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**WORKING OF BOMBAY TENANCY ACT, 1948  
REPORT OF INVESTIGATION**

**BY**

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## FOREWORD

The following publication represents report of the second project undertaken by the Institute on behalf of the Research Programmes Committee of the Planning Commission. This publication together with the report on the Resurvey of Poona recently published by the Institute should serve to underline the significance of the work initiated by the Research Programmes Committee of the Planning Commission for economic planning and policy in India.

Possibly the most striking impression conveyed by a reading of this report would be that of the many difficulties attendant on planning and carrying out an investigation in India, for assessing effects of any important piece of legislation which attempts a wide measure of agro-economic reform. The difficulties pertain to the planning and conduct of investigations as well as to the interpretation of results. The account given in the present report of the alternative approaches, such as through choosing a sample of plots or of families and the problems met with in either approach bring out the difficulties involved in planning investigation.

In analysing the total data one has inevitably to proceed on the basis of a small number of broad groups or classes. This approach, though unavoidable is beset with dangers. It has been found necessary on many occasions to point out in the present report how, what appeared to be some general characteristic or trend relating to groups in the data may be found on closer examination to have been chiefly the result of a small number of apparently exceptional cases. Specially interesting in this connection is the finding that while in the aggregate no special change in the mode of tenancy during the five-year period studied was observable, an examination of cases of cash and kind tenancies by districts revealed, in particular cases, important and significant variations.

The large variety of conditions against which the data have to be interpreted are brought out in the descriptive account of the pattern of landlord-tenant relations in each district. The account is brief and necessarily ignores the variations within a district. Even so, it emphasizes how information relating to, say, level of rents must be related, for a proper understanding, to other important aspects of the landlord-tenant relations.

Regarding conduct of investigations, some special difficulties were met with in this investigation. This was because it concerned a problem which affected vitally interests of all rural classes and on

which opinions were apt to be strongly held. It is interesting in this connection to observe that there is found in the present report a distinct bias in the data, revealed in the reporting of even such an apparently straightforward item as the area of ownership holding.

The data presented in the report themselves reveal marked regional variations. In cases of data for individual districts especially where the number of cases reported was small it has been possible to isolate or indicate the effects of special circumstances. But where the data concerns fairly numerous groups of cases, even after allowing for changes which are apparent rather than real, the exact significance of many changes is not fully apparent. Take, for example, the conclusion, which appears well established, that whereas in Maharashtra districts above the *Ghats* the Act had little effect, it altered conditions of tenants especially in relation to the level of rents in the *Konkan* districts of Thana and Kolaba. The establishment of the result raises the problem of accounting for the differences. Everything points to the tenant in the *Konkan* being poorer and traditionally being much more subservient to the landlord than in the *Desh* districts of Maharashtra. It might be that in spite of the weaker position of the *Konkan* tenant the Act has been found to have greater effect in the *Konkan* because large numbers of *Konkani* landlords are absentee and habitually reside in towns and cities. On the contrary, it might be that in the *Desh* districts, as shown by the ability of landlords to obtain voluntary surrender of tenancy, the bulk of the landlord class is perhaps formed of the better to-do among the body of peasants themselves. Obviously, however, for a full explanation of these important differences, a study of social, economic and possibly even political circumstances may have to be made.

Publication of this report appears to take place at an opportune moment. The new Act, the provisions of which are briefly commented upon in the present report, is going to be brought into force soon. Lessons of the comparative failure of the old Act should prove of use in the administration of the new Act. In this connection, the view expressed in the light of the present investigation that, effective implementation of the new Act depends, in a large measure, on an early snapping of the connection between landlord and tenant is of special importance. The provisions of the Act do not hinder this and the provision of the necessary financial arrangements should not prove too difficult.

The report deals chiefly with conditions of tenancy; however, it throws considerable light on a number of other problems also. The detailed examination of the types of errors found in the village records should prove illuminating. At each stage of

this investigation it became clear that the availability of records regarding land rights and land use and covering all farmers in the countryside is of great importance for not only a definition of the problem but also for a full appreciation of the results. This is specially brought out in the situation as revealed because of the absence of proper records in the *khoti* villages. The report also throws up a number of interesting and sometimes unexpected facts. It is comforting to be assured that in recent years investment in agriculture on the part of all classes of agriculturists has distinctly increased, though, perhaps, the finding would not appear equally clear and large if full allowance is made for the rise of prices in 1950-51. A somewhat unexpected finding, on the other hand, is the large number of cases where tenants are supposed to have given up land because they were short of family labour. In the general context of considerable underemployment in rural areas this appears to be strange and would require further examination and explanation.

25th February, 1957.  
Gokhale Institute of  
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Poona 4.

D. R. GADGIL



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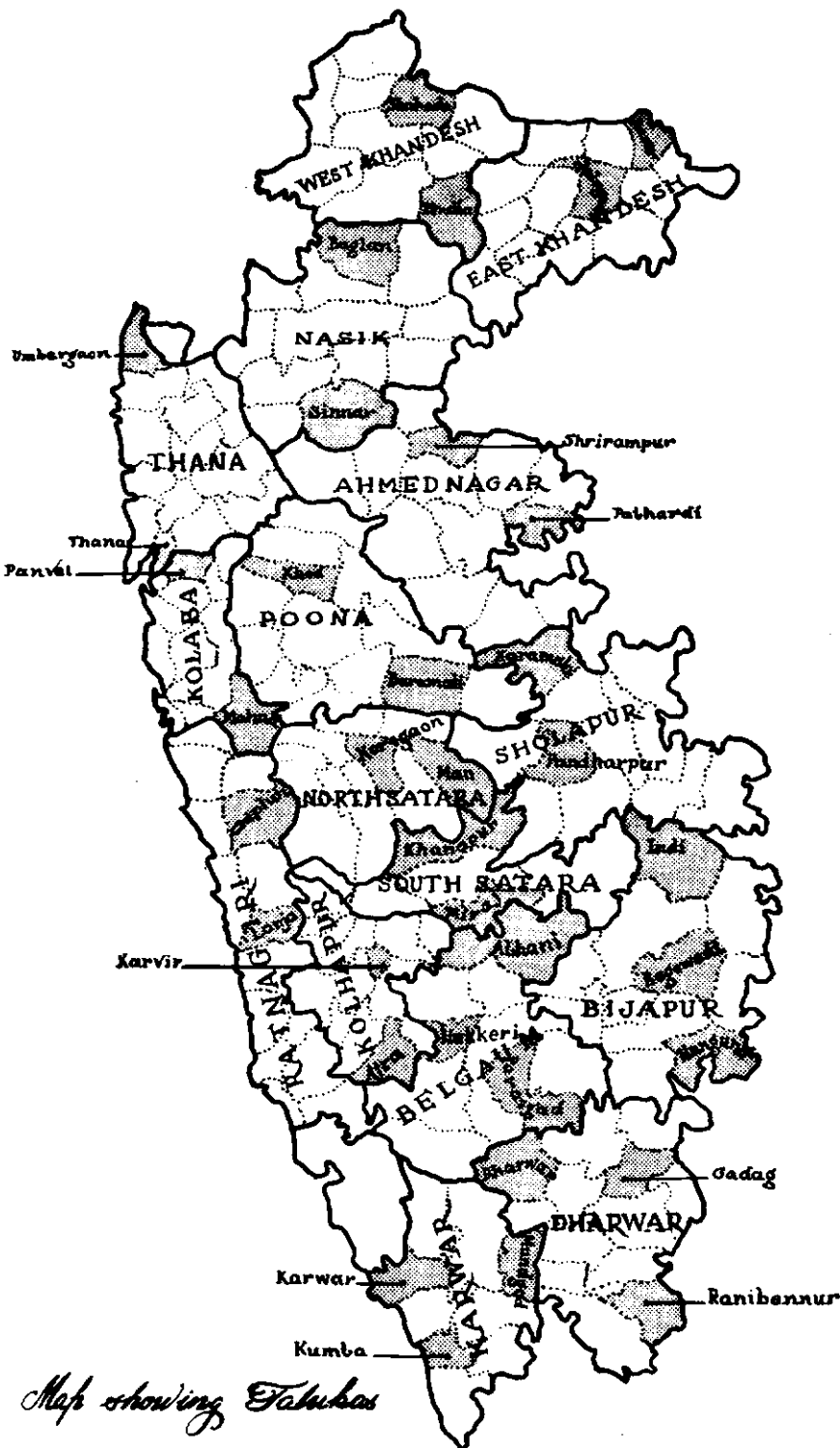
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# BOMBAY MAHARASHTRA- and KARNATAK DISTRICTS



*Map showing Talukas  
selected for investigation*



## CHAPTER I

### INTRODUCTORY

1.1 In May 1953, the Planning Commission, Government of India set up a Research Programmes Committee to work out and organise, in co-operation with universities and other institutions, a programme of co-ordinated research and investigations on selected problems of development. The Committee decided that, in the first instance, fresh investigations for which co-operation should be sought from the universities and other institutions should be confined to the following three categories :

- (a) Land Reforms, Co-operation, Farm Management;
- (b) Savings, Investment and Employment;
- (c) Problems relating to Regional Development.

The present Report relates to one of the investigations into Land Reforms promoted by the Research Programmes Committee and concerns the operative implementation of the Bombay Tenancy Act of 1948. Subject to the general supervision and control of the Research Programmes Committee, the entire responsibility of this investigation and report rests on the Gokhale Institute of Politics and Economics, Poona.

1.2 The Bombay Tenancy Act of 1948 was given effect to in December 1948. Thus by the end of May 1953, the Act had been in active operation for more than four revenue years. An investigation into the actual operative effects of the Act was therefore thought worthwhile. The investigation covers a period of five years : 1948-49 being the year immediately preceding the Act and 1949-53 being the four years of its active operation. The principal provisions of the Act related to the protection given to the tenants from eviction from land; certain restrictions on the transfer of agricultural lands and special provisions promoting its transfer into the hands of the cultivators; and finally regulation of rent. The main provisions of the Act in these respects are briefly outlined in Chapter II.

1.3 The investigation was confined to sixteen districts, being broadly the Maharashtra and Karnatak districts, of Bombay State. The investigation was done in a sample of 105 villages in these districts. The basis of a detailed investigation in these villages was a twofold sample; a sample of 11,945 plots and a sample of 2381 cultivators and landowners. The sample of plots was used to ascertain



the extent of changes in ownership and tenancy occurring during the five year period since the Act. Cases of changes either in ownership or tenancy so discovered were followed up by personal interviews with the parties concerned to ascertain the nature of the changes. For the purpose of studying the market in agricultural land, the cases of changes in ownership discovered from the sample of plots were supplemented by a number of sales of agricultural lands occurring during the five year period and registered in the offices of the sub-registrars. 1751 such additional sales were selected for study and were followed up by personal interviews of the parties concerned. The sample of cultivators and landowners was utilised mainly to ascertain the extent of expenditure on land improvements incurred on the owner-cultivated and the tenant-cultivated lands respectively. The sample was also used for a study of the prevailing share cropping practices. These particulars of the investigational procedure together with the sampling design and the questionnaire schedules used are given in Chapter III. The entire field investigation was done by the permanent field investigators of the Agricultural Economics Section of the Institute.

1.4 The data relating to the extent of changes in ownership and tenancy as arising out of the sample of plots are presented in Chapter IV. The results of the follow up investigation into the sales of agricultural lands are given in Chapter V. The nature of the tenancy changes as discovered by the follow up investigation into the cases of fresh leasing, of resumption and of change of tenants is described in Chapter VI. Changes in the terms of tenancy both in respect of the mode and the level of rents are described in Chapter VII. The data relating to the expenditure on land improvement in owner-cultivated and tenant-cultivated lands as indicating the relative care being taken of the two categories of land, are presented in Chapter VIII.

1.5 In two of the sixteen districts covered by the investigation, namely in Ratnagiri and Karwar, the tenancy problem differed somewhat from that in the rest of the districts. We therefore found it convenient to present the data relating to these two districts in two separate chapters, namely, Chapters IX and X.

1.6 The investigation reveals a general failure of the Act to promote its principal objectives. A part of this failure is ascribable to inherent weaknesses of the original Act. The Government had also felt these shortcomings and has recently amended the original Act by means of a comprehensive amendment. The principal features of this amendment are described in Chapter XI. A few concluding remarks are offered in the concluding Chapter XII.

## CHAPTER II

### THE BOMBAY TENANCY AND AGRICULTURAL LANDS ACT, 1948.

2.1 In this Chapter we shall describe briefly the main provisions of the Bombay Tenancy and Agricultural Lands Act of 1948. The Act received the assent of the Governor General on 16th December 1948 and was published in the Bombay Government Gazette on 28th December 1948. It was adapted and modified by the Adaptation of Laws Order, 1950 and later amended several times by Bom. 12, 34 and 45 of 1951; by Bom. 33 of 1952 and by Bom. 60 of 1953. Recently it has been further and rather fundamentally amended by Bombay L. A. Bill No. XXXIV of 1955. However, this latest amendment does not fall within the period covered by our investigation, namely from 1948-49 to 1952-53. Hence we shall not take account of it in the present chapter but shall describe its main features in a later chapter.

2.2 If we leave out the finer points of law and the minor details of legal provision, the most important provisions of the Act are those relating to (i) the protection offered to the tenant against eviction from land; (ii) the restrictions placed on the transfer of agricultural lands and the special provisions encouraging their transfer into the hands of the tenants; and (iii) the fixation of maximum rent payable by a tenant for the lease of any land. In the following we shall summarise and examine the main provisions of the Act under these heads.

