpose we may assume that 1 Hectare of paddy land is leased and that the rent payable prior to liberation on an average is 50% (in many cases it was more than 50%) of the gross produce and that after liberation there was a reduction on account of the commutation rate being Rs. 24 per Khandi. We may further assume that if the rent is reduced to 1/3rd or 1/4th the commutation rate should not be an artificially fixed price but should bear some relation to the ruling market price which for the purpose of this example we may take at Rs. 30 per Khandi. On these basis the rents payable in terms of money would be as follows:

Proportion of rent to gross produce	Rent payable
Prior to liberation (1961) (50% and over)	320
After liberation (i. e. present position) (40%)	240
One-third	200
One-fourth	150

It will be seen that there has been already reduction of rent to the extent of about 25 cent after liberation. In regulating rent in future it would be advisable to avoid making too sudden a reduction straightaway.

15. In view of the above considerations and the need of gradually attaining the objectives set by the Planning Commission or the position

in other States we would recommend the following alternative proposals for the consideration of Government:

- (i) The maximum rent in respect of paddy lands classified as «Khajan» or «ker» should be 1/3rd of the gross produce and in the case of «Morod» lands 1/6th of the gross produce. We have already set out in the preceding paragraph reasons which would favour this alternative. Apart from the advisability of not subjecting the small land owner to a sudden drop in his income the adoption of a lower percentage would also impose a greater burden on the State in respect of the subsidy which we recommend should be given for the maintenance of bunds. As regards lands other than paddy lands i. e. growing inferior millets the rent should be fixed at 1/6th. We have recommended 1/6th in the case of these lands as well as paddy lands of the «Morod» type in view of the poor nature of the soil the low yields and the greater expenditure on labour, *etc.* We would also recommend that there should be a commutation of the rent in cash. In other words the rent payable by a tenant would be fixed in terms of money for a period to be prescribed by Government. This would ensure that the tenant would derive the full advantage of any additional effort that he might put into the land in order to increase its productivity.
- (ii) The second alternative is the same as (i) above. In other words, the maximum rent of Khajan land should be 1/3 of the gross crop produce. In view of the fact that a Comunidade or a private landlord has the heavy responsibility of maintenance of bunds, we are clearly of the view that it would not be feasible to reduce the rent payable in respect of such lands below the percentage we have suggested. As regards «Ker» lands, the maintenance expenditure is relatively speaking not so large and in respect of such lands the rent could be fixed as 1/4th of the gross produce. We have been given to understand that there is large scope for improving irrigational facilities in the «Ker» tract but if the rent is reduced to 1/4th, it would not be possible for the owner or the Comunidade to bear any share of the cost of construction of any new minor or major irrigation works. We suggest that the cost of such works will have to be shared by Government and the tenant in such propor-

tions as may be fixed, and that any increase in gross produce arising out of these new facilities will not be taken into account in assessing the gross produce for purposes or rent. We would further recommend that as in the case of (i) above, the rent payable either in kind or cash should be fixed for a period of 3 years and that in the case of cash rents the rate of commutation should be not less than Rs. 30.

- (iii) The third alternative is to fix the maximum rent at 1/4th in respect of both Khajan and Ker lands and 1/6th in respect of Morcd and dry crop lands.

As regards the rate at which commutation should be effected we agree there is no justification for adopting an artificially reduced price as at present and we would recommend that the rate should be notified by Government on the basis of the ruling market rate every year in the month of February. In case, however, Government adopts our suggestion of having a fixed rate for commutation of the rent we would suggest that the rate of commutation considering the rates of paddy which have prevailed during the last two years should be not less than Rs. 30.

16. In the course of our discussion on these various alternatives, divergent views were expressed. But ultimately we came to the conclusion that on a balance of considerations we should recommend alternative (ii) above for a period of at least 3 years. The position may thereafter be reviewed in the light of experience and the more reliable data which we hope will be available. The feasibility of adopting alternative (iii) could then be examined. In making this recommendation we have been influenced by the fact that our study of the economic condition of the tenants points to the need of extending some measure of relief to the tenants by way of reduction of rents. We also think that some justification exists for differentiating between Khajan and Ker lands in view of the higher cost of maintenance works in respect of the former class of land.

17. Whichever alternative is adopted it is obvious that the problem of maintenance of bunds and other agricultural works will arise as it will be extremely difficult if not impossible for the Comunidade or the private land owner to shoulder the burden of bearing the cost of maintenance. We recommend that the scope of the present scheme under which Government subsidizes to the extent of 50 per cent the cost of maintenance of construction of bunds should be enlarged and effectively

organised to cover the entire paddy area and that the subsidy should be given either to the Comunidade or to the private land owner in respect of all repair and the maintenance works relating to bunds, irrigation channels and wells, bhandaras, etc. We suggest that the Block Development Officer should be responsible for obtaining intelligence at regular intervals regarding the state of the bunds and other works calling for attention and in consultation with the Comunidade take steps to carry out all the necessary works and then recover 50 per cent of the cost from the Comunidade.

18. There will be no difficulty in regulating the rent in respect of Comunidade lands in view of the fact that the gross production is already recorded in the Calculo Register. As regards private lands some difficulty may be experienced as there are no records or other documents showing the terms of tenancy or the gross produce. Hitherto the terms of tenancy have been arrived at after mutual agreement which covers also the amount of rent based on the estimation of the gross produce in any particular year. There are complaints now that the tenants are not regular in the payment of rents and also frequently do not pay fully the rent agreed upon on some plea or another. We have suggested in Chapter II that steps should immediately be taken for the preparation of the Record of Rights in which provision should be made to record the gross produce. The amount of gross produce may be the figure arrived at even by mutual agreement between land-owner and tenant. Where there is no agreement there should be actual measurement of the produce immediately after harvest in the presence of the Escrivao or gram sevak. It will also be necessary for Government to notify for each village the average yield per hectare. Such yields may be fixed by reference to the Calculo Register or the results of crop cutting experiments and any other data with the Agricultural Department.

19. Some of the cultivators raise a second crop on their lands and the practice has been for the Comunidade or owner to levy additional rent in respect of such a second crop. It has been urged that in view of the fact that the second crop is raised due to the initiative and labour of the tenant no additional rent should be paid. We are of the view that when it has been the practice to raise a double crop of paddy and for the tenant to pay additional rent, it would not be proper to relieve the tenant of that liability or to reduce the rent. In the interest however of encouraging more production, we suggest that in future a tenant raising a second crop whether of paddy or vegetables etc. without the assistance of the Comunidade or owner, no additional rent should be payable.

20. At present the rent is payable in one instalment before the harvest. This places the tenant at a disadvantage as he is required either to sell his crop at a time when the ruling market prices are low or to raise funds in other ways for the payment of rent. We would therefore recommend that the rent should be paid in 2 instalments, the first instalment be paid by the 31st of December and the second instalment by the 31st of March.