2.3 The Act recognised a special category of tenants called the 'protected' tenants. This category was borrowed from the earlier Bombay Tenancy Act of 1939. In fact, under the Act of 1948, a person was recognised to be a protected tenant if he was so deemed under the Act of 1939. Under the Act of 1939, as amended by the Amending Act of 1946, a tenant was deemed to be a protected tenant in respect of any land if he had held such land continuously for a period of not less than six years immediately preceding either 1-1-1938 or 1-1-1945; or in other words if he had held it continuously from the year 1938-39 or from an earlier year. The onus of proving that a particular tenant was not a protected tenant, so defined, was shifted on the landlord by a provision added by the Amending Act of 1946 which came into force from 11-4-1946; namely that every tenant should from 8-11-1947 be deemed to be a protected tenant and his right as such should be recorded in the Record of Rights unless the

landlord had, prior to this date, made an application and acting on such an application, a competent authority had declared the tenant not to be a protected tenant. The recording of these rights was to be completed as soon as possible after 8-11-1947 and presumably the Record of Rights was finalised during 1947-48. We do not know in how many cases the landlord had applied and obtained a declaration that the tenant was not a protected tenant. It is also possible that, in practice though contrary to the provision, the revenue authorities in the village, before entering the right of a tenant as a protected tenant, saw that the tenant satisfied the requisite conditions and that they thus did not record such a right for a number of existing tenants even though the landlords had not formally made an application to that effect. For the one or the other reason, a large number of tenants existing on land during 1947-48 were not recorded to be protected tenants. By another provision, tenants who had held the land continuously for a period of six years immediately preceding either 1-4-1937 or 1-4-1944 but were evicted from such land on or after such date were also to be accorded the right of protected tenants. But in such cases the initiative was put on the evicted tenants and it seems unlikely that, in many such cases, the evicted tenants could in fact secure the right of protected tenancy and recover the possession of their lands. In brief, for the purpose of the Act of 1948, all those tenants who appeared as protected tenants in the Record of Rights which, in this respect, was presumably finalised during 1947-48, were to be regarded as protected tenants. Tenancies created after 8-11-1947 were, by definition, not protected tenancies. It was obvious therefore that when a protected tenancy, initially recorded as such, through one reason or another either lapsed or was surrendered, or through one excuse or another was terminated, the number of protected tenancies, in the absence of new entrants into their rank, could only dwindle in due course. On the basis of the sample of plots covered by our investigation, it appears that of the protected tenancies initially recorded during 1947-48, only 78.3 per cent existed in the next year namely 1948-49. This percentage dwindled further during successive years to 71.6, 66.9, 63.8 and 57.3; so that in 1952-53, that is within five years of the initial recording of rights, only 57.3 per cent of the initially recorded protected tenancies were alive. As a consequence, the proportion of tenant-cultivated plots under protected tenancies also declined. In 1948-49, 52.3 per cent of the tenant-cultivated plots were under protected tenancies. It seems therefore that in 1947-48, when the Record of Rights, in this respect, was finalised, about 60 to 65 per cent of the tenancies then existing were recorded as protected tenancies. This seems reasonably satisfactory in view of the definition that to be

protected, a tenancy should have been in continuous existence, at the time of recording, for over nine or ten years. But the proportion declined in successive years. As pointed out above, in 1948-49, only 52.3 per cent of the tenant-cultivated plots were under protected tenancies. The proportion declined further to 47.5, 45.1, 44.2 and 41.2 per cent so that in 1952-53, only 41.2 per cent of the tenant-cultivated plots were under protected tenancies.

2.4 A protected tenancy was deemed perpetual so that even in the event of the death of a protected tenant, the landlord was to offer to continue the tenancy on the same terms and conditions to the heir or heirs of the deceased tenant. The tenancy could not be terminated unless the tenant had failed to pay the rent or done any act destructive or injurious to the land, or had sub-divided or sub-let the land or failed to cultivate it personally or had used it for purposes other than agriculture. However, this apparently complete protection against eviction was severely qualified by certain rights of resumption conceded to the landlord by which he could terminate the tenancy of a protected tenant by giving him one year's notice if the landlord bona fide required the land, (i) for cultivating personally or (ii) for any non-agricultural use for his own purpose. These provisions were more or less borrowed from the Act of 1939. By the Act of 1948, this right of resumption was qualified by an important restraint namely that such resumption must not result in there being more than fifty acres of land in the personal cultivation of the landlord, which limit in the case of an undivided Hindu family with more than one branch was taken to mean fifty acres of land per branch subject to a maximum of 200 acres. The qualification was important in that it recognised a basic principle, namely, of ceiling on landholdings. However, this ceiling could not operate in practice on account of another provision by means of which a tenant could at any time terminate the tenancy by surrendering his interest as a tenant in favour of the landlord and the landlord could retain to himself the lands so surrendered without any ceiling restrictions whatsoever. There thus existed a real possibility of the landlord resorting to unfair means to induce the tenant into surrendering his land, particularly when the resumption would result in raising the landlord's holding above the ceiling. As we shall later see, this single loop-hole made all provisions for protection ineffective in practice.

2.5 The landlords' right of resumption was somewhat further modified by an amendment of Bombay 33 of 1952. In the first instance, the concession given to the joint Hindu families in respect of the ceiling on their holdings was waived. Secondly, in order to terminate the tenancy of a protected tenant on the ground that the landlord required the land for cultivating it personally, the amend-

ment required that the land in question should stand in the Record of Rights in the name of the landlord on 1.1.1952 as a superior holder and that the income from cultivation of such land should be the main source of income of the landlord for his maintenance. The more important qualification introduced by the amendment was, however, the concept of Agricultural Holding, which was defined to mean 16 acres of dry land or 4 acres of irrigated or paddy land, or the equivalent combinations of dry and irrigated lands. It was only when the land held by the landlord was not in excess of the Agricultural Holding so defined, that he was entitled to terminate the tenancy of the protected tenant in respect of the entire area held on lease by the tenant; otherwise the right of the landlord to terminate the tenancy was limited to only half the area of the land leased and the tenancy in respect of the land left with the protected tenant after such part termination was not at any time liable to be terminated on similar grounds.

2.6 It should be noted however that even though the concept of the Agricultural Holding was similar to the concept of a floor to be given to the land holdings, it was applied only to the cultivated holding of the landlords. Landlords with cultivated holdings smaller than the agricultural holding were therefore given unqualified right of resumption. The concept was not however applied to the holdings of the tenants so that even in the case of landlords with holdings larger than the Agricultural Holding, though their right of resumption was limited to only half the area held by the tenant, it was not provided that the residual holding of the tenants would not be reduced below the Agricultural Holding. Nevertheless, the amendment was an important qualification to the right of resumption and it was significant in that it created, for a class of tenants, a certain inalienable right in at least a part of the lands held by them. The amendment however came in 1952, that is the last year covered by our investigation, and it is doubtful whether its effects would appear in our data.

2.7 So much for the protected tenants. The Act also provided for a certain security of tenure of the unprotected or ordinary tenants. Under the provisions of the Act of 1939, every tenancy was deemed to be for a period of not less than 10 years. The Act of 1948 modified this to provide that every tenancy should be for an initial period of not less than ten years and that at the end of this period and thereafter at the end of each period of ten years in succession, the tenancy would, unless terminated, be deemed to be renewed for a further period of ten years on the same terms and conditions. During the currency of the initial period or of the subsequent periods of ten years in succession, the tenancy could be terminated only on

grounds of non-payment of rent etc. as in the case of a protected tenancy. At the end of the initial period or subsequent periods of ten years, the tenancy could be terminated, with one year's notice only if the landlord bona fide required the land (i) for cultivating personally or (ii) for any non-agricultural use for his own purpose subject to the same conditions as appearing in the case of a protected tenancy. Like a protected tenant, an ordinary tenant could, of course, at any time terminate the tenancy by surrendering his interest as a tenant in favour of the landlord. It would thus appear that an ordinary tenant enjoyed, in some respects, better security than did a protected tenant. A protected tenancy was perpetual so that it continued even after the death of the tenant. An ordinary tenancy was secure during the lifetime of the tenant but terminated on his death. Both the tenancies were subject to good behaviour on the part of the tenants and the landlords' right of resumption for personal cultivation or non-agricultural use. However, in the case of a protected tenancy, the landlord could exercise this right and terminate the tenancy at any time he chose; in the case of an ordinary tenancy, he could do this only at the end of each period of ten years. Thus an ordinary tenancy, subject to good behaviour, was secure for a period of at least ten years. In comparison with this security of an ordinary tenancy, the perpetuity of a protected tenancy would appear to be only a nominal advantage. In view of this and in view of the fact of an overwhelming possibility of the tenant, whether protected or ordinary, being induced into voluntary surrendering of his land, it seems that as far as security of tenure was concerned, the protected and the ordinary tenants were placed more or less on the same footing.

2.8 Some important provisions of the Act were those relating to the restrictions it placed on the transfer of agricultural lands and the special provisions it made to prohibit their transfer into the hands of non-agriculturists. These restrictions were indeed quite unqualified. Thus any transfer of agricultural land by sale, gift, exchange, lease or mortgage where the mortgagee was given possession of the land was declared invalid if made in favour of a person who was not an agriculturist. Further, even among the agriculturists priorities were indicated for purchase of any land offered for sale. Thus, when a landlord intended to sell his land, he was required to apply to the Tribunal for determining its reasonable price, and after such price was determined, he was to make an offer to persons in the following order of priority: (i) the tenant in actual possession of the land; (ii) the person or persons personally cultivating any land adjacent to the land to be sold; (iii) a co-operative farming society; (iv) any other agri-

culturist; (v) any other person who had obtained from the Collector a certificate that he intended to take to the profession of agriculturist. Thus the tenant in actual possession was given the highest priority of purchase. A further concession was made to encourage sales to tenants by an amendment of Bom. 60 of 1953, that if a landlord intended to sell his land to the tenant, the price might be mutually agreed upon and need not necessarily be determined by the Tribunal. The second priority given to the cultivators of adjacent lands was in consonance with the object of promoting consolidation of holdings. The requirement that in order to buy agricultural land, a person who was not an agriculturist should obtain from the Collector a certificate to the effect that the person intended to take to the profession of an agriculturist, while it ensured that the agricultural land would not pass into the hands of non-agriculturists, in practice it also amounted to a system of licencing of new entrants in agriculture.

2.9 In addition to the first priority accorded to the tenant in possession when the land was offered for sale, under certain circumstances a protected tenant could also, on his own initiative, purchase the land held by him as a tenant. He could do this provided such a purchase did not result in the tenant owning arable land in excess of fifty acres or in reducing the total area of the arable land remaining in the ownership of the landlord below fifty acres. In the case of an undivided Hindu family with more than one branch, the limit mentioned in connection with the holding of the landlord was meant to be fifty acres per branch subject to a maximum of 200 acres. Therefore though an important right was conferred on the tenants, the condition that the purchase must not reduce the landlord's holding below fifty acres with further concession to joint Hindu families, made the right to purchase practically ineffective. By an amendment of Bom. 33 of 1952, the concession to joint Hindu families was waived. Nevertheless, even without the concession to joint Hindu families, the limit of fifty acres could prove a severe qualification on the right of the tenants to purchase the land held by them. The limit of fifty acres appears in the Act in a rather deceptively reciprocal manner. It should be clearly understood however that what was conceded was a right to purchase provided the exercise of the right did not raise the tenant's holding above fifty acres and did not reduce the landlord's holding below fifty acres. Thus the limit of fifty acres provided simultaneously a ceiling on tenant's holding and a floor for the landlord's holding. In particular, it should be noted that by exercising his right to purchase, a tenant could not increase his holding above fifty acres, even if that did not reduce the holding of the landlord below that limit.

2.10 When, under these provisions, a tenant intended to purchase land held by him, he was to make an offer to the landlord stating the price he was willing to pay; and in case the landlord refused to accept the offer, he was to apply to the Tribunal for the determination of the reasonable price. He was then to deposit with the Tribunal, within a prescribed period, the amount of the price so determined. On such deposit being made the Tribunal would issue to him a certificate of purchase. By an amendment of Bom. 33 of 1952, the tenant was permitted to pay such price either in lump sum or in instalments not exceeding ten and over a period not exceeding fifteen years. But there was little advantage in this concession as the tenant was liable to pay the rent until the payment of the last instalment. Thus very little assistance was given to the tenant to avail himself of the limited right of purchase given to him. It should be noted that this right to purchase on his own initiative and thus to compel the landlord to sell his land under certain circumstances was given to the protected tenants only.

2.11 As for the regulation of rent, the maximum rent payable by a tenant was defined in terms of crop share which, in the case of irrigated land, was not to exceed one-fourth and in the case of other lands, one-third of the crop of such land or its value. Besides, the State Government was entitled to fix, by notification, a lower maximum or a maximum on any other suitable basis applicable to any particular area. Subject to such maximum, the rent payable by a tenant was to be the rent agreed upon between the landlord and the tenant and in the event of their failing to agree either of them could apply to the Mamlatdar for the determination of the reasonable rent.

2.12 As these maxima were considerably below the level of share rents prevalent in certain areas, they could have an immediate effect in reducing the level of share rents. However, it seems unlikely that the maxima prescribed in terms of the share rent could have any direct effect on the level of cash rents. This is particularly important because the Government had intended gradually to commute all share rents into cash rents and the Act had provided that the Government might from time to time notify that the rent payable wholly or partly as a crop share in any area be commuted into cash rent and might also fix the rate of such commutation. In actual practice this did not go very far.

2.13 Furthermore, it was prescribed that the landlord should not recover or receive rent in terms of service or labour. He must also not levy any cess, rate, *vero*, *huk*, tax or service of any description whatever other than the rent lawfully due to him. The liability of the land revenue thus continued to be with the landlord. He was



also supposed not to reduce any contribution that he traditionally made to the cultivation expenses, except where in a particular area the State Government fixed a rent lower than the maximum, when the landlord was allowed to adjust proportionally his share of cultivation expenses.

2.14 Thus, on the whole, considerable direct relief in rent was provided to all forms of tenancies except the cash tenancies. There was however one provision providing for suspension or remission of rent which was particularly important for cash tenancies. Whenever from any cause the payment of revenue in respect of any land was wholly or partially suspended or remitted, the rent payable by the tenant of such land was also to be suspended or remitted in the same proportion. Obviously this was an important concession.

2.15 To sum up, it seems that as far as the security of tenure was concerned, the protected tenants were not better protected than were the ordinary tenants. The security of tenure in either case was limited by the landlord's right of resumption for personal cultivation which was actually more severe in the case of protected tenancies. When a tenant surrendered his land in favour of the landlord, no ceiling operated on the resulting holding of the landlord. This was the principal weakness of the Act and undermined all provisions for security of tenure. The restrictions placed by this Act on the transfer of agricultural lands were important but the right of purchase, on their own initiative, given to the protected tenants was of very limited potential in promoting transfer of agricultural lands from non-cultivating to cultivating lands. Finally, while regulating rents, as the maxima were prescribed in terms of crop shares, they could be expected to be directly effective only in the case of share tenancies. In subsequent chapters we shall examine the actual effect of these provisions in their operation during the period from 1948-49 to 1952-53.

## CHAPTER III

### INVESTIGATIONAL PROCEDURE

3.1 It was to be expected that the implementation of the Act would be effective to varying degrees in different districts of the State. It was therefore felt necessary that the investigation should be conducted in all the districts. However, for considerations of economy and convenience of fieldwork, it was decided that the investigation might be confined to a sample of only two talukas in each district. Hence two talukas were selected from each district except in Bijapur, Dharwar and Belgaum where three talukas each were selected. The reasons for larger samples of talukas in Bijapur, Dharwar and Belgaum were entirely administrative. The fieldwork in the 12 Marathi speaking districts was done by a batch of four investigators, each investigator being in charge of the fieldwork in three districts. On the other hand, for the purpose of the fieldwork in the four Kannada speaking districts two investigators had to be employed. It was to provide these two investigators with adequate amount of work that three rather than two talukas were selected from Bijapur, Dharwar and Belgaum. The talukas in each district were selected by a random choice except that a choice of two neighbouring talukas was usually avoided. In each selected taluka, a sample of three villages was chosen at random for the investigation. We thus have a sample of 105 villages in all. In the following is given a list of the talukas selected from the sixteen districts. They are also shown in the adjoining map. It is difficult to say how far the selected talukas represent the average conditions in the district. Nevertheless, in subsequent discussion, for convenience, we shall speak of the results as representing the average conditions in the respective districts.

3.2 The following talukas were selected for the purpose of the investigation.

<i>District</i>	<i>Selected Talukas</i>
West Khandesh	Dhulia, Shahada
East Khandesh	Jalgaon, Raver
Nasik	Sinner, Baglan
Poona	Baramati, Khed
Ahmednagar	Shri-Rampur, Pathardi
Sholapur	Karamala, Pandharpur
Thana	Thana, Umbargaon
Kolaba	Panvel, Mahad

<i>District</i>	<i>Selected Talukas</i>
Ratnagiri	Lanja, Chiplun
North Satara	Koregaon, Man
South Satara	Khanapur, Miraj
Kolhapur	Karvir, Gadhinglaj
Bijapur	Bagewadi, Indi, Hungund
Belgaum	Parasgad, Hukkeri, Athni
Dharwar	Dharwar, Gadag, Ranebennur
Karwar	Karwar, Kumta.

3.3 In the previous Chapter, we have briefly outlined the main provisions of the Act. In planning the investigation into the operative implementation of the Act, we decided to concentrate attention on these main provisions. Since protection to tenants and restrictions on the transfer of agricultural lands were the two main objectives, it seemed appropriate to begin by attempting to estimate the extent of changes in tenancy and ownership of land that had taken place since the coming into force of the Act in 1948. This could be done most conveniently by examining the record of ownership and tenancy of a sample of plots since 1948. Hence from the record of lands of each selected village, a random sample of 10 per cent of the plots was selected and the information appearing in Schedule I was obtained from the village records in respect of each selected plot. The Schedule is reproduced in an appendix to this Chapter. As will be seen, the items of information in this Schedule include, besides cultivable area of the plot, the name of the owner and the name of the cultivator, who could be either the owner himself or a tenant, for each of the five years beginning with 1948-49 to 1952-53. When in any year, the ownership of the plot had changed, the recorded reasons for the same were noted. Similarly, in all cases where the plots were not owner-cultivated, the mode of renting and the amount of cash rent, if any, was noted as it appeared in the records. It should be clearly understood that all items appearing in Schedule I were obtained from the village records and not by direct interviewing. This forms the basis of our estimates of changes in ownership and tenancy during the five year period.

3.4 All cases of changes in ownership through sale of land and all cases of changes in tenancy as appearing in Schedule I were however followed up by interviewing personally all parties concerned in the transaction. Two different schedules, namely Schedules II and III were used for following the recorded cases of sale of land and of changes in tenancy respectively. Both the Schedules are reproduced in the Appendix.

3.5 All cases of sale of land as appearing in Schedule I were followed up by Schedule II. It will be remembered that Schedule I

itself was filled in only for a ten per cent sample of plots. Schedule II would therefore cover sales, during the five year period 1948-53, occurring in respect of only these 10 per cent of plots. Such cases were often found to be too few. Hence in order to secure an adequate number of cases of sale of land for study, it was decided that from each village we should have a minimum of 25 cases of sales. With this in view, the investigators were instructed that whenever the cases of sales appearing in Schedule I were fewer than 25, they should make up the balance by obtaining from the office of the sub-registrar all cases of sales from the selected villages recorded during the years 1952-53, 1951-52, 1950-51, 1949-50 and 1948-49 in that order. If even after including all the sales registered in all the five years, the number of sales from a village did not come upto 25, of course, no further attempt was made to increase their number.

3.6 In the same manner, all cases of change of tenancy as appearing from Schedule I were followed up by means of Schedule III. Here too, as it was feared that the number of cases of change of tenancy as appearing in the ten per cent sample of plots covered by Schedule I might be too few, it was decided that the number of cases of change in tenancy to be studied from each village should be at least 25. Therefore wherever the cases of change in tenancy appearing in Schedule I were fewer than 25, it was decided to make up the balance by taking additional cases of change of tenancy occurring during 1952-53 and not covered by Schedule I.

3.7 The items of information sought in Schedules II and III are self-explanatory. It might be noted nevertheless, that in all cases of sales covered by Schedule II, the seller, the purchaser, as well as the tenant in possession of the land at the time of sale, if any, were personally interviewed. Similarly, in all cases of change of tenancy covered by Schedule III, the landlord, the original tenant and the new tenant, if any, were all personally interviewed.

3.8 Among the items of information covered by Schedule III, one needs special mention, namely, the one relating to the mode and the level of rents paid by the original and the new tenants. As we have earlier mentioned we had noted this information in respect of all the tenant cultivated plots covered by Schedule I; but such information was obtained from the village records. As it appeared from later scrutiny, most of this information was rather unreliable. For instance, in almost all cases of share renting, the record usually showed the same share rent as was prescribed by law. We shall therefore discard this information. Instead, for a discussion of the mode and level of rents we propose to make use of the related information as obtained in Schedule III by personal interviewing.

3.9 So much for the investigation based on or arising out of the sample of plots from the selected villages. The rest of the investigation was based on a sample of persons, land-owners and cultivators. One of the objects of the Act was to promote full and efficient use of land for agriculture. This was supposed to follow from the protection offered to the tenants who as a consequence were expected to take better care of the land. A direct method to examine how far this objective was attained would be to test whether the productivity of the land, as measured by production yields, had increased since the enforcing of the Act. We did not attempt to do this. Firstly, we thought that five years were too short a period to expect a tenancy legislation to produce any observable increases in agricultural yields. Secondly, it was necessary that for any scientific discussion of this point, the measurement or estimation of agricultural yields before and after the enforcement of the Act should be done by methods which were perhaps outside the technical scope of our investigation. Finally, several measures have been taken during the period since the enforcement of the Tenancy Act in 1948, which were all expected to enhance agricultural production. In such circumstances, it would appear difficult to attribute solely to one specific legislation any observable increases in the agricultural yields.

3.10 To circumvent these difficulties, what one would require were estimates of comparative productivity of the owner-cultivated and the tenant-cultivated lands before and after the legislation. If there were any differences in the productivity of the owner and the tenant-cultivated lands on account of the insecurity of tenure of the latter lands prior to the Act, then one would expect that after its enforcement, such differences would narrow down in view of the security now afforded to the tenant, if it were in fact effective.

3.11 It seemed to us extremely difficult to obtain any reliable data to examine this point. It might be worthwhile examining, from this standpoint, the available data on crop-cutting experiments done by the Department of Agriculture, Government of Bombay, for obtaining official estimates of production. On our part, we decided to investigate the point in a less direct way. As explained above, the central point in this connection was not whether the agricultural yields had increased since the passing of the Act, but whether the relative efficiency of the tenant-cultivated lands as compared with the owner-cultivated lands had improved since then. In view of the difficulties of obtaining reliable data on agricultural yields from this standpoint, we decided to concentrate our attention on the investment in land in various forms of land improvement and to regard it as an indicator of better care and efficient use of land. This should not appear entirely irrelevant. For, in the absence of security of

tenure, the principal cause from which the tenant-cultivated lands presumably suffer is the natural reluctance of the tenant to invest in any land improvement. Therefore, if the protection given to the tenant by the Act had indeed given him a real sense of security of tenure, we should expect that the difference between the owner-cultivated and the tenant-cultivated lands in respect of the investment made in the improvement of these lands would gradually narrow down after the enforcement of the Act. Of course it might happen that the tenants, in spite of a real sense of security of tenure, might, for want of resources, fail to invest in the improvement of the lands held by them as protected tenants. We shall return to these points after examining the data.

3.12 For an enquiry into the relative investment in the improvement of the owner-cultivated and the tenant-cultivated lands, we could have utilised the ten per cent sample of plots we have used for ascertaining the extent and nature of the changes in ownership and tenancy. We did not do this for two reasons. Firstly, in order to collect data regarding the expenditure on land improvements incurred during the period of five years 1948-53, it was necessary to interview the owners of these plots and also the tenants, if any, cultivating these plots. But in a number of cases, the owners and tenants of these plots had themselves changed during the course of five years. Hence, in order to ascertain the land improvement expenditure on these plots, an altogether too large a number of persons, either owners or tenants, would have to be interviewed. This was difficult from the standpoint of the fieldwork. Secondly, having approached a person, either an owner or a tenant, it seemed wasteful to confine our queries to a single plot owned or cultivated by him. From the standpoint of the fieldwork it was obviously economical to enquire from a person about all the plots owned or cultivated by him. In other words, it seemed obvious that the basis of the enquiry should be a sample of persons, landowners and cultivators, and not a sample of plots. This part of the enquiry was therefore based on a sample of landowners and cultivators.

3.13 In order to select a sample of owners and cultivators we need a complete list of landowners and cultivators in the village. Such a list is not readily available. The village records provide a list of landowners both cultivating and non-cultivating. But no list of non-owning cultivators is readily available. Within the limited time available it was also not possible for us to prepare such a list for the purpose of selecting a sample of such cultivators. We therefore adopted the following procedure. As for the landowners, both cultivating and non-cultivating, we decided to select an appropriate number of them from the list of landowners in the village records.

As for the non-owning cultivators, whom for convenience we might refer to as pure tenants, as no list of them was available, we decided to include in our sample, all such who appeared on the ten per cent sample of plots which we had initially selected for Schedules I, II and III. In none of the villages their number, thus detected, appeared to be more than 10. The number of landowners, cultivating or non-cultivating, to be selected from the list of landowners was therefore usually 20 or more so as to make the total sample, in each village, equal to 30.

3.14 These complications in the procedure of selecting the sample have vitiated to a certain extent its representative character. It will be appropriate here to describe briefly the manner in which this has happened. In the first instance, it should be noted that the sample of landowners, cultivating and non-cultivating, selected from the village list, forms a properly representative sample of that class, though even here there is a certain qualification. When a sample of landowners was selected, it was found that some of the landowners did not reside in the village concerned. In view of the difficulties of contacting them for an interview, they had to be dropped from the sample. It is obvious therefore that the non-resident landowners are not represented in our sample at all. We might distinguish these unrepresented non-resident landowners into two classes : those who reside in the neighbouring villages, or as a matter of fact in any villages, and those who reside in urban towns and cities and thus are in fact non-cultivating absentee landlords. In order to compensate for the omission of the first of these classes, we extended the enquiry of Schedule IV, in respect of the selected landowners and cultivators, to all their lands either owned or cultivated, whether or not these lands were located within the selected villages. The second class of landowners has however been completely omitted. Except for this omission, we might say that our sample of landowners, cultivating and non-cultivating, is a properly representative sample. We hope the omission will not seriously affect our results.