(iii) *Regulating the management and administration of Community lands by Comunidades:*

21. We have already narrated the history of the Comunidades and analysed at some length their present working. We saw how these institutions for a long time functioned as petty republics and embodied the best ideals and traditions of cooperative effort. We also pointed out how and why they have gradually deteriorated and do not function in the manner originally intended. At the same time we have come to the conclusion that it would be unwise and unpractical to abolish these institutions. In arriving at this conclusion we have been influenced by the following considerations:—

- (a) None of the witnesses, with one or two exceptions, nor have any of the memcranda that we have received, advocated the abolition of the Comunidades;
- (b) The abolition of the Comunidades would involve the payment of compensation to the present components of the Comunidades. Tenants have not the capacity to pay the compensation and it may not be possible for Government to shoulder the burden at this stage as, apart from the financial implications, some time should be allowed to lapse to enable the land system and administration to be put on a proper footing and adequate opportunity given to the actual cultivators of the land and resident gaocares to organise themselves on cooperative lines.
- (c) Considering the repeated exhortation of the Planning Commission that farming should be organised on cooperative basis it would be unfortunate not to use an existing institution already geared to this purpose. In fact it is a pity that panchayats and cooperative societies have been established without fully exploring the possibilities of using the Comunidades after suitable reforming and reorganising them.

- (d) The Comunidade still plays a useful — though limited — role in village life in as much as it discharges the responsibility of maintenance of bunds and other agricultural works.
- (e) The Comunidades cannot be placed in the same category as a private landlord in view of the semi public functions it performs and the fact that only about 10% to 15% of its income is appropriated for distribution as 'jono' or dividend among its components.

22. We have carefully considered the various suggestions made for the reform of the Comunidades and have the following recommendations to make:

- (1) We do not consider the present administrative control over the Comunidades is satisfactory. There is far too much centralization of authority and the approach to the problems of the Comunidades is inclined to be wooden and bureaucratic. There is hardly any effort made to organize the Comunidades into powerful institutions for augmenting agricultural productions. It seems to us that the only appropriate agency to supervise and control the Comunidades should be the Community Development Administration in each taluka. The Block Development Officer has a complement of trained men in agriculture, cooperation, village industries, bund maintenance etc. and if the Comunidades are placed directly under his control it should be possible for him to promote their development more effectively. We would, therefore, recommend that the Offices of the Special Administrators in Goa, Sakete and Bardez should be abolished and that their duties and functions as well as those performed by the Administrators in the other Concelhos should be transferred to the Block Development Officer. To maintain continuity some of the clerical staff in the Offices of the Administrator who are conversant with working of the Comunidades should also be transferred to the Office of the Block Development Officer.
- (2) At the village level we recommend that the present Board of management should be enlarged. At present it consists of three members of whom one is nominated by Government and the other two are selected by the members of the Comunidades. This Board does not have any representative of the cultivators even in an advisory capacity. We suggest that the Committee of Management should consist of not more than 9 members of whom 5 should be elected by the resident members of the Comunidades,

one should be elected by the tenants, and the other three should be the Sar Panch of the village Panchayat, the Secretary of the village Panchayat and the Gram Sevak. The President should be elected by the members representing the Comunidade. The main functions of this Committee would be: —

- (a) to draw up a plan for production and ensure that the programme of preparatory works as laid down in the Calculd Register is properly executed and also such other directions designed to increase production as may be issued by the Block Development Officer.
 - (b) to assist the cooperative society in the supply of seed and fertilisers to the cultivators.
 - (c) to make available on loan agricultural implements and organize on a planned basis ploughing of lands with tractors.
 - (d) to maintain and repair bunds, sluice gates, etc., in consultation with the Block Development Officer.
 - (e) to induce tenants to cultivate jointly lands in blocks of a suitable size so as to reduce the expenditure on account of labour, hire of bullocks etc.
- (3) The finances of the Comunidades have already been adversely affected as a result of the rent regulation measures taken after liberation. With the further reduction of rent proposed the income of the Comunidade will drop still further and the majority of them will not be able to meet their commitments. The solution of this problem lies in bringing about a reduction in the expenditure of the Comunidades and this we recommend should be done as follows:
- (a) The Comunidades should avail themselves of the present scheme under which Government gives a subsidy of 50% towards the cost of repair or construction of bunds. We have suggested that other agricultural works e. g. sluice gates, desilting, drainage, irrigation channels and wells etc., should also be brought within the purview of the Scheme. In other words, Government should provide adequate funds to meet its share of the cost of agricultural works now wholly borne by the Comunidades.
 - (b) The share of the expenses of the administration at the Concelho level which is now borne by the Comunidade will no longer devolve on them in view of our recommendation

that the duties and functions of the Administrators should be transferred to the Block Development Officer.

(c) We also recommend that Government should bear at least 50 per cent of the expenditure incurred on the salary of the *Escrivão*. There is ample justification for this in view of our recommendation in Chapter II that the *Escrivão* should become the talathi for the entire village lands and not as at present for the lands of the *Comunidades* only. This seems the most economical arrangement as Government would in any case have to appoint a village revenue officer to maintain the land records. In fact in due course it will be necessary for Government to take over the entire cadre of *Escrivães*. We should also like to suggest that Government should explore the possibility of utilising the services of the *Escrivão* as Secretary of the Village Panchayat. The latter official has hardly full time work at present and it does seem wasteful that Government should incur avoidable expenditure on this account. In case the *Escrivão* takes on these additional duties it may be necessary to adjust the size of his charge or where it is too large to give him assistance by the appointment of a junior talathi.

(d) We are at the same time concerned that the reduction in the expenditure as a result of the adoption of the measures at (iii) (a), (b) & (c) above does not result in an undue enhancement of the «Jono» or dividend. We would, therefore, recommend that jono or dividend to be distributed in future should not exceed the average of the jono or dividend distributed during the quinquennium 1958 to 1962. In other words the net surplus for the year which remains after the *Comunidade* has met all its commitments should be given either to the Village Panchayat or put into a fund for effecting agricultural improvements or giving assistance to cultivators.

(4) The result of the measures which we have recommended above should be watched for some time. Meanwhile, attempts should be made to organise the tillers of the soil and the resident *Gaocares* into co-operative farming societies. We suggest the inclusion of the latter, many of whom are cultivators, not only because of their hereditary and sentimental attachment to the land but also as they can provide the managerial and other services required for running the society. We also recommend the suggestion

that has been made that non-resident Gaocares may, if they so wish, be admitted as nominal or honorary members so as to preserve their traditional link with the village.

One of our members made the suggestion that the lands belonging to the Comunidade should be vested, as inalienable and public property, in the village as a whole, as represented by the village panchayat which may make over the management of the lands to the cooperative society or any other suitable body. The other members of the Commission felt that the better solution would be to make over the lands to a cooperative farming society.

Service Cooperative Societies have already been established in most of the villages and if their membership is gradually enlarged to encompass all the tenants in the village as well as the resident Gaocares, we feel that such a Society could, if its performance is satisfactory, be converted in due course into a co-operative farming society managing the lands of the village under a system of joint cultivation. Such a society would initially take on lease all the lands of the Comunidade and at a later date, the question of acquiring ownership of these lands could be pursued. This would undoubtedly involve the payment of compensation and tentatively we would suggest that such compensation should be based on 20 times the average jono or dividend paid during the quinquennium 1958 to 1962. Though the face value of the share (acçao) is Rs. 20, many of the share-holders have paid very much more for their shares. It may be hard on them to be compensated only on the face value of the share, at the same time they cannot expect to be compensated with reference to speculative price they may have paid on the basis of dividends which were inflated during and after the last war on account of the high price of food grains. Moreover if the status quo is maintained and rent further regulated the jono or dividend they would be receiving in future may be nil or a negligible figure. Taking all these factors into consideration we consider the basis for compensation suggested by us to be reasonable and equitable.

23. We have assumed that the above recommendations relating to Comunidades could be implemented by suitable amendments of the Code of Comunidades. It should also be possible for Government to issue directions to carry out some of the recommendations. Before changes in the Code are made or other orders framed, every attempt should be made

to consult the representative body of the Comunidades and obtain their concurrence. We hope that the Comunidades will move with the changing times and in view of the financial relief now proposed to be given to them, extend their full cooperation in implementing the measures that we have suggested.

(v) *Prevention of fragmentation and consolidation of holdings:*

24. In Chapter II we have briefly referred to the fact that land in Goa is much fragmented though it is difficult to assess the extent of this evil. In the absence of survey records showing the present size of plots under cultivation it would be difficult to enforce legislation to prevent fragmentation. We suggest however that provisions on the lines of the Bombay Prevention of Fragmentation & Consolidation of Holdings Act 1947, may be made in a suitable enactment. The Bombay Act provides for determining a 'standard area' with reference to different regions. The 'Standard area' is a plot of size below which profitable cultivation would not be possible. All plots below the 'Standard area' are declared fragments and entered in the village records. A transfer (other than lease) of a fragment cannot be made except to the owner of a contiguous land. Similarly no plot of land which is equal to or larger than a standard area can be transferred or partitioned so as to create a fragment. On the whole we are of the opinion that the problem of fragmentation may be tackled after a year or two when the village Record of Rights is maintained and a proper machinery for enforcement of laws relating to land is established. Under the Code of Comunidade, there is a provision placing limits on the area which a lessee may hold. These limits were fixed without reference to the concept of an economic holding or even a holding in which cultivation could be profitably done. We would suggest that when in future any tenancy is terminated, the lands so released should be offered to the tenant of an adjoining plot of land.

(vi) *The Survey and assessment of agricultural lands and maintenance of record of rights in land:*

25. We have already made our recommendations in respect of this item in Chapter II. We would only refer to the land tax which we have described in the same Chapter. We have pointed out how the incidence of land tax differs in the case of Comunidade lands where it is as high as 18 per cent and private lands where it is as low as 5% to 6%. We see no justification for this differentiation and would recommend that the incidence of the tax should be more or less uniform on all lands after taking into account their productivity which is the present basis on which

the tax is fixed. It will be possible however to make this review and amend the existing legislation on this subject only after the village record of rights is established as we would then have up-to-date information regarding the present owners and tenants and also the gross produce of each plot of land. In determining the tax a number of considerations would have to be taken into account particularly its relation to the net profits of agriculture and also the necessity of ensuring that it yields sufficient revenue to cover a substantial portion of the cost of land and tenancy law administration.

26. We may refer here to the existence of the large area of culturable waste land the extent of which has been indicated in Chapter III. Much of this waste land is situated in the north of Goa and we would recommend that Government should appoint a Special Officer to survey all such waste land with a view to explore the possibilities of cultivating it with either tree or agricultural crops or setting it apart for afforestation schemes. We consider that there is much land which is very suitable for cashew cultivation. We would also invite the attention of Government to the fact that many of the lands leased by it under Concessao Provisoria or Aforamento have been neglected or are not cultivated at present. Government should examine whether such lands should not be resumed and allotted to landless persons and also investigate the reasons why the lessees have not been able to cultivate the lands properly.

27. We would like to make it clear that the recommendations in this Chapter apply to lands with agricultural crops, *i. e.* paddy, inferior millets, sugar cane, *etc.* and not to lands with tree crops *i. e.* coconut, cashew, fruit trees, *etc.* Our enquiries have revealed that coconut, cashew and fruit plantations are generally not given out on a tenancy basis. As regards arecanut gardens we have not been able to collect adequate data and would suggest that these gardens may be the subject of a separate investigation.

28. This brings to a conclusion our recommendations on the matters contained in our Terms of Reference. We may now proceed to suggest the broad pattern which should be adopted for the purposes of preparing the necessary legislation. In Chapter II we have pointed out that there is no specific land law governing the rights of owners and tenants, payment and recoveries of rent, encroachments and land disputes generally. At present owners and tenants can establish their rights only through the ordinary process of the civil law and such litigation is inevitably long drawn and expensive. The result is that both owners and tenants are without any speedy remedy. The immediate need therefore is for

a comprehensive land law and also a tenancy law to regulate the relations between owner and tenant. We would suggest that the most expeditious way of preparing the necessary draft legislation would be to adopt as a pattern the Bombay Land Revenue Code (Bombay Act V of 1879) and the Bombay Tenancy and Agricultural Lands Act of 1948 (Bombay Act No. LXVII of 1948 as amended to 1954). The latter Act has been further amended upto 1962 but the present Act as it obtains in Maharashtra is a very advanced piece of legislation and it would be inappropriate to apply it to Goa where in the first phase of legislation only certain limited objectives of land reform as covered in our Terms of Reference are to be provided for. The proposed legislation would have to be suitably adapted to conditions in Goa and take into account any existing laws.

29. As we have remarked earlier in this Report mere legislation would be ineffectual unless there are proper enforcement agencies and a well-gearred machinery to administer land and tenancy laws. At present such machinery does not exist either at the village or Concelho level. The Concelho Administrators even when they are called upon to intervene in land matters do so without any legal sanction and only by using their «good Offices». In other States the trend is to avoid a multiplicity of agencies at the village and taluka levels and to integrate the performance of revenue and developmental services in the same set of Officials. Bearing this in mind we have the following recommendations to make:

- (a) at the village level we have already proposed that the Es-crivão should be the Talathi for all the lands of the village. The question of appointing him as Secretary of the village panchayat and making him function, after some training, as the village gram sevak may also be pursued.
- (b) At the concelho level we suggest that the Block Development Officer should be also the Officer who deals with land and tenancy matters much in the same way as the Mamlat-dar operates in the revenue administration of adjoining States. Many of the present Block Development Officers have revenue experience and we suggest that the others should be replaced by Officers who have such experience. The question of appointing Block Development Officers from among the Special Comunidade Administrators may also be examined. The legislation we have proposed should provide for investing the Block Development Officer, with necessary powers to administer the land and tenancy laws,

decide disputes relating to land, fixation and recovery of rent, rights of tenants, etc.

At the District level there should be a Director of Land Administration to supervise and control the work of the Block Development Officers in respect of land and tenancy matters. We would also recommend the constitution of an Agricultural Lands Tribunal on the lines of sections 67-69 of the Bombay Tenancy and Agricultural Lands Act of 1948.

30. With a view to the speedy implementation of land reforms and the drafting of the necessary legislation we recommend that Government should set up immediately a Land Reforms section to be manned by three Officers, one of whom should have experience of land reforms and tenancy legislation in an adjoining State, one should be an Officer fully conversant with the local laws and the third Officer should be one who has been associated with the administration of the Comunidades for some time. This section would be responsible for the detailed implementation of such of our recommendations as may be accepted by Government and in particular to coordinate the work of the different departments who are concerned in one way or another with matters relating to land.