3.15 As for the pure tenants, their choice suffers from two grave defects. In the first instance, as the choice was based on a sample of plots, every non-owning cultivator does not get the same chance of being included in the sample; but the one with a large number of plots under his cultivation gets a proportionately larger chance. Hence our sample of pure tenants is not representative of their class; it gives a larger representation to the bigger cultivators. Secondly, in our total sample of 30 owners and cultivators from each village, the number of pure tenants does not bear any proper relationship to the number of landowners. This is because, the pure tenants

were chosen on the basis of the ten per cent sample of plots and their number was allowed to be determined by the contingencies of this procedure; on the other hand, the number of landowners to be included in the sample was determined by the consideration that the total sample should be of 30, which number itself was decided arbitrarily. It is therefore obvious that our data relating to the pure tenants will need certain adjustments before it may appropriately be combined with the data relating to the landowners. We shall explain the nature of these adjustments in the course of presenting the data.

3.16 For each one of the sample families so selected, Schedule IV was filled in. The Schedule has been reproduced in the Appendix. It will be seen that the owned holding of each family has been divided into three sections : area leased out on cash rent, area leased out on share rent and area personally cultivated. Similarly any area leased in by the family has been divided into two parts, namely, that leased in on cash rent and that leased in on share rent. Owned area personally cultivated plus the area leased in of course make the cultivated area. The Schedule then notes, for each category of owned and leased in areas separately, the investment expenditure on various items of land improvement undertaken by the family during each one of the five years from 1948-49 to 1952-53. The relative progression of this expenditure over the five years on different types of lands as described above will form the basis of our discussion as to whether the protection given to the tenants by the Act has in fact led to a better care of the tenant-cultivated lands.

3.17 The sample of families selected for Schedule IV was also utilised for an enquiry into the practices governing the relations between the landlord and the tenant and especially to enquire whether these had undergone any changes since the enforcement of the Act. For this purpose Schedule V was used. The Schedule was filled in for each one of the sample families, who had either leased out or leased in any area of land. It is usually in the case of share renting that the relations of the landlord and the tenant are governed by a number of conventional payments and practices and it was in respect of share rent that the Act had more specifically prescribed maximum limits which were considerably below those prevalent prior to the Act. Therefore it was in the case of share renting that any change in the practices governing the relations between the landlord and the tenant was to be expected. Hence in Schedule V special emphasis was laid on the practices governing share renting.

3.18 In the following chapters we shall present the data collected by means of these schedules and, in order to keep distinct the data



collected by different schedules, we shall present them in separate chapters.

3.19 Our investigation covered in all 16 districts of Bombay State. In two of these districts, namely, in Ratnagiri and North Karwar, the system of land tenure, until recently, was different, in some important respects, from that in the remaining districts. Consequently, the data relating to these two districts are not wholly comparable with those from the rest of the districts. Therefore, for convenience of presentation, we shall first present the data relating to the other 14 districts and later describe the conditions in Ratnagiri and North Karwar in two separate chapters.

**APPENDIX TO CHAPTER III**

**Questionnaire Schedules**

**Schedule I**

**Five Year History of Plot  
(Based on V.F. No. VII-XII)**

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Village ..... Taluka ..... District .....

Survey No. .... Cultivable Area ..... S. No. ....

Hissa No. ....

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Year	Name of the holder or holders	Cause of change in ownership and sale price if any	Name of the tenant	Rent and mode of rental payment
1948-49				
1949-50				
1950-51				
1951-52				
1952-53				

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## Schedule II

## Sale of Land

Village ..... Taluka ..... District .....

Survey No. .... Cultivable area ..... Serial No. ....

Hissa No. .... Land Revenue ..... Type of land .....

Price as per Sale Deed ..... Year of Sale .....

---

## A. To the Seller :

1. Name
2. Caste
3. Occupation
4. Place of residence
5. Sale price.
6. Whether the purchaser was
  - (a) a protected or (b) an ordinary tenant of the land?
  - (c) a neighbouring farmer or (d) any other agriculturist?
  - (e) a non-agriculturist or (f) a moneylender? or
  - (g) any other person (describe).
7. Whether the purchaser was a resident or a non-resident of the village.
8. If the purchaser was an ordinary or a protected tenant,
  - (a) whether the transaction was fair and the price just and reasonable?
  - (b) if not why? give details of the transaction.
9. If the purchaser was not a tenant on the land in question and if the land was tenant-cultivated at the time of the sale,
  - (a) for how many years was the tenant cultivating this land?
  - (b) whether the land had been offered to the tenant,
  - (c) if so why he declined to purchase?
10. If the purchaser was a money-lender, to what extent was the owner indebted to him prior to the sale transaction? Give details.
11. Causes necessitating the sale of land.
12. Average annual income from the field net of expenditure thereon :
13. (i) Whether any other fields were also sold during the period of five years from 1948-49 to 1952-53.
  - (ii) If so give details such as the cultivable area, type of land, price fetched, etc.

B. To the Purchaser :

1. Name
2. Caste
3. Occupation.
4. Place of residence.
5. Price paid.
6. If an ordinary or a protected tenant of the land,
  - (a) (i) Source of finance, (ii) Mode of payment,
  - (b) Whether it was possible to purchase the land only on account of the right given by the Tenancy Act.
7. If any other person :
  - (a) Why the ordinary or the protected tenant did not purchase the land?
  - (b) What steps if any were taken to terminate his tenancy rights?
  - (c) If a money-lender :
    - (i) was the seller your client of long standing? If so of how many years?
    - (ii) was the transaction negotiated smoothly?

C. To the tenant if any cultivating the land at the time of the sale and who did not purchase it.

1. Name
2. Caste
3. Occupation.
4. Place of residence.
5. Whether an ordinary tenant or a protected tenant.
6. For how long was the tenant cultivating this land?
7. Mode and amount of rent paid.
8. Whether because of the sale the tenant had to resign his tenancy rights and leave the land?
9. If so, why?
10. Why did the tenant not purchase the land?
11. Was the land offered to the tenant by the owner.

D. Remarks.

## Schedule III

## Change in Tenancy

Village ..... Taluka ..... District .....

Survey No. .... Cultivable area ..... Serial No. ....

Hissa No. .... Land Revenue ..... Type of land .....

Year in which the change took place .....

## A. To the landlord :

1. Name      2. Caste      3. Occupation      4. Place of residence.
5. For how many years had the previous tenant cultivated this land.
6. Rent paid by the old tenant.      7. Rent paid by the new tenant.
8. Why was the old tenant removed?

## B. To the new tenant if any.

1. Name      2. Caste      3. Occupation      4. Place of residence.
5. What is the rent agreed upon?
6. What advantage do you think has the landlord obtained by removing the old tenant in your favour?
7. Has the removal of the old tenant resulted in any bad blood between him and you?

## C. To the old tenant.

1. Name      2. Caste      3. Occupation      4. Place of residence.
5. For how many years have you cultivated this land?
6. What rent were you paying?
7. Why did you resign your tenancy right?
8. How was your tenancy terminated? Give details.
9. Whether after removing the tenant the landlord is cultivating the land personally or has leased it out to a new tenant.
10. Whether on account of the termination of your tenancy you had to incur any losses? If so give details.

## D. Why was the tenant changed (opinion of villagers).

Schedule IV.

Investment in Land Improvements during 1948-53.

Village ..... Taluka ..... District ..... Serial No. ....

Name ..... Caste ..... Occupation .....

Khata number or numbers as per V.F. No. 8A.

Total area

Total land revenue.

Particulars	Owned lands			Lands taken on lease		Total cultivated area
	leased out for cash rent	leased out for share rent	personally cultivated	On cash rent	On share rent	

During the year 1948-49 :

- (a) Cultivable area
- (b) Number of owners or tenants as the case may be
- (c) Capital Expenditure :
  1. Bunding.
  2. bringing fresh land under cultivation
  3. other land improvements (describe)
  4. digging and construction of new wells
  5. Repairing old wells
  6. Planting of trees and development of orchards
  7. Any other (describe).

Total expenditure

Similar particulars for the years 1949-50; 1950-51; 1951-52 and 1952-53.

## Schedule V

## Crop-sharing Practices

Village ..... Taluka ..... District .....

Name ..... Caste ..... Occupation .....

Whether landlord, tenant or part owner .....

I. Position before the introduction of the Tenancy and Agricultural Lands Act of 1948.

Particulars	Type of land		Type of land	
	Share of owner	Share of tenant	Share of owner	Share of tenant
<b>A. Shares in Income :</b>				
(1) Grains				
(2) Fodder				
(3) Fruits				
(4) Grass growing on the embankments.				
(5) Other.				
<b>B. Shares in Expenses :</b>				
(1) Ploughing				
(2) Manuring				
(3) Seed				
(4) Other cultivation expenses				
(i) Fencing				
(ii) Planting of trees and developing of orchards.				
(iii) Other.				
(5) Watering the crops				
(6) Harvesting				
(7) Land Revenue				
(8) Advances to the tenants or amounts borrowed from landlords as the case may be				
(9) Other expenses.				

II. Position after the introduction of the Tenancy and Agricultural Lands Act of 1948.

Particulars	Type of land		Type of land	
	Share of owner	Share of tenant	Share of owner	Share of tenant
<b>A. Shares in Income :</b>				
(1) Grains				
(2) Fodder				
(3) Fruits				
(4) Grass growing on the embankments				
(5) Other.				
<b>B. Shares in Expenditure :</b>				
(1) Ploughing				
(2) Manuring				
(3) Seed				
(4) Other cultivation expenses				
(i) Fencing				
(ii) Planting of trees and developing of orchards.				
(iii) Removal of weeds				
(iv) Other.				
(5) Watering the crops				
(6) Harvesting expenses				
(7) Land Revenue				
(8) Advances to the tenants or amount borrowed from landlords as the case may be				
(9) Other expenses.				



## CHAPTER IV

### EXTENT OF CHANGES IN OWNERSHIP AND TENANCY

4.1 We should begin by estimating the extent and nature of the changes in ownership and tenancy that have occurred since the enforcement of the Act in 1948. The basis of such estimation is our study of the five year record of ownership and tenancy of a ten per cent sample of all plots of land in the selected villages. Our sample of plots in 14 districts actually comprised a total of 9333 plots with a total area of 29,111 acres. From the standpoint of the present enquiry, the distinction between the owner-cultivated and the tenant-cultivated plots is fundamental and we shall begin by examining the positions of different districts in this respect and any trends in them over the five years since 1948-49. In Table No. 4.1 are given the results of our sample investigation. In the first column of the Table is given the number of sample plots covered by our investigation in each district. In the subsequent five columns are shown what proportions, expressed as percentages, of the sample plots were tenant-cultivated in the five years from 1948-49. In the latter half of the Table, similar results are given on the basis of the areas of the sample plots instead of their numbers. Thus, in the seventh column is given the total area of the sample plots in each district; and in subsequent columns are shown what proportions of the areas were tenant-cultivated in different years.

4.2 In presenting the results, as here, we shall often have the alternative of presenting them either on the basis of the number of plots or on the basis of their area. The latter alternative, that of presenting on the basis of the area, has many advantages, the principal among them being its directness for comprehension. In the following we shall therefore usually present all our results on the basis of area.

4.3 The last two lines in the Table are designated 'Total' and 'Weighted total' respectively. The numbers and percentages in the 'Total' line relate to our total sample in the 14 districts. As would be obvious from the manner in which we had drawn our sample of plots, we had made no attempt to give each district a representation in our sample proportional to its total cultivable area. Therefore the simple average figures as appearing in the 'Total' line might not be quite appropriate to represent the average conditions in all the 14 districts taken together. For this purpose, we should use 'weighted' averages or percentages where the district figures would be given 'weights' in proportion to the total cultivable area in the

TABLE No. 4.1.

*Tenant cultivated plots in the sample and their area shown as percentages of the total number of sample plots and their area.*

District	No. of sample plots = 100	Proportion of tenant-cultivated plots					Area of sample plots = 100 (acres)	Proportion of tenant-cultivated area				
		1948-49	1949-50	1950-51	1951-52	1952-53		1948-49	1949-50	1950-51	1951-52	1952-53
	1	2	3	4	5	6	7	8	9	10	11	12
West Khandesh	206	20.4	18.4	17.5	16.0	15.5	1156	22.6	21.9	20.3	18.2	18.0
East Khandesh	386	16.1	15.3	16.3	15.0	13.2	1085	22.0	21.0	21.2	18.8	17.9
Nasik	551	26.1	25.6	25.8	23.8	22.0	1843	28.4	28.7	28.4	26.6	22.5
Thana	583	39.6	39.4	38.9	38.4	38.1	608	50.4	50.4	50.7	49.1	48.3
Kolaba	669	43.6	43.8	43.0	42.3	40.8	561	47.8	49.1	48.8	47.2	43.1
Poona	1127	21.6	21.7	20.9	21.2	18.4	3071	26.2	24.7	25.9	25.3	18.4
Ahmednagar	355	23.4	24.2	20.8	22.3	23.4	1627	25.7	26.5	22.2	25.3	25.4
Sholapur	508	22.6	21.5	18.9	19.3	18.9	3320	22.6	22.1	17.8	17.1	17.4
North Satara	1341	15.9	15.6	17.2	16.1	16.3	2199	16.2	14.6	16.2	15.5	15.3
South Satara	980	17.2	18.3	17.1	15.9	16.4	2504	29.0	28.6	27.4	25.7	26.4
Kolhapur	898	21.6	24.2	29.0	28.7	29.2	960	44.6	43.8	47.6	46.5	45.4
Bijapur	574	30.8	30.5	31.7	28.9	28.7	4625	38.2	36.7	36.6	34.5	35.1
Belgaum	587	29.5	28.1	26.6	26.6	23.2	2468	37.3	35.9	36.2	34.2	29.7
Dharwar	568	34.2	35.6	35.6	34.3	30.1	3084	40.4	41.9	41.9	40.8	36.8
Total	9383	25.3	25.1	25.3	24.6	23.6	29111	30.9	30.4	29.9	28.6	26.9
Weighted total								30.7	30.3	29.5	28.5	26.8

respective districts. In the last line of the Table designated 'Weighted total' we have shown the weighted percentages of the area under tenant cultivation. As will be seen, the differences between the weighted and the simple percentages is small. Nevertheless, as the weighted percentages and the averages are more appropriate, in all subsequent tables and discussion, we shall use the weighted figures for representing the average conditions in all the 14 districts taken together.