31. It was not possible for us to submit this Report earlier or to make interim recommendations as desired by Government in para 4 of the Notification appointing the Commission. We have already explained how our task was rendered difficult on account of the inadequacy of land records and other relevant statistics. The agrarian system of Goa also has peculiar features which required careful study. In making our recommendations we have kept in view all the conflicting interests concerned and have suggested a programme of land reform which, if properly implemented, should bring security and appreciable relief to the tillers of the soil, afford an opportunity to the Comunidades to play a constructive role in the agricultural economy of Goa and help in attaining the main objective of increased agricultural production.

32. It only remains for us to place on record our appreciation of the cooperation we have received from all the departments. We would particularly like to mention the valuable assistance rendered by Shri S. A. Nadkarni, Director of Civil Administration, Shri Prabhakar Kamat, Director of Industries, Mines and Land Survey, Shri K. G. Kholatkar, Director of Agriculture, Dr. Y. M. Karapurkar, Deputy Director of Agriculture, Shri Carmo de Noronha, Director of Fazenda, Shri Maximo Menezes,

Administrator of the Comunidades of Goa Taluka, Shri J. Almeida,
Director of Statistics and Shri A. da Costa, Engineer, Administration of
Comunidades, Goa.

Sd.) *A. L. Dias*
CHAIRMAN

Sd.) *Madhav Bir*
MEMBER

Sd.) *Antonio Furtado*
MEMBER

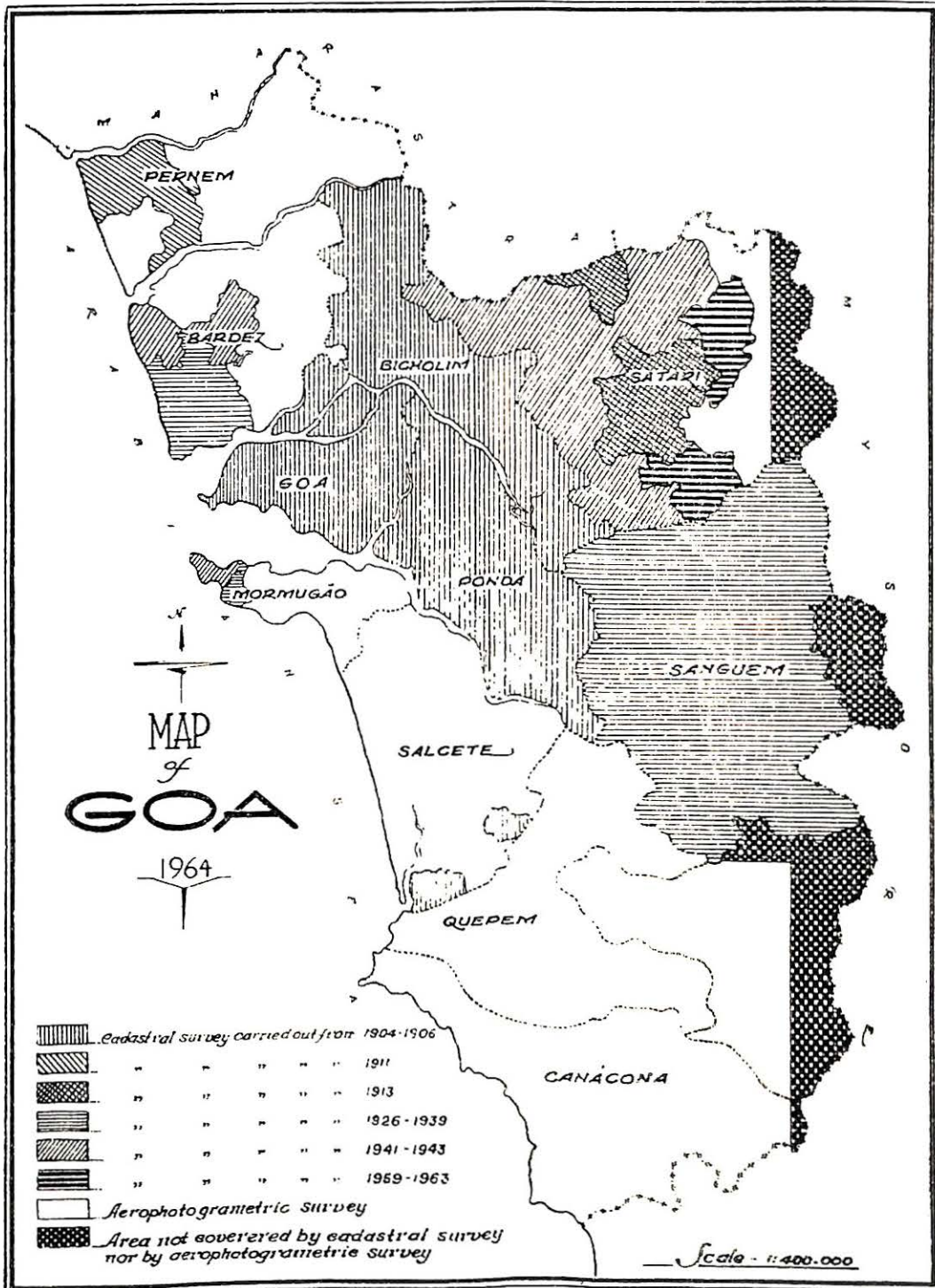
Sd.) *Nicolau Menezes*
MEMBER

Sd.) *Narayan Naik*
MEMBER

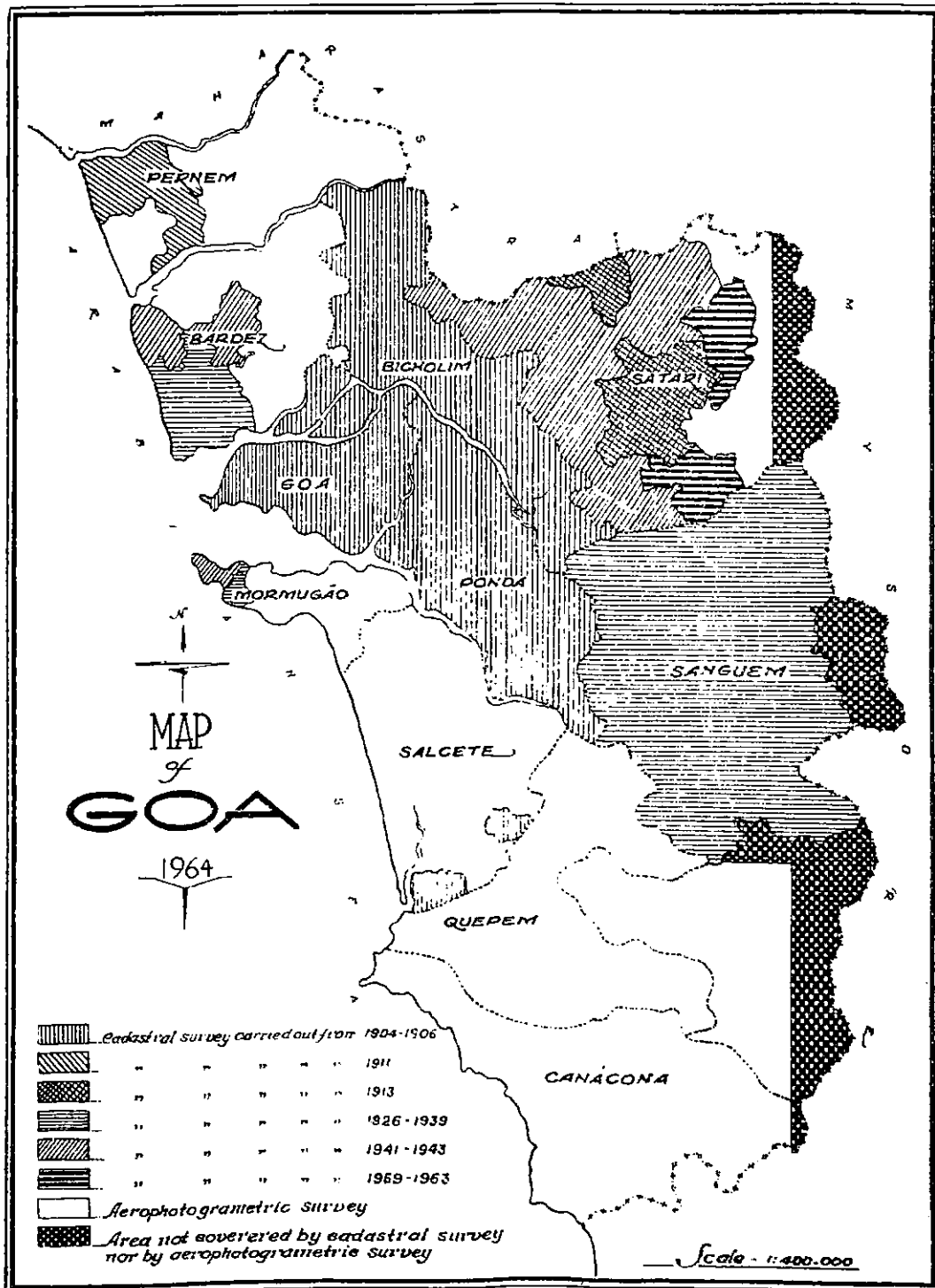
Sd.) *Gopal Appa Kamat*
MEMBER

Sd.) *A. F. Couto*
MEMBER SECRETARY

APPENDICES



SOURCE : DIRECTORATE OF INDUSTRIES AND MINES AND LAND SURVEY



SOURCE : DIRECTORATE OF INDUSTRIES AND MINES AND LAND SURVEY

	Sugar cane		Fruit trees flower gardens and vegetables		Bamboo		Forest	
	11	%	12	%	13	%	14	%
To	69.7104	0.019	7144.6720	1.979	580.2590	0.161	105294.8091	29.158
Goa ...	0.7075	0.004	429.9176	2.588	143.5055	0.864	-	-
Salcet:	-	-	832.7378	3.000	-	-	-	-
Barde:	0.2229	0.001	2226.9850	8.411	29.5179	0.111	-	-
Mormi	-	-	52.2810	0.668	-	-	-	-
Pondá	2.2461	0.009	693.4343	1.051	348.5148	1.381	2931.1395	11.618
Bichol	4.3715	0.018	534.1590	2.260	44.7037	0.190	715.2409	3.026
Pernéi	-	-	132.5493	0.549	-	-	1319.1200	5.450
Quepé	0.9250	0.004	1024.7703	2.950	-	-	11678.9576	33.622