4.4 It will be seen that the districts easily group themselves into three or four groups. The first group, with the largest proportion of area under tenant cultivation consists of three districts, namely, Thana, Kolaba and Kolhapur. In all the three districts, between 45 and 50 per cent of the area is tenant cultivated. Both Thana and Kolaba are coastal districts and it is well known that in both of them a large proportion of the area is tenant cultivated. Kolhapur adjoins the coastal district of Ratnagiri and its western parts are in many respects akin to the coastal region. Nevertheless, the large proportion of tenant cultivated area in this district must also be ascribed to the fact that until recently this was a princely state with a number of Jagirdars owning large estates.

4.5 The second group of three districts comprises the three Karnataka districts of Bijapur, Dharwar and Belgaum. From 35 to 40 per cent of the area in these districts is tenant cultivated. The large proportion of the tenant cultivated area in these districts is known to be on account of numerous remnants of historical Inams and Jagirs.

4.6 There are two more easily distinguishable groups. The first one comprises the districts of South Satara, Poona, Ahmednagar and Nasik where between 25 to 30 per cent of the land is tenant cultivated. The other group comprises West Khandesh, East Khandesh and Sholapur, where the tenant-cultivated land forms about 17 to 22 per cent of the total cultivated area. The remaining district, namely, North Satara has only 15 per cent of its land under tenant-cultivation.

4.7 If all the fourteen districts are considered together nearly 30 per cent of the cultivable area appears to be tenant cultivated.

4.8 It will be seen that in all the districts the tenant-cultivated area shows a certain decline during the course of the five years. The decline is not regular in all cases and in a few cases, in certain years, the tenant cultivated area actually shows some increase. The evidence of a general decline in tenant cultivated area is nevertheless clear in all the districts. The extent of this decline is however not the same in all the districts. The decline is the smallest in Ahmednagar, Thana, Kolhapur and North Satara where it is only between 4 to 6 per cent of its original size. In Bijapur and South Satara this dec-

line is between 8 to 10 per cent. In Kolaba and Dharwar it is 12 per cent. A large decline in the tenant cultivated area is seen in East Khandesh, West Khandesh, Nasik, Belgaum and Sholapur where the decline ranges between nearly 20 to 25 per cent. In Poona district there appears a sharp decline in tenant cultivated land to the extent of 30 per cent; but this is largely confined only to the last year.

4.9 The fact of a general decline in the tenant cultivated area however cannot be regarded as a necessarily favourable development though, in a sense, that is one of the ultimate objectives of the tenancy legislation. This is because the reduction in the tenant cultivated area may come about by two very different processes. In one, the tenant may acquire possession of the land cultivated by him; this is the avowed intention of the law and it offers the cultivator some assistance in this respect. Thus the Tenancy Act gives the tenant in possession the first priority of purchase when the landlord intends to sell his land. A protected tenant is also entitled to purchase from the landlord, the land held by him as a protected tenant provided this does not result in the tenant owning more than 50 acres or the landlord owning less than 50 acres of land. On the other hand, a tenant-cultivated area may become owner-cultivated through the owner resuming his land and, in the process, evicting the tenant from the land. This is not intended but is certainly allowed by the Act. Thus the protection given to the tenant has been qualified by the provision that a landlord may terminate the tenancy of a protected tenant if he requires the land for his personal cultivation so long as this does not result in the landlord cultivating more than fifty acres of land. It is therefore necessary to examine whether the increase in the owner-cultivated area in recent years has been brought about by the one or the other process. The relevant data are given in Table Nos. 4.2 and 4.3.

4.10 In Table No. 4.2 are traced out the transformations from year to year taking place in the owner-cultivated area in each district. An area which is owner-cultivated in one year might either continue to be so cultivated or might become tenant-cultivated in the following year. When it continues to be owner-cultivated, we might also distinguish whether it continues to be in the ownership of the same person or whether the owner has changed. The Table shows, for each district and for each year, what proportion of the area which was owner-cultivated in the preceding year continued to be owner-cultivated under the same owner and under a different owner and what proportion of it was converted into tenant-cultivated.

4.11 A change in ownership might come about by inheritance, purchase, or other transfers. From the standpoint of the Act, the changes by inheritance are only formal and are not of any great signi-

TABLE No. 4.2.  
Transformation from year to year taking place in owner cultivated area.

District	Proportion of the area owner cultivated in the preceding year Continues to be owner cultivated in the year												Converted into tenant cultivated in the year.			
	Under the same owner				Under a different owner				Total				49-50	50-51	51-52	52-53
	49-50	50-51	51-52	52-53	49-50	50-51	51-52	52-53	49-50	50-51	51-52	52-53				
West Khandesh	89.5	96.4	96.6	94.7	8.6	1.9	2.1	3.3	98.1	98.3	98.7	98.0	1.9	1.7	1.3	2.0
East Khandesh	87.1	91.5	95.1	95.9	11.1	3.9	2.6	3.7	98.2	95.4	97.7	99.6	1.8	4.6	2.3	0.4
Nasik	93.7	93.1	94.8	92.8	2.5	3.6	3.6	5.2	96.2	96.7	98.4	98.0	3.8	3.3	1.6	2.0
Thana	99.3	98.5	98.5	97.5	0.7	0.1	1.3	2.0	100.0	98.6	99.8	99.5	—	1.4	0.2	0.5
Kolaba	92.1	96.6	98.2	98.2	8.6	3.1	1.2	0.7	95.7	99.7	99.4	98.9	4.3	0.3	0.6	1.1
Poona	88.1	91.1	90.6	94.5	8.1	4.7	5.9	3.6	96.2	95.8	96.5	98.1	3.8	4.2	3.5	1.9
Ahmednagar	89.3	97.1	91.5	90.9	3.5	1.6	1.7	6.2	92.8	98.7	93.2	97.1	7.2	1.3	6.8	2.9
Sholapur	87.7	97.9	94.6	89.6	9.9	0.8	2.6	6.2	97.6	98.7	97.2	95.8	2.4	1.3	2.8	4.2
North Satara	96.4	88.2	94.9	97.8	2.3	5.4	3.9	1.5	98.7	93.6	98.8	99.3	1.3	6.4	1.2	0.7
South Satara	92.0	95.5	91.8	91.6	4.5	1.7	6.4	4.6	96.5	97.2	98.2	96.2	3.5	2.8	1.8	3.8
Kolhapur	97.4	87.6	92.0	88.1	1.3	2.5	4.5	5.2	98.7	90.1	96.5	93.3	1.3	9.9	3.5	6.7
Bijapur	87.1	90.6	92.0	90.7	9.6	2.2	4.0	2.7	96.7	92.8	96.0	93.4	3.3	7.2	4.0	6.6
Belgaum	92.7	94.7	93.0	93.4	4.1	2.5	5.4	3.9	96.8	97.2	98.4	97.3	3.2	2.8	1.6	2.7
Dharwar	88.8	92.7	97.5	92.1	3.4	4.2	1.4	4.3	92.2	96.9	98.9	96.4	7.8	3.1	1.1	3.6
Total	90.4	93.3	93.7	92.7	6.1	2.9	3.7	4.0	96.5	96.2	97.4	96.7	3.5	3.8	2.6	3.3
Weighted total	90.6	93.7	94.0	92.9	5.8	2.7	3.4	4.1	96.4	96.4	97.4	97.0	3.6	3.6	2.6	3.0

ficance. We have therefore thought it best to disregard them so that other changes such as by purchase or other transfers might be more clearly brought out. For the purpose of this Table, as also for all subsequent tables and discussion, we do not therefore regard a change in ownership by inheritance as a change. All other changes are however taken into account.

4.12 Our investigation covers the period from 1948-49 to 1952-53. Hence the first set of changes to trace are those from the year 1948-49 to the year 1949-50. The year 1948-49 does not therefore explicitly appear in the Table. Instead we begin with the year 1949-50 and show what proportion of the area which was owner-cultivated in the preceding year, that is in 1948-49, continued to be owner-cultivated under the same owner and under a different owner and what proportion was converted into tenant-cultivated in the year 1949-50. Year to year changes in the subsequent years are similarly traced.

4.13 Considering all districts together, it will be seen that in 1949-50, of the area which was owner-cultivated in the previous year, 96.4 per cent continued to be owner-cultivated and that 3.6 per cent was converted into tenant-cultivated by the creation of new tenancies. These proportions seem to remain more or less the same during the subsequent years. The proportions of area converted into tenant-cultivated during the four years are 3.6, 3.6, 2.6 and 3.0. Thus the proportions are more or less steady with perhaps only a slight decline. We might therefore say that about 3 per cent of the area which was owner-cultivated in any year was converted next year into tenant-cultivated by the creation of new tenancies.

4.14 The proportions of the area which continued to be owner-cultivated but under a different owner are 5.8 in 1949-50 and 2.7, 3.4 and 4.1 in the subsequent years. The proportion is indeed large in 1949-50 and shows a sudden fall in the following year and then a gradual rise in the subsequent years.. Such relatively large number of transfers of ownership in the first year have occurred in West Khandesh, East Khandesh, Sholapur and Bijapur and to a smaller extent in Poona and Ahmednagar. These data are based on our sample study of the plots as they appear in the village records. It is therefore difficult to say whether the large number of transfers in the first year with a sudden fall in the next year are real or are due to any arrears of entries in the record brought up to date in that year on account of the passing of the new Act. It is possible that they are real and that during 1948-49, in anticipation of the Act coming into force in December 1948, a large number of changes in ownership were in fact effected to escape some of the consequences of the Act. It should be remembered that we have not included here transfers

by inheritance so that mere formal changes are not counted. All the changes being considered involved either purchase or other transfers. Therefore if they were in fact effected during the short interval from June to December of 1948, it is significant as indicating the impact on the rural area of an anticipated agrarian legislation. We should also point out that we are here considering the transfers from one set of owner-cultivators to another set of owner-cultivators. Hence, the cases of sales by absentee landlords are not being considered.

4.15 If as is described above, there were in fact a large number of transfers in anticipation of the legislation, it is conceivable that the number of transfers should drop for sometime soon after the Act came into force. This could happen, if for no other reason, on account of certain misapprehensions about the provisions of the Act. The number of transfers of land would then recover as it did in subsequent years. Under the circumstances, if we suppose that in 1952-53 the initial shock of the Act was absorbed and that the conditions had returned to normality, we might say that normally about 4 per cent of the area which was owner-cultivated in any year would be transferred to other owner-cultivators either by sale or by other means other than inheritance.

4.16 In spite of the suggestions made above, we should remember that the results presented above are based on our sample of plots derived from the village records. Therefore it is not impossible that the large number of transfers appearing between the years 1948-49 and 1949-50 are not real. It might be, for instance, that a large number of these transfers did not take place between June and December of 1948 in anticipation of the Act as suggested above but that they were accumulated transactions of earlier year or years which had remained to be entered in the records and which were therefore entered between January and June of 1949 in order to bring the records up to date on account of the passing of the new legislation.

4.17 Considering the figures for individual districts, it is obvious that the year to year variations in them are large and often erratic on account of the smallness of the samples for individual districts. We therefore propose to examine the figures for individual districts in a later section where we shall examine the total change occurring over the period of five years.