Sangu	47.2187	0.053	439.4677	0.498	10.2064	0.013	50070.2152	56.472
Canác	2.5008	0.008	265.1477	1.997	-	-	14327.7656	41.242
Satari	11.5179	0.023	513.2223	1.001	3.8075	0.007	24252.3703	47.290

TABLE 4
Distribution of Holdings by Size-groups
(Bicholim Taluka)

Size of Plot	No. of Holdings	Percentage	Area covered by the holdings in hectares	Percentage
Less than 0.1 ha.....	2,243	26.61	107.7	0.45
Between 0.1 — 2	4,859	57.64	1,559.5	10.76
" 2 — 4	535	6.35	1,486.4	6.25
" 4 — 20	659	7.82	5,495.3	23.09
" 20 — 100	105	1.24	4,006.2	16.84
Above 100	29	0.34	10,137.5	42.61
Total	8,430	100	23,792.8	100.00
Streets, rivers etc			391.1	
Total area			24,183.9	100.00

Source: — Report of the Agricultural Mission 1958.

Note: — The total area of the taluka given in this Table is approximate. The area as surveyed is given in Table 2.

TABLE 5
Distribution of Holdings by Size-groups
(Ponda Taluka)

Size of Plot	No. of Plots	Percentage	Area covered by the plot in hectares	Percentage
Less than 0.1 ha.	2,161	25.92	84.5	0.34
Between..... 0.1 — 2	4,604	55.22	2,713.2	10.92
" 2 — 4	710	8.52	2,064.2	8.31
" 4 — 20	679	8.14	5,345.2	21.51
" 20 — 100	145	1.74	5,835.3	23.048
Above 100	38	0.46	8,806.6	35.44
Total	3,337	100.00	24,849.1	100.00
Streets, rivers, etc.....			379.3	
Total area			25,228.5	

Source: — Report of the Agricultural Mission 1958.

TABLE 6
Distribution of Holdings by Size-groups
(Goa Taluka)

Size of Plot	No. of plots	Percentage	Area covered by the plots in hectares	Percentage
Less than 1 Ha	3,342	34.99	158.28	1.07
» 1— 2	5,246	54.92	2,748.30	18.66
» 2— 4	427	4.47	1,239.54	8.42
» 4— 20	419	4.38	3,624.25	24.60
» 20— 100	104	1.09	4,526.00	30.73
Above 100	14	0.15	2,432.54	16.52
<i>Total</i>	9,552	100.00	14,728.95	100.00
Streets, houses, rivers, etc.			405.26	
<i>Total Area</i>			15,134.22	

Source: — Report of the Agricultural Mission 1958.

Note: — The total area of the taluka given in this Table is approximate. The area as surveyed is given in Table 2.

TABLE 7
Maximum and minimum area of Units of Cultivation in the different talukas

Talukas	Unit of cultivation in hectares		
	Maximum	Minimum	Average
Coastal track:			
Bardez	1.0	0.2	0.4
Goa	3.0	0.2	0.5
Mormugão	5.0	0.4	0.6
Salcete	10.0	0.4	0.8
Interior track:			
Pernem	1.0	0.2	0.5
Bicholim	1.0	0.2	0.4
Satari	1.0	0.2	0.4
Ponda	3.0	0.3	0.5
Sanguem	3.0	0.2	0.4
Quepem	2.0	0.2	0.6
Canacona	3.0	0.2	0.4

Source: — Report of the Agricultural Mission 1958.

TABLE 8

Area in hectares of the paddy fields, and other properties of the Comunidades of the district of Goa

Concelho	Paddy fields		Total area of fields	Coconut plantations	Cashew plantations	Others	Total
	Khariff	Rabi					
Goa	3567,8949	363,9136	3569,4348	23,3505	1202,1208	488,1150	5283,0211
Salcete	4860,5300	1143,3660	5206,9601	13,7682	63,7900	1879,7770	7164,2953
Bardez	3525,1511	513,1677	3764,3551	63,1654	3439,8984	2755,6214	10023,0403
Ponda	728,7045	299,1096	742,7055	1,7832	71,3700	7179,6805	7995,5392
Quepem	66,9500	23,4000	195,3000	-	-	5,3500	200,6500
Mormugão	546,3326	155,5734	607,1982	2,2685	-	1971,2691	2580,7358
Pernem	-	-	-	-	-	-	1334,8707
Canacona	42,0233	29,9824	42,1998	-	-	-	42,1998
Sanguem	12,9000	102,2690	90,2650	-	-	50,1550	140,4200
Bicholim	426,3603	114,3041	549,2014	2,1636	89,4808	2377,8948	3018,7406

Note: a) The area under Rabi includes area which is cultivated in Khariff season.

b) The area of the two Comunidade of Satari, viz Gangem and Pissurlem are included in that of Bicholim as they come under the jurisdiction of that Concelho.

TABLE 9

Talukas	No. of Comunidades	No. of Gaocares	No. of Culacharins	No. of Shareholders	No. of Shares
Goa	31	5 585	1 218	1,657	38,300
Salcete	40	3 201	Nil	8,618	2,58,300
Bardez	39	21 606	1 271	4,141	31,600
Ponda	28	673	157	1,559	52,100
Mormugão	14	492	36	1,557	21,300
Bicholim	23	1 258	Nil	Nil	Nil
Quepem	24	Nil	Nil	Nil	Nil
Pernem *	12	359	Nil	Nil	Nil
Canacona	7	133	Nil	Nil	Nil
Sanguem	7	119	Nil	Nil	Nil

* All the Comunidades of this Taluka are Comissas and there is no registration of the components.

TABLE 10

Data regarding the Gaocares and share-holders of the Comunidades, with respect to their residence, reported for the year 1962

Talukas	Gaocares			Total	Share-holders			Total
	Residing in the village	Residing out-side the village but in Goa	Residing out-side Goa		Residing in the village	Residing out-side the village but in Goa	Residing out-side Goa	
Goa	2 663	2 214	1 896	6 773	344	1 223	43	1 609
Salcete	1 390	781	910	3 081	2 898	3 364	114	6 376
Bardez	11 920	6 306	4 949	23 175	2 102	1 750	276	4 128
Mormugão	182	241	103	526	453	1 043	19	1 515
Ponda	406	206	138	750	795	736	32	1 563
Quepem	349	26	7	382	-	-	-	-
Bicholim	1 128	170	32	1 330	-	-	-	-
Sanguem	112	25	-	137	-	-	-	-
Canacona	65	58	10	133	-	-	-	-
Pernem	-	-	-	-	-	-	-	-
<i>Total</i>	18 215	10 027	8 045	36 287	6 592	8 116	483	15 191

penditure						Net Income		
plies (average of 5 years)	Contribution to Local Bodies		Land Tax		Total Expenditure		1961	1962
	1961	1962	1961	1962	1961	1962		
44.98	293.00	489.40	5891.67	5891.66	32262.87	16753.31	5567.77	7644.87
844.97	214.87	222.53	3053.29	1804.72	12024.25	7812.14	2898.23	3243.71
806.50	2049.50	2151.75	13433.90	13760.72	28663.16	36441.54	40990.22	28976.85
195.15	3074.10	1803.90	15142.30	16541.43	55495.04	60232.46	37055.87	17786.51
63.16	1.72	7.00	579.47	417.00	11891.87	6105.72	34.30	deficit
751.15	2183.34	4336.63	49397.00	29960.34	251849.52	187334.26	83080.03	48613.98
82.62	74.52	59.29	392.98	390.00	1810.50	1747.20	1345.28	976.70
074.05	25.28	3.83	18633.78	8685.00	258453.60	87163.77	505.95	deficit
244.19	-	95.44	4802.79	5519.02	29029.24	25929.18	-	deficit
509.08	171.29	444.06	2885.68	2614.03	6014.20	6374.66	3256.44	2659.99
453.98	229.57	216.73	3581.81	2518.27	10426.75	9450.64	4606.92	757.87
60.66	218.50	144.05	800.52	1412.89	9676.37	14674.87	4370.03	deficit
150.00	236.11	190.00	6933.95	3346.00	30318.27	25771.87	4724.28	1839.71
049.03	1571.58	1551.00	13476.79	13048.00	29137.11	32092.79	29860.11	14112.26
19.11	-	23.80	197.74	43.16	659.12	368.75	159.50	452.37
316.68	317.05	12.87	6937.05	5439.00	35989.49	52028.34	6023.65	deficit
465.69	20.94	37.00	8778.34	10468.32	22831.69	54108.38	398.75	deficit
072.19	1114.37	-	7110.33	5081.00	47602.08	45910.41	21303.29	deficit
40.00	141.00	105.95	827.00	827.00	3317.78	2930.01	2680.62	1636.43
269.50	239.83	262.00	1435.75	1500.00	2825.58	3717.84	4357.47	2064.30
541.81	585.60	589.25	8788.62	6263.00	30358.62	36490.25	11126.50	6877.30
077.78	183.30	744.05	8000.00	6331.50	45134.45	27507.60	3480.18	8253.41
401.48	1209.21	638.12	7664.08	7194.00	20368.48	21983.51	23517.27	4864.25
101.57	92.16	-	594.83	758.00	9821.10	6649.41	1753.74	deficit
244.36	959.77	21.19	11332.42	11935.00	62689.49	65674.75	18235.34	deficit
801.66	1360.22	1276.48	24168.10	23800.00	175047.66	144346.77	27204.20	deficit
347.62	168.80	10.54	458.28	962.00	4462.31	5676.06	2414.47	deficit
23.75	1.14	-	33.00	30.00	414.05	227.54	22.97	deficit
224.90	143.06	75.96	1200.00	970.17	4080.85	4453.05	2731.16	1302.23
321.84	475.44	99.99	2382.46	805.33	11717.76	854.24	5389.72	1983.47
1074.85	94.00	675.40	10124.83	11876.24	19757.79	31761.24	2322.18	922.23
755.57	536.67	318.06	5105.50	3000.00	12520.69	11667.55	9606.00	4703.87
-	973.60	968.30	8015.50	7450.00	21006.02	15252.39	15876.02	17665.89
-	111.15	-	8333.33	8333.34	35538.68	33138.00	2222.31	-
764.00	2768.21	2090.70	18033.92	19184.00	56094.41	43954.69	49333.33	29175.60
188.51	1035.00	878.00	7194.00	5661.65	21451.00	17973.88	19.674.00	13602.14
466.03	402.67	278.26	2583.21	2391.00	11904.86	878.16	7246.92	3978.98
966.00	-	106.08	3122.60	1336.00	28213.80	19453.14	-	7426.63
50.51	28.16	29.00	286.06	100.00	2083.67	1267.78	563.26	114.85
542.50	1091.25	604.84	6650.49	5488.00	27942.53	20068.41	18900.00	9003.94
354.30	270.00	236.00	1391.07	1839.87	10080.95	8031.43	5407.19	2770.35
115.18	591.46	507.00	5173.46	5538.76	19627.42	17513.34	11834.47	7769.89
361.13	136.41	115.38	2298.60	2279.88	11436.13	11005.89	2728.83	2224.99
232.64	1326.98	1299.00	7333.33	8200.00	31899.12	23609.77	26530.89	18075.90