4.18 We might next examine the transformations from year to year taking place in the tenant-cultivated area. These are traced out in Table No. 4.3. An area which is tenant-cultivated in one year might either continue to be so cultivated or might be converted into owner-cultivated. When it continues to be tenant-cultivated, we might

*Transformation from year to year taking place in the tenant-cultivated area.*

District	Proportion of the area tenant-cultivated in the preceding year															
	Resumed by the owner in the year				Acquired by the tenant in the year				Held by the same tenant in the year				Held by a different tenant in the year			
	49-50	50-51	51-52	52-53	49-50	50-51	51-52	52-53	49-50	50-51	51-52	52-53	49-50	50-51	51-52	52-53
West Khandesh	5.3	11.7	5.0	9.5	4.2	1.6	10.8	—	81.5	84.3	81.6	87.7	9.0	2.4	2.6	2.8
East Khandesh	10.8	11.1	18.9	6.7	0.6	5.0	0.8	—	85.9	81.2	75.8	93.1	2.7	2.7	4.5	0.2
Nasik	8.2	8.5	10.4	11.8	0.2	1.0	0.1	9.1	79.7	82.7	79.5	72.1	11.9	7.8	10.0	7.0
Thana	0.1	0.9	3.4	2.0	—	—	—	—	99.3	97.1	94.7	85.6	0.6	2.0	1.9	12.4
Kolaba	1.0	2.0	1.1	9.9	—	—	1.7	—	97.1	95.3	96.2	89.1	1.9	2.7	1.0	1.0
Poona	14.6	7.8	10.6	31.1	1.8	0.4	1.7	1.7	72.4	76.5	76.5	65.2	11.2	15.3	11.2	2.0
Ahmednagar	17.8	16.6	9.0	7.9	0.1	3.0	0.8	0.1	75.6	78.0	89.0	79.3	6.5	2.4	1.2	12.7
Sholapur	10.3	24.1	15.3	15.2	—	—	1.6	3.4	79.8	65.1	65.2	74.3	9.9	10.8	17.9	7.1
North Satara	16.4	26.0	8.2	4.4	—	0.3	2.5	0.3	77.8	58.3	86.5	83.9	5.8	15.4	2.8	11.4
South Satara	9.7	11.0	9.5	4.4	0.2	0.4	1.2	4.0	82.8	83.5	80.7	90.1	7.3	5.1	8.6	1.5
Kolhapur	3.9	4.0	5.8	10.0	—	—	0.3	0.2	83.7	88.1	87.0	79.5	12.4	7.9	6.9	10.3
Bijapur	6.6	11.6	12.6	10.3	2.6	1.1	—	0.4	76.1	75.1	71.8	75.7	14.7	12.2	15.6	13.6
Belgaum	9.1	4.0	7.6	16.6	—	0.4	0.8	1.8	83.7	85.9	85.2	79.8	7.2	9.7	6.4	1.8
Dharwar	7.7	4.4	4.1	14.6	—	—	—	0.5	83.7	86.7	90.5	78.9	8.6	8.9	5.4	6.0
<b>Total</b>	<b>8.8</b>	<b>10.0</b>	<b>9.0</b>	<b>12.7</b>	<b>0.9</b>	<b>0.7</b>	<b>1.0</b>	<b>1.6</b>	<b>80.9</b>	<b>80.3</b>	<b>81.1</b>	<b>78.6</b>	<b>9.4</b>	<b>9.0</b>	<b>8.9</b>	<b>7.1</b>
<b>Weighted total</b>	<b>9.7</b>	<b>11.4</b>	<b>9.6</b>	<b>12.0</b>	<b>0.8</b>	<b>1.1</b>	<b>1.4</b>	<b>1.7</b>	<b>80.9</b>	<b>79.3</b>	<b>81.0</b>	<b>79.5</b>	<b>8.6</b>	<b>8.2</b>	<b>8.0</b>	<b>6.8</b>

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further distinguish whether the same tenant continues or whether the tenant has been changed. On the other hand, if it is converted into owner-cultivated, this might come about by two fundamentally different processes; the area might either be resumed by the owner evicting the tenant in the process or it might be acquired by the tenant. The Table shows, for each year and for each district, what proportion of the area which was tenant-cultivated in the preceding year was resumed by the owner, what proportion was acquired by the tenant, what proportion continued to be tenant-cultivated under the same tenant and on what proportion the tenant was changed.

4.19 Considering all districts together, it seems that of the area which was tenant-cultivated in any year nearly 80 per cent continued to be tenant-cultivated by the same tenant in the next year. The percentages for the four years are 80.9, 79.3, 81.0 and 79.5 and it is obvious that there is little variation over the years. However, there is apparent a certain amount of variation as between different districts.

4.20 In Thana and Kolaba the proportion of the tenant-cultivated area which continued to be tenant-cultivated under the same tenant was very high in the beginning. For instance, in 1949-50, this proportion was 99.3 per cent in Thana and 97.1 per cent in Kolaba. However, in both the districts, these proportions show considerable decline over the four years. Thus in 1952-53, the proportions in the two districts were 85.6 and 89.1 per cent. It is clear therefore that in these districts, beginning with a practical security at the beginning of the period, the tenants became considerably less secure within a period of five years since the passing of the Act.

4.21 In Poona and Bijapur, the tenants seem to be less secure than in other districts. For here only about 75 per cent of the tenant-cultivated area in any year continued to be so under the same tenant. It is difficult to say whether this was a normal situation in these districts or whether it came about only after the passing of the Act. We have no data for the period prior to the Act to compare with the post-Act period. But there is no clear evidence, as there is in Thana and Kolaba, that the situation worsened progressively after the Act. At the same time there is little evidence in these two districts of any improvement coming about on account of the protection given by the Act to the tenants. In most other districts also the situation remained more or less the same and there appears no clear evidence either of any improvement or worsening of the situation in respect of the security of tenure.

4.22 Returning to the average situation in all the districts considered together, the remaining 20 per cent or so of the tenant-

cultivated area in any year was either resumed by the landlord or acquired by the tenant or continued to be tenant-cultivated but under a different tenant. Considering all districts together and speaking in broad terms, it appears that of the area which was tenant-cultivated in any year, nearly 10 per cent was resumed by the landlords next year; on about 8 per cent of the area, the tenants were changed; and only about 1 per cent of the area was acquired by the tenants. The proportion of the tenant-cultivated land resumed in the four years varies from 9.6 to 12.0 per cent. The variation is not very systematic but nevertheless there is some evidence to suggest that the proportion has somewhat increased over the four years. On the other hand, cases of changes in tenants have declined over the four years. Cases where the tenants acquired the lands, though on the whole very small, have increased somewhat.

4.23 There are large variations between different districts. On the whole, in the central districts of Poona, Ahmednagar, Sholapur and North Satara, there has been resumption rather on a large scale. In North Satara and Ahmednagar resumption took place on a large scale during the first two or three years after the passing of the Act. Later, it seems to have been on a much smaller scale. In Sholapur, it has continued on a large scale throughout the period. In Poona, it was high at the beginning but did not increase subsequently except in 1952-53, when more than 30 per cent of the area which was tenant-cultivated in the previous year was resumed by the landlords. In all these districts, tenants have also been changed on a considerable proportion of the tenant-cultivated area.

4.24 Among the northern districts, resumption has occurred on a relatively larger scale in East Khandesh and change of tenants was more frequent in Nasik.

4.25 Conditions in Thana and Kolaba have already been referred to. It was mentioned that in both the districts the traditional security has been very much affected. But it seems that this has happened by two different processes in the two districts. In Thana, where during the three years 1949-50, 1950-51 and 1951-52 tenants were not changed on more than 2 per cent of the tenant-cultivated area, they were changed on more than 12 per cent of the tenant-cultivated area in 1952-53. On the other hand, in Kolaba, where during the first three years not more than 2 per cent of the tenant-cultivated land was resumed in any year, nearly 10 per cent of the area was resumed in the last year.

4.26 In the Karnatak districts, namely Bijapur, Belgaum and Dharwar, a considerable proportion of the tenant-cultivated area was affected by either resumption or changes of tenants. In Bija-

pur, both resumption and changes in tenancy have occurred throughout the period since the Act, and there is little evidence of either any increase or decrease in the phenomena over the period. In Belgaum and Dharwar, there has occurred a sharp rise in the cases of resumption and a nearly compensating fall in the cases of change of tenants.

4.27 Cases of acquisition by tenants of land held by them have been very few but there is evident a small rise in them over the four years. Taking all the districts together, the proportion acquired by the tenants has increased from 0.8 per cent in 1949-50 to 1.7 per cent in 1952-53. The process has been on a much higher level in the northern districts of West Khandesh, East Khandesh and Nasik. Among the central districts of Sholapur and South Satara the phenomenon shows a quick rise in the last year. In most other districts, the phenomenon is very small and indeed negligible.

4.28 The year to year changes in the various proportions described above for any district are sometimes erratic and the annual variations are not always trustworthy. One reason for this is the smallness of the samples for individual districts. It should be noted however that as we are here tracing the same sample of plots over a period of five years, we should have normally expected less erratic changes than are actually seen. The reason why the variations are sometimes so erratic seems to be that our first-stage sample, that is, our sample of villages in each district, was very small. It will be remembered that in all the districts, except three, we have a sample of only six villages each. Now it is possible that the factors causing such phenomena as resumption and change of tenants visit a village in waves so that they suddenly affect a large number of plots in a year. It is also possible that the village records in these respects are not always kept up to date and that changes having taken place in the previous two or three years are entered in one year. For these reasons it seems that with a larger sample of villages, the annual variation in the above mentioned proportions might have been somewhat more regular than they have actually been in our sample.

4.29 The year to year variations in the several proportions for any district as appearing in our data are not therefore trustworthy. Nevertheless, for each district we could accumulate the annual changes and starting with a beginning position in 1948-49 we could build up an end position in 1952-53. Thus in Table No. 4.4 we show, for each district, the end position, that is the position in 1952-53, of the area which was owner-cultivated in 1948-49. As before, we shall classify the area which was owner-cultivated in 1948-49, according to whether it was owner-cultivated or tenant-cultivated in 1952-53. When it remained owner-cultivated in 1952-53, we shall distinguish, as before, two categories according to whether the same

TABLE No. 4.4.

Condition in 1952-53 of the area which was owner-cultivated in 1948-49.

District	Total area owner-cultivated in 1948-49 acres	Proportion of the area owner-cultivated in 1948-49								
		Continues to be owner cultivated in 1952-53			Rented out and subsequently			Rented out		
		Under the same owner	Under a different owner	Total	Resumed by owner	Acquired by tenant	Total	By original owner	Following change in owner	Total
West Khandesh	895	93.1	1.6	94.7	2.4	—	2.4	2.6	0.3	2.9
East Khandesh	846	86.7	5.3	92.0	2.3	—	2.3	5.7	—	5.7
Nasik	1320	91.4	1.2	92.6	1.7	0.3	2.0	5.3	0.1	5.4
Thana	301	96.5	1.3	97.8	—	—	—	2.2	—	2.2
Kolaba	296	93.6	0.8	94.4	0.3	0.1	0.4	5.0	0.2	5.2
Poona	2265	86.0	3.8	89.8	5.5	0.3	5.8	4.4	0.0	4.4
Ahmednagar	1209	84.0	2.4	86.4	4.1	0.0	4.1	9.5	—	9.5
Sholapur	2568	90.9	1.5	92.4	0.4	0.3	0.7	6.9	—	6.9
North Satara	1842	92.0	1.1	93.1	1.5	0.5	2.1	4.9	—	4.9
South Satara	1778	87.0	3.0	90.0	2.2	1.6	3.8	6.2	0.0	6.2
Kolhapur	531	82.9	1.9	84.8	2.3	0.3	2.6	10.9	1.7	12.6
Bijapur	2859	79.4	6.7	86.1	2.9	0.2	3.1	10.8	—	10.8
Belgaum	1548	89.8	2.5	92.3	1.4	—	1.4	6.2	0.1	6.3
Dharwar	1838	83.0	4.6	87.6	6.6	—	6.6	5.8	—	5.8
Total	20096	87.2	3.1	90.5	2.7	0.3	3.0	6.6	0.1	6.7
Weighted total	—	87.5	3.0	90.5	2.7	0.2	2.9	6.5	0.1	6.6

owner continued or the owner was changed. In addition, we shall make two further distinctions. There might be some area which was owner-cultivated both in 1948-49 and in 1952-53 but which for some time in between was rented out and subsequently was either resumed or acquired by the tenant. We shall make these two additional categories accordingly. In the same way, when the originally owner-cultivated area was converted into tenant-cultivated, we shall make a distinction according to whether it was rented out by the original owner or by a new owner following a change in ownership.

4.30 Thus considering all the districts together, it will appear that of the area which was owner-cultivated in 1948-49, 87.5 per cent continued to be so under the same owner, and 3.0 per cent continued to be owner-cultivated but under a different owner. In addition, 2.9 per cent of the area, though it was rented out for some time, was owner-cultivated in 1952-53, mostly because of resumption. The remaining 6.6 per cent of the area was rented out by creating fresh tenancies mostly by the original owner-cultivators themselves.

4.31 Looked at from a slightly different standpoint, it will appear that a total of 9.5 per cent of the area was freshly rented out during the five year period. Of this 2.7 per cent was resumed and 0.2 per cent was acquired by the tenants. Thus of the freshly rented out area, over 27 per cent was resumed and only about 2 per cent was acquired by the tenants.

4.32 Comparing the districts, it is seen that there has been considerable fresh renting, between 10 to 15 per cent of the owner-cultivated area, in Poona, Ahmednagar, Kolhapur, Bijapur and Dharwar. But in Poona, Ahmednagar and Dharwar half or more of it was resumed. In Kolhapur and Bijapur on the other hand, a substantial portion of the freshly rented out area continued with the tenants. Resumption of the freshly rented area was also somewhat high in the northern districts of West Khandesh, East Khandesh and Nasik. In Thana, there has been a very small amount of fresh renting out. In the remaining districts, the various proportions are more or less similar.

4.33 In Table No. 4.5 is prepared a similar statement for the area which was tenant-cultivated in 1948-49 showing its position in 1952-53. The area which was tenant-cultivated is classified, as before, according as in 1952-53, it was tenant-cultivated under the same tenant or a different tenant; or was converted into owner-cultivated either by resumption by the owner or by acquisition by the tenant. Cases of resumption have been further distinguished according to whether the resumption was by the original owner or by a new owner following a change in ownership. The cases where

TABLE No. 4.5.

Condition in 1952-53 of the area which was tenant-cultivated in 1948-49.