TABLE 12

Statement giving «Jono» and dividend for 58-61 (Avg) and for 1962

Name of the Comunidade	Average for the years 1958-1961			1962		
	Jono of gaocar	Jono of culacharim	Divi- dend of share	Jono of gaocar	Jono of culacharim	Divi- dend of share
Goa Concelho						
Azossim	71.52	31.15	1.11	82.28	37.24	1.33
Bambolim	78.94	27.59	6.56	58.40	18.12	4.15
Batim	(196.28)	184.42	6.28	(192.88)	181.40	6.34
Calapor	40.23	13.41	4.31	17.58	5.86	1.89
Caraim	10.19	-	-	Nil	-	-
Carambolim	(222.03)	-	1.69	201.23	-	1.53
Chimbel	98.84	-	-	71.00	-	-
Chorão	71.01	27.40	0.80	Nil	Nil	Nil
Corlim	19.50	-	0.72	Nil	-	Nil
Cujira	79.98	39.99	-	81.50	40.75	-
Curca	85.55	-	-	48.56	-	-
Elá	69.72	-	-	56.44	-	-
Gancim	-	645.20	1.80	-	142.80	0.40
Goa-Velha	-	-	9.51	-	-	6.85
Goalim-Moula	-	-	1.08	-	-	1.50
Goltim	31.55	15.78	0.81	Nil	Nil	Nil
Jua	2.86	-	0.58	Nil	-	Nil
Malar	46.96	26.42	133.93	Nil	Nil	Nil
Mandur	(199.45)	-	6.65	131.16	-	4.37
Mercurim	30.29	-	7.02	25.52	-	5.90
Morombim-o-Grande	(248.14)	-	-	(145.17)	-	-
Morombim-o-Pequeno	25.98	-	-	38.00	-	-
Murda	-	-	6.54	-	-	3.25
Naroa	86.19	-	35.06	Nil	-	Nil
Navelim	83.36	83.36	5.20	Nil	Nil	Nil
Neura-o-Grande	(130.89)	-	2.35	(76.00)	-	1.25
Neura-o-Pequeno	23.87	23.87	-	Nil	Nil	-
Passo-de-Ambarim	1.35	-	-	Nil	-	-
Renovadim	-	-	3.75	-	-	1.25
Talaulim de Santana	26.54	-	2.51	2.25	-	1.00
Taleigão	78.42	62.30	9.26	36.21	24.96	4.16
Salcete Concelho						
Aquem	-	-	4.78	-	-	2.25
Ambelim	-	-	1.35	-	-	1.00
Assolnã	-	-	0.89	-	-	-
Benaulim	4.37	-	4.32	2.70	-	3.10
Bejalbatim	-	-	4.33	-	-	2.50
Calata	-	-	6.00	-	-	3.75
Camorlim	8.98	-	1.28	Nil	-	Nil
Cana	-	-	6.75	-	-	5.00
Carmonã	-	-	3.12	-	-	1.50
Carvelossim	1.93	-	5.16	1.65	-	4.50
Cavorim	7.67	-	3.19	-	-	2.50
Chandor	-	-	1.06	-	-	0.75
Chinchinim	-	-	3.56	-	-	3.50
Colvá	-	-	3.01	-	-	2.50
Curtorim	30.42	28.43	2.76	4.40	4.12	0.40
Davorim	-	-	2.87	-	-	1.75

Statement giving «Jono» and dividend for 58-61 (Avg) and for 1962 (cont.)

Name of the Comunidade	Average for the years 1958-1961			1962		
	Jono of gaocar	Jono of culacharim	Divi- dend of share	Jono of gaocar	Jono of culacharim	Divi- dend of share
Deussua	-	-	5.71	-	-	3.25
Discarpale	-	-	6.12	-	-	3.00
Dancolim	-	-	4.37	-	-	2.50
Dramapur	-	-	3.58	-	-	2.25
Gandaulim	-	-	20.01	-	-	1.50
Gansua	-	-	1.75	-	-	1.45
Guárdolim	-	-	2.00	-	-	-
Loutulim	12.73	-	1.23	66.8	-	0.65
Macasana	-	-	3.12	-	-	1.00
Majorda	-	-	5.21	-	-	3.75
Margão	-	-	3.40	-	-	2.00
Orlim	-	-	-	-	-	-
Nagoa	40.00	-	4.00	15.00	-	1.50
Raia	50.00	-	1.75	35.00	-	1.25
Sarzora	-	-	4.94	-	-	3.00
Seraulim	-	-	4.08	-	-	1.50
Sernabatim	-	-	3.44	-	-	-
Sirlim	-	-	3.16	-	-	1.50
Telaulim	-	-	3.62	-	-	3.50
Utordá	-	-	4.75	-	-	3.00
Vanelim	-	-	1.83	-	-	2.00
Varca	-	-	2.25	-	-	1.75
Verna	15.85	-	5.12	5.40	-	3.15
Velim	-	-	1.13	-	-	1.50
Bardez Concelho						
Aldonã	5.78	5.78	-	-	-	-
Anjuna	15.09	-	-	12.5	12.5	-
Arporá	-	-	2.54	Nil	-	Nil
Assagão	4.91	-	9.99	-	-	Nil
Assonorá	20.26	-	3.21	2.85	-	8.00
Bastorá	14.99	-	-	6.00	-	3.06
Boa-Esperança	7.55	-	-	Nil	-	-
Calangute	-	-	-	Nil	-	-
Camorlim	-	-	13.21	-	-	13.35
Canca	1.06	-	2.79	17.90	-	Nil
Candolim	32.56	-	1.61	Nil	-	Nil
Colvale	-	-	4.71	-	-	0.89
Corlim	8.39	-	-	7.25	-	-
Cunchelim	-	-	2.21	-	-	Nil
Guirim	-	-	14.33	-	-	9.64
Mapuçá	9.94	-	-	Nil	-	-
Marna	7.80	-	-	Nil	-	-
Marrá	24.30	-	-	0.30	-	-
Moirá	8.96	-	3.01	-	-	1.36
Nachinolá	18.86	9.02	-	1.50	-	-
Nadorá	4.14	-	-	3.3	1.65	-
Nagoa	-	-	-	2.25	-	-
Nerul	-	-	4.75	-	-	3.20
Olaulim	-	-	3.02	-	-	Nil
Oxel	6.31	-	-	-	-	-
Paliem	193.08	-	-	Nil	-	-
Parrá	-	-	3.94	Nil	-	-
	29.26	-	-	8.20	-	2.00

Statement giving «Jono» and dividend for 58-61 (Avg) and for 1962 (cont.)