District	Proportion of the area tenant-cultivated in 1948-49								Original tenant changed			
	Resumed				Acquired by tenant 5	Continues to be held by same tenant in 1952-53						
	1	2	3	4		6	7	8	9	10	11	12
West Khandesh	261	13.6	4.5	18.1	12.0	58.4	—	58.4	9.0	0.8	1.7	11.5
East Khandesh	239	28.7	4.1	32.8	6.2	55.8	—	55.8	4.4	0.8	—	5.2
Nasik	523	25.3	0.3	25.6	8.7	45.8	0.2	46.0	10.9	7.2	1.6	19.7
Thana	307	3.8	2.5	6.3	—	78.0	0.1	78.1	15.6	—	—	15.6
Kolaba	265	12.5	0.3	12.8	1.7	77.9	0.6	78.5	6.1	0.9	—	7.0
Poona	806	29.6	8.4	38.0	4.2	42.3	2.4	44.7	7.9	5.2	—	13.1
Ahmednagar	418	26.7	0.8	27.5	0.9	56.0	0.5	56.5	4.7	10.4	—	15.1
Sholapur	752	41.6	2.3	43.9	2.9	30.7	—	30.7	16.3	6.2	—	22.5
North Satara	357	30.1	—	30.1	0.3	33.7	0.2	33.9	22.2	12.6	0.9	35.7
South Satara	726	18.6	4.4	23.0	1.2	60.3	—	60.3	10.5	4.9	0.1	15.5
Kolhapur	429	13.8	0.2	14.0	0.1	64.5	0.4	64.9	19.6	1.3	0.1	21.0
Bijapur	1766	23.9	0.3	24.2	1.2	37.1	5.0	42.1	27.4	5.1	—	32.5
Belgaum	920	27.4	0.8	28.2	2.8	48.5	—	48.5	15.1	2.5	2.9	20.5
Dharwar	1246	16.8	0.3	17.1	0.5	60.1	—	60.1	18.6	3.7	—	22.3
Total	9015	23.6	1.9	25.5	2.4	49.5	1.3	50.8	16.1	4.7	0.5	21.3
Weighted total	—	24.6	2.1	26.7	3.2	49.8	0.9	50.7	13.9	5.0	0.5	19.4

- (1) Total area tenant cultivated in 1948-49 (Acres). (2) By original owner. (3) Following change in owner. (4) Total.  
 (5) Acquired by Tenant. (6) Under the same owner. (7) Under a different owner. (8) Total.  
 (9) Without resumption. (10) Preceded by resumption. (11) Following change in owner. (12) Total.

the land continued to be tenant-cultivated under the same tenant are further classified according as the land remained in the ownership of the original owner or the owner had changed. The cases where the tenants had changed are further classified according to whether the change of tenants was preceded by resumption by the owner or by a change in the ownership.

4.34 Considering all the districts together, and speaking broadly, it will be seen that of the area which was tenant-cultivated in 1948-49, about 50 per cent continued to be tenant-cultivated by the original tenant; on nearly 20 per cent, the tenant was changed; nearly 27 per cent was resumed by the owners and only 3 per cent was acquired by the tenants.

4.35 Viewed from a different standpoint, it appears that 31.7 per cent of the originally tenant-cultivated area was resumed; of this 26.7 per cent was retained by the owners for personal cultivation and 5.0 per cent was rented out to new tenants. Thus nearly one-sixth of the area resumed was apparently for effecting a change of tenants.

4.36 In individual districts, if we concentrate attention on cases of resumption and changes of tenants, we see that the incidence of the two phenomena was heaviest in Sholapur and North Satara districts where nearly 66 per cent of the originally tenant-cultivated area was subjected to either resumption or changes of tenants during the course of five years. In Sholapur, resumption occurred on a large scale while in North Satara changes of tenants were more extensive. Resumption also occurred on a considerable scale in Poona and East Khandesh and also to some extent in Ahmednagar and Belgaum. There were extensive changes of tenants in Bijapur.

4.37 Acquisition of ownership by tenants in possession has taken place on some scale only in the northern districts of West Khandesh, East Khandesh and Nasik where nearly 10 per cent of the tenant-cultivated area was acquired by the tenants during the course of five years. This has also happened though to a smaller extent, in Poona and to a still smaller extent in Sholapur and Belgaum. In the remaining districts such cases were indeed very few.

4.38 We might also examine the position from a somewhat different standpoint so as to bring out more clearly the consequences of the change in ownership of the tenant-cultivated lands. The ownership of a tenant-cultivated land might change because of the tenant-in-possession acquiring the land. On the other hand if the ownership passed into the hands of a person other than the tenant-in-possession it might result into one of the following consequences: the new owner might resume the land and in the process evict the

tenant; he might allow the original tenant to continue; or he might change the tenant. Thus in the present case, ownership had changed on altogether 6.7 per cent of the area which was tenant-cultivated in 1948-49. Of this 3.2 per cent, which is somewhat less than one half of the total, was on account of the tenants acquiring the ownership. We might thus say that of the tenant-cultivated area which was offered for sale, nearly one-half was acquired by the tenants. This might be regarded as quite satisfactory. In the case of 2.1 per cent, which is nearly one-third of the total, the area was resumed by the new owners which might be taken to mean that the area was sold to cultivators. In the remaining 1.4 per cent of the area, which is nearly one-fifth of the total, the lands continued to be tenant-cultivated which might be taken to mean that the lands were sold to non-cultivators. On nearly two-thirds of this area which continued to be tenant-cultivated after the change in ownership, the original tenants were allowed to be continued while on the remaining one-third of the area, the tenants were changed.

4.39 In order to bring out the position of the individual districts in this respect, we have prepared Table No. 4.6 where the area which was tenant-cultivated in 1948-49 and the ownership of which changed during the course of the next five years is classified according to the nature and consequences of the change in ownership as described above. It will be seen that our total sample is not quite adequate to discuss the position of individual districts in this respect. Nevertheless it seems clear that in the northern districts of West Khandesh, East Khandesh and Nasik, more than 10 per cent of the area which was tenant-cultivated in 1948-49 was subjected to change of ownership during the course of next five years and nearly 75 per cent of it was acquired by the tenants-in-possession. In Poona also 15 per cent of the tenant-cultivated area changed its ownership but less than 30 per cent of it was acquired by tenants. In Sholapur, South Satara, Bijapur and Belgaum only about 5 to 6 per cent of the tenant-cultivated area changed its ownership; in Sholapur and Belgaum nearly 50 per cent of it was acquired by the tenants but in South Satara and Bijapur less than 20 per cent was acquired by the tenants. In South Satara, most of the remaining area was resumed by the new owners while in Bijapur most of it continued to be cultivated by the same tenants under the new owners. In the remaining districts very little area which was tenant-cultivated in 1948-49 changed its ownership during the next five years.

4.40 We have so far traced the changes in ownership and tenancy forward from 1948-49 to 1952-53. We could also view them from the other end. Thus beginning with 1952-53 and looking backwards



TABLE No. 4.7.

*Areas owner-cultivated and tenant-cultivated in 1952-53 classified by the year and mode of acquisition by their owners in 1952-53.*

District	Owner cultivated area					Tenant-cultivated area				
	Total area acquired (acres) = 100	Proportion of area acquired			Total	Total area acquired (acres)	Proportion of area acquired			Total
		prior to 1948-49	during 1948-53 by purchase	otherwise			prior to 1948-49	during 1948-53 by purchase	otherwise	
West Khandesh	947	88.2	6.8	5.0	11.8	209	95.4	1.4	3.2	4.6
East Khandesh	891	89.2	5.8	5.0	10.8	194	96.4	0.4	3.2	3.6
Nasik	1428	94.4	5.4	0.2	5.6	415	96.0	3.6	0.4	4.0
Thana	314	95.7	1.8	2.5	4.3	294	98.3	0.9	0.8	1.7
Kolaba	319	97.1	2.1	0.8	2.9	242	99.5	0.4	0.1	0.5
Poona	2505	90.2	7.4	2.4	9.8	566	96.3	0.5	3.2	3.7
Ahmednagar	1214	96.4	2.6	1.0	3.6	413	94.0	5.5	0.5	6.0
Sholapur	2742	94.9	4.5	0.6	5.1	578	99.3	0.7	—	0.7
North Satara	1861	96.3	2.9	0.8	3.7	338	95.2	0.1	4.7	4.8
South Satara	1842	93.2	5.5	1.3	6.8	662	99.8	0.2	—	0.2
Kolhapur	524	96.7	1.7	1.6	3.3	486	96.6	0.5	2.9	3.4
Bijapur	3000	89.4	5.7	4.9	10.6	1625	91.3	1.4	7.3	8.7
Belgaum	1735	94.4	3.1	2.5	5.6	733	95.3	0.3	4.4	4.7
Dharwar	1950	94.7	2.6	2.7	5.3	1134	98.4	0.3	1.3	1.6
<b>Total</b>	<b>21272</b>	<b>93.1</b>	<b>4.5</b>	<b>2.4</b>	<b>6.9</b>	<b>7839</b>	<b>96.0</b>	<b>1.0</b>	<b>3.0</b>	<b>4.0</b>
<b>Weighted total</b>	<b>—</b>	<b>93.3</b>	<b>4.4</b>	<b>2.3</b>	<b>6.7</b>	<b>—</b>	<b>96.1</b>	<b>1.4</b>	<b>2.5</b>	<b>3.9</b>

TABLE No. 4.6.

Area which was tenant-cultivated in 1948-49 and ownership of which changed during next five years classified by the nature and consequences of the change in ownership.

District	Original tenant became the owner	New owner resumed	Original tenant continued under the new owner	New owner changed the tenant	Total area with changed ownership = 100 (acres)	Total area tenant cultivated in 1948-49 (acres)	Area with changed ownership as percent of total area
West Khandesh	66.0	24.6	—	9.4	48	261	18.2
East Khandesh	60.2	39.8	—	—	25	239	10.3
Nasik	80.3	2.8	1.9	15.0	56	523	10.8
Thana	—	96.5	3.5	—	8	307	2.6
Kolaba	63.7	11.5	24.8	—	7	265	2.6
Poona	28.3	55.9	15.8	—	121	806	15.0
Ahmednagar	40.5	37.8	21.7	—	9	418	2.2
Sholapur	56.1	43.9	—	—	39	752	5.2
North Satara	14.5	24.5	61.0	—	5	357	1.4
South Satara	20.7	77.4	—	1.9	41	726	5.7
Kolhapur	11.1	27.8	44.4	16.7	4	429	0.8
Bijapur	19.0	4.6	76.4	—	115	1766	6.5
Belgaum	43.2	12.1	—	44.7	59	920	6.4
Dharwar	62.7	37.3	—	—	9	1246	0.8
Total	40.1	30.9	21.0	8.0	546	9015	6.1
Weighted total	47.8	31.4	18.4	7.4	—	—	6.7

we might ask since when the lands were in the ownership of those who owned them in 1952-53. We might also ask an analogous question, namely, since when the lands were in the cultivation of those who cultivated them in 1952-53. While answering both these questions, it would be appropriate to make a distinction between the lands which were owner-cultivated and the lands which were tenant-cultivated in 1952-53. The relevant data are given in Table Nos. 4.7 and 4.8.

4.41 In Table No. 4.7, the areas which in 1952-53 were owner-cultivated and tenant-cultivated respectively are classified according to whether they were in the ownership of their present owners prior to 1948-49. Further, the areas which were acquired by their present owners sometime during the five year period from 1948-49 to 1952-53, are classified according to the mode of acquisition, namely, whether by purchase or by other means. It will be remembered that we do not regard the transfers by inheritance as changes in ownership.

4.42 It will be seen that 93.3 per cent of the area which was owner-cultivated in 1952-53, had been in the ownership of its present owners since before 1948-49, and that the remaining, namely, 6.7 per cent was acquired sometime during 1948-53. Of this latter, 4.4 per cent which is nearly two-thirds was acquired by purchase and the remaining one-third by other means, the chief among them being possession mortgage. Relatively large transfers of land during the five years 1948-53, have taken place in West Khandesh, East Khandesh, Poona and Bijapur where between 10 to 12 per cent of the owner-cultivated area was acquired by its present owners sometime during 1948-53.

4.43 Of the area which was tenant-cultivated in 1952-53 a larger proportion, namely 96.1 per cent, had been in the ownership of its present owners since before 1948-49 and only 3.9 per cent of it was acquired during the five year period 1948-53. Of this latter, 1.4 per cent which is only about one-third was acquired by purchase while the remaining two-thirds was acquired by other means. Thus though in the tenant-cultivated area recent transfers were fewer, transfers by means other than purchase were relatively more frequent. Such transfers to non-cultivating owners by means other than purchase were most frequent in Bijapur. They were also common in West Khandesh, East Khandesh, Poona, North Satara, Kolhapur and Belgaum. Transfers to non-cultivating owners by purchase were common in Ahmednagar and to a smaller extent in Nasik.

TABLE No. 4.8.

Period for which the land was in the personal cultivation as owner/tenant-cultivators of those persons who were respectively the owner/tenant-cultivators in 1952-53.

District	Proportion of area in owner-cultivation of owner-cultivators in 1952-53 since						Proportion of area in tenant-cultivation of tenant-cultivators in 1952-53 since.					
	1	1948-49	1949-50	1950-51	1951-52	1952-53	2	1948-49	1949-50	1950-51	1951-52	1952-53
West Khandesh	948	88.0	1.9	3.7	3.9	2.6	209	73.0	8.4	1.0	6.0	11.6
East Khandesh	890	82.2	4.2	5.8	3.9	3.2	194	68.7	3.9	13.7	11.6	2.1
Nasik	1428	84.4	2.3	2.0	3.1	8.1	415	58.0	9.2	6.7	11.1	15.0
Thana	314	92.6	0.2	0.8	3.6	2.8	294	81.5	—	3.2	2.0	13.3
Kolaba	319	86.8	1.1	1.1	2.5	8.5	242	86.1	6.4	3.1	1.9	2.5
Poona	2504	77.8	4.6	1.7	5.3	10.5	566	63.6	3.7	8.4	13.7	10.9
Ahmednagar	1213	84.1	3.0	6.1	3.2	3.9	413	57.1	5.3	4.0	12.6	21.0
Sholapur	2742	86.1	2.2	3.4	3.6	4.8	578	39.9	8.6	2.0	22.7	26.8
North Satara	1862	91.4	1.3	3.8	1.8	1.7	337	35.8	5.4	35.2	8.3	15.3
South Satara	1842	84.4	2.6	3.0	4.5	5.5	662	66.2	2.3	7.9	11.2	12.4
Kolhapur	524	84.1	1.0	1.5	4.2	9.2	436	64.0	4.8	6.8	6.0	18.4
Bijapur	3000	75.9	5.2	5.2	6.5	7.2	1625	45.7	7.3	7.1	14.2	25.7
Belgaum	1785	80.1	3.7	1.8	4.9	9.6	733	68.4	9.0	12.2	9.6	0.8
Dharwar	1950	78.6	2.5	3.9	2.9	12.2	1134	66.1	6.8	7.6	3.9	15.6
Total	21271	82.6	3.0	3.4	4.1	6.9	7839	59.1	6.2	8.2	10.5	16.0
Weighted total	—	83.1	2.9	3.4	4.0	6.6	—	59.4	6.2	8.3	11.0	15.0

(1) Total area owner-cultivated in 1952-53 (Acres). (2) Total area tenant-cultivated in 1952-53 (Acres).

4.44 In Table No. 4.8, the areas which were owner-cultivated and tenant-cultivated respectively in 1952-53, are classified according to the years since when they were in the personal cultivation of their present cultivators as owner-cultivators and as tenant-cultivators respectively.

4.45 It will be seen that 83.1 per cent of the area which was owner-cultivated in 1952-53, had been in the owner-cultivation of its present cultivators since 1948-49 or earlier. The remaining 16.9 per cent came to be owner-cultivated by its present owner-cultivators sometime after 1948-49. This proportion is larger in Poona, Bijapur, Belgaum and Dharwar where between 20 to 25 per cent of the area which was owner-cultivated in 1952-53 came to be so cultivated by their present cultivators sometime after 1948-49.

4.46 From the latter half of the Table, it will be seen that less than 60 per cent of the tenant-cultivated area was in the possession of the present tenants, as tenants, for five or more years; on 6.2 per cent of the area the tenants were for four years; on 8.3 per cent, they were for three years, on 11.0 per cent, for only two years, and on 15.0 per cent of the area, the tenants were just for one year. The proportion of the tenant-cultivated area on which the existing tenants were for five or more years was the smallest in Sholapur and North Satara districts where such area was less than 40 per cent of the total. However, in North Satara, an erratically large proportion of the area appears to be held by the tenants since 1950-51. It is possible, therefore, that the figures for this district are affected by accidental features of the sample. On the other hand, in Sholapur district a large number of either new tenancies or changes in tenancies were made both in 1951-52 and in 1952-53. The same is true of the situation in Bijapur District. It seems therefore that both in Sholapur and Bijapur, either a large number of new tenancies were created during this period or a number of existing tenants were changed..

4.47 We might now summarise the changes in ownership and tenancy occurring during the five years from 1948-49 to 1952-53. In 1948-49, of the total cultivable area 30.7 per cent was tenant cultivated. There was a certain decline in the tenant cultivated area during the course of five years so that in 1952-53, only 26.8 per cent of the total cultivable area was tenant cultivated. It will be convenient to describe the changes in the originally owner-cultivated and the tenant-cultivated areas separately.

4.48 Of the area which was owner-cultivated in 1948-49, 87.5 per cent continued to be cultivated by the original owner-cultivators; 9.5 per cent was rented out by the original owners to new tenants;

3.0 per cent changed hands and passed from the original owners to other owner-cultivators. Finally, 0.1 per cent after changing ownership was rented out by the new owners. Thus only 3.1 per cent of the area changed hands and only 0.1 per cent, which is about 3 per cent of 3.1, passed into the hands of non-cultivating owners in the sense that new owners did not themselves cultivate it; it is not impossible that they cultivated other plots.

4.49 It is however important that 9.5 per cent of the area which was originally owner-cultivated was freshly rented out. Of this 2.7 per cent was later resumed by the owners and 0.2 per cent was acquired by the tenants. The remaining 6.6 per cent continued to be tenant-cultivated and was so cultivated in 1952-53.

4.50 Of the area which was tenant-cultivated in 1948-49, 93.3 per cent continued to be in the possession of the original owners; 3.2 per cent was acquired by the tenants and 3.4 per cent passed into the hands of other persons. Thus of the area which changed hands, nearly half was acquired by the tenants.

4.51 Of the 93.3 per cent of the tenant-cultivated area which continued with the original owners, in 49.8 per cent, the original tenants also continued. On 13.9 per cent, the tenants were changed and 29.6 per cent was resumed by the owners. Of the 3.5 per cent which changed ownership, 2.1 per cent, which is 60 per cent of 3.5, was resumed by the new owners; on 0.9 per cent, the original tenants continued and on 0.5 per cent, the tenants were changed by the new owners.

4.52 Thus of the area which was tenant-cultivated in 1948-49, on only 50.7 per cent the original tenants continued undisturbed. On 14.4 the tenants were changed and 31.7 was resumed by the owners. Of the area which was resumed by the owners, 5.0 per cent was later rented to different tenants. Thus nearly one-sixth of the resumption was ostensibly for effecting change of tenants.

4.53 It should be emphasised that the above analysis is based on the information as it was available from the village records. Cases of change in ownership, of change of tenants, of resumption by owners and of fresh leasing were of particular interest to us. Therefore we followed them up by a more intensive enquiry involving personal interviewing of all the parties concerned. We shall present the results in the subsequent chapters.

## CHAPTER V

### TRANSFERS OF AGRICULTURAL LANDS.

5.1 As earlier described, all cases of sale of land as appearing in Schedule I, the results of which were presented in the previous Chapter, were followed up by means of another Schedule, namely, Schedule II. Also, as Schedule I was filled in only for a ten per cent sample of all plots in the selected villages, in order to have a larger number of sale transactions to study, the investigators were asked to obtain from the office of the sub-registrar all cases of sales from the selected villages recorded during the years 1952-53, 1951-52, 1950-51, 1949-50 and 1948-49 in that order so as to have a minimum sample of 25 sales transactions from each selected village. All these cases were covered by Schedule II. It might also be remembered that Schedule II required a personal interview with all the parties to such transactions, namely, the seller, the buyer and the tenant, if any, on the land concerned at the time of the sale. In this Chapter, we propose to present the results of this investigation.

5.2 In Table 5.1 are shown the number of sale transactions covered by Schedule II in different districts and for each one of the five years. The cases studied have been divided into two classes, sample and non-sample. The sample cases are those appearing in the ten per cent sample of plots covered by Schedule I. The non-sample cases are those which in addition to the sample cases were obtained from the offices of the sub-registrars. Thus we have in all 281 sample and 1541 non-sample cases making a total of 1822 sale transactions for our study.

5.3 The procedure by which the non-sample cases of sales were added to the sample cases should be clearly understood. Whenever in any of the selected villages, and this happened in all of the selected villages, the number of sales in the ten per cent sample covered by Schedule I was smaller than 25, an attempt was made to secure more cases of sale to study from that village. This was done by obtaining from the office of the sub-registrar, all sale transactions from that village recorded, in the first instance, during the year 1952-1953. It was only when the sample cases together with the non-sample cases in 1952-53 fell short of 25, that the non-sample cases of sales recorded in 1951-52 were added and so on upto the sales recorded in 1948-49. In a few villages, even when all the sales recorded during the five years from 1948-49 to 1952-53 were taken account of, the total number of sales to be studied did not come up to 25. In such cases, of course,

TABLE No. 5.1.

'Sample' and 'Non-sample' cases of sales of agricultural lands classified by years.

District	1948-49		1949-50		1950-51		1951-52		1952-53		All years.		Total
	Sample	Non-sample	Sample	Non-sample	Sample	Non-sample	Sample	Non-sample	Sample	Non-sample	Sample	Non-sample	
West Khandesh	10	47	4	18	2	18	1	26	—	18	17	122	139
East Khandesh	4	17	5	10	6	31	3	32	3	19	21	109	130
Nasik	3	9	7	9	3	41	5	26	6	47	24	132	156
Thana	5	27	3	9	1	8	1	9	—	9	10	62	72
Kolaba	5	17	1	10	3	17	3	12	1	29	13	85	98
Poona	8	4	13	13	12	10	17	10	6	50	56	87	143
Ahmednagar	5	7	2	15	3	11	4	29	2	37	16	99	115
Sholapur	2	14	3	15	5	26	8	18	4	33	22	106	128
North Satara	8	4	5	13	3	11	—	21	4	42	20	91	111
South Satara	1	2	6	—	3	7	5	24	9	45	29	78	107
Kolhapur	3	10	5	16	—	17	—	27	1	43	9	113	122
Bijapur	2	42	10	21	3	36	5	45	2	36	22	180	202
Belgaum	—	31	7	18	6	19	2	41	3	34	18	143	161
Dharwar	1	38	1	19	—	23	—	19	2	30	4	134	138
<b>Total</b>	<b>57</b>	<b>269</b>	<b>72</b>	<b>186</b>	<b>55</b>	<b>280</b>	<b>54</b>	<b>339</b>	<b>43</b>	<b>467</b>	<b>281</b>	<b>1541</b>	<b>1822</b>



nothing more could be done and we had to be content with whatever number of sales was available from these villages. But in most of the sample villages we could obtain 25 or more cases of sales by going sufficiently backwards in the records of the sub-registrar, and in many cases, this could be done without going as far back as 1948-49. It should be clearly understood therefore that the sample and the non-sample cases studied by us did not cover all the sales from the selected villages recorded during the years from 1948-49 to 1952-53. However, in none of the selected villages the sample cases were more than 25 and hence additional cases of sales from among those recorded during the year 1952-53 had to be obtained from every village. We might therefore say that we have for all the villages perhaps all the cases of sales recorded in 1952-53. But our coverage is of increasing incompleteness for the earlier years. The actual numbers of sale transactions recorded in different years and included in our study have therefore no significance; in particular, they should not be used to judge the volume of sales occurring during the five year period. For this purpose it is appropriate to use only our sample cases of sales based on the ten per cent sample of plots covered by Schedule I.

5.4 The sample cases studied for the five years are 57, 72, 55, 54 and 43 respectively. The number 72 for the year 1949-50 is exceptionally large and if in that year there was in fact an exceptionally large number of sale transactions, the fact could be borne out by whatever number of transactions was secured from the sub-registrar's office. This number for the year 1949-50 is in fact smaller than the similar number for the earlier year 1948-49. It seems therefore that the sample number of 72 for the year 1949-50 is a sampling accident giving little cause to suppose that the number of sale transactions in that year was any higher than in the previous year. The sample number 43 for the year 1952-53 is somewhat smaller than for the other years; but this is compensated by the large number of non-sample cases. The sample and the non-sample cases for this year add to a total of 510. As explained above, there is reason to believe that our coverage was practically complete for this year so that on a ten per cent sample basis we should expect a sample of 51 cases. Hence in this case also the rather small number of sample cases appears to be somewhat of a sampling aberration. Therefore if we accept 51 to be the sample number to be expected for the year 1952-53 and if we also agree that the number of transactions in 1949-50 was also probably somewhere between those in the years 1948-49 and 1950-51, the sample numbers for the five years might be put as: 57, 56, 55, 54 and 51. Thus we might say that the number of sales in the five years from 1948-49 to 1952-53 was more or less steady and showed a slight decline over the five years. We shall later return to this point

and present an estimate of the volume of total sales during the five year period.

5.5 On closer scrutiny, it appeared that some of the transactions recorded as sales were in fact mortgages of various descriptions. In Table No. 5.2, the transactions studied have been classified into sales and mortgages. It will be seen that out of the 1822 transactions studied, only 1602 were of genuine sales while the remaining 220 were in fact mortgages. Mortgages seem more common in the Karnataka districts of Bijapur, Belgaum, and Dharwar. They also appear in rather large numbers in Nasik and Poona districts.

5.6 In Table No. 5.3, we show the related areas, namely, of sales and mortgages respectively, classified by years. It will be seen that the 1602 sales studied by us comprised a total of 7166 acres and the mortgages concerned a total of 950 acres. To begin with we shall examine the nature of the sales and later present our data on mortgages.

5.7 It might be useful at this stage to obtain an estimate of the total volume of sales during the five years. In a previous paragraph, we have explained that the variation in the number of sales transactions studied by us for the five years is of no significance and also that on the basis of the sale transactions obtained from the ten per cent sample of plots, it seems that, except perhaps for a small decline, the number of sales transactions has remained more or less steady over the five years. We have also explained that as for the year 1952-53 we have a practically complete record of the sales taking place in the selected villages. We might therefore take this as a basis for estimating the volume of sales during the five years. From Table No. 5.3 it will be seen that the total area sold during 1952-53 was 2011 acres. On that basis, it would seem that somewhat