Name of the Comunidade	Average for the years 1958-1961			1962		
	Jono of gaocar	Jono of culacharim	Dividend of share	Jono of gaocar	Jono of culacharim	Dividend of share
Pillerne	15.74	15.52	-	7.11	6.90	-
Pirna	45.48	-	-	29.00	-	-
Pomburpá	-	-	2.84	-	-	1.00
Punolá	20.11	20.12	-	4.50	4.50	-
Revorá	46.23	-	-	4.90	-	-
Salgão	10.85	-	-	0.26	-	-
Sangoldá	19.54	-	0.67	7.38	-	0.25
Siolim	-	-	5.16	-	-	Nil
Sircalm	3.52	-	-	Nil	-	-
Serulá	4.26	-	2.48	Nil	-	Nil
Tivim	9.84	-	-	2.08	-	-
Ucassaim	8.22	-	-	Nil	-	-
Veriá	27.95	-	1.52	7.50	-	0.40
Mormugão Concelho						
Arossim	-	-	3.00	-	-	1.25
Cansaulim	30.23	-	2.40	15.50	-	1.25
Chicalim	1.75	-	7.16	0.35	-	1.50
Chicolna	-	-	0.27	-	-	0.10
Cortalim	19.06	-	4.37	3.25	-	0.75
Cuelim	16.64	-	3.72	10.30	-	1.50
Dabolim	-	-	2.00	-	-	2.00
Issorcim	-	-	0.98	-	-	0.50
Mormugão	7.96	7.96	7.65	2.34	2.34	2.25
Pale	-	-	3.90	-	-	1.25
Queiossim	21.31	-	2.77	3.33	-	0.36
Sancoale	-	-	3.50	-	-	0.65
Vadém	-	-	4.41	-	-	4.00
Velção	-	-	9.25	-	-	4.00
Ponda Concelho						
Adcolna	-	-	2.36	-	-	1.20
Bandorá	52.43	-	-	16.00	-	-
Betorá	-	-	-	-	-	-
Betqui	-	-	0.69	-	-	Nil
Boma	-	-	1.96	-	-	1.00
Borim	4.29	-	-	3.38	-	-
Candeapar	-	-	-	-	-	-
Candola	-	-	1.54	-	-	1.08
Codar	-	-	0.65	-	-	Nil
Conxém	-	-	-	-	-	-
Cuncolem	-	-	0.45	-	-	0.20
Cundaím	-	-	3.50	-	-	1.50
Curti	-	-	-	-	-	-
Marcaim	-	-	3.12	-	-	3.00
Nirancal	-	-	-	-	-	-
Orgão	-	-	4.94	-	-	2.50
Panchavadi	-	-	0.99	-	-	1.00
Priol	-	-	-	-	-	-
Querim	-	-	-	-	-	-
Queula	-	-	-	-	-	-
Sirodá	-	-	2.01	-	-	Nil

Statement giving «Jono» and dividend for 58-61 (Avg) and for 1962 (cont.)

Name of the Comunidade	Average for the years 1958-1961			1962		
	Jono of Gaocar	Jono of culacharim	Divi- dend of share	Jono of gaocar	Jono of culacharim	Divi- dend of share
Taulim	-	-	2.67	-	-	1.75
Tiurém	-	-	2.54	-	-	2.00
Vadi	-	-	-	-	-	-
Vagurbem	-	-	1.20	-	-	0.87
Velinga	-	-	1.62	-	-	Nil
Verem	6.98	-	-	Nil	-	-
Volvoi	-	-	1.04	-	-	Nil
Bicholim Concelho						
Advolpale	1 197.87 (vangor)	-	-	366.25 (vangor)	-	-
Amoná	-	-	-	-	-	-
Arvalem	43.12 (vangor)	-	-	19.00 (vangor)	-	-
Bordem	328.12	-	-	Nil	-	-
Bicholim	165.56 (vangor)	-	-	90.25 (vangor)	-	-
Cotombi	-	-	-	-	-	-
Cudnem	1 000.00 (vangor)	-	-	694.37 (vangor)	-	-
Dumaxem	5.00 (vangor)	-	-	Nil	-	-
Gangem	-	-	-	-	-	-
Latambarcem	18.45 (vangor)	-	-	Nil	-	-
Mencurem	-	-	-	60.00 (vangor)	-	-
Mulgão	-	-	-	-	-	-
Naroá	258.34 % de vangor	129.16 % de vangor	-	183.34 % de vangor	91.66 % de vangor	-
Navellim	2 656.25 (vangor)	-	-	2 308.75 (vangor)	-	-
Pale	321.55 (vangor)	-	-	Nil	-	-
Piligão	362.50 (vangor)	-	-	477.50 (vangor)	-	-
Pissurlem	-	-	-	-	-	-
Sarvona	370.13 (vangor)	-	-	Nil	-	-
Sirigão	563.07 (vangor)	-	-	Nil	-	-
Surla	322.96 % de vangor	64.54 % de vangor	-	548.95 % de vangor	109.78 % de vangor	-
Usgão	228.53 (vangor)	-	-	176.00 (vangor)	-	-
Vaingulmim	711.11 (vangor)	-	-	Nil	-	-
Velguem	-	-	-	-	-	-
Quepem Concelho						
Adnem	-	-	-	-	-	-
Ambaulim	-	-	-	-	-	-

Statement giving «Jono» and dividend for 58-61 (Avg) and for 1962

Name of the Comunidade	Average for the years 1958-1961			1962		
	Jono of gaocar	Jono of culacharim	Dividend of share	Jono of gaocar	Jono of culacharim	Dividend of share
Assoldá	5.97	-	-	Nil	-	-
Avedem	-	-	-	-	-	-
Bali	-	-	-	-	-	-
Cacorá	-	-	-	-	-	-
Cavorem	-	-	-	-	-	-
Chaifi	-	-	-	-	-	-
Chic-Xelvona	-	-	-	-	-	-
Cotombi	251.31	-	-	58.40	-	-
Curchorém	-	-	-	-	-	-
Cusmane	-	-	-	-	-	-
Fatorpá	-	-	-	-	-	-
Malcornem	34.25	-	-	Nil	-	-
Naqueri	-	-	-	-	-	-
Pirla	-	-	-	-	-	-
Provincia de Bali	-	-	-	-	-	-
Quedem	-	-	-	-	-	-
Quepém	-	-	-	-	-	-
Quitol	60.40 (vangor)	-	-	Nil	-	-
Sirvoi	-	-	-	-	-	-
Vodac	-	-	-	-	-	-
Xeldem	9.76	-	-	Nil	-	-
Xelvona	15.77	-	-	50.00	-	-
Sanguem Concelho						
Astagar	925.00 (vangor)	-	-	Nil	-	-
Colomba	562.50 2 vangores	-	-	Nil	-	-
Curdi	-	-	-	-	-	-
Netraulí	2 175.00 (vangor)	-	-	Nil	-	-
Jaqui-Nunem	-	-	-	-	-	-
Rivona	-	-	-	-	-	-
Canacona Concelho						
Canácona	-	-	-	-	-	-
Cola	125.35 (vangor)	-	-	Nil	-	-
Gaundongrem	-	-	-	-	-	-
Loliem	-	-	-	-	-	-
Nagorcem-Palolem	-	-	-	-	-	-
Poinguinim	-	-	-	-	-	-
Loliem-Polém	-	-	-	-	-	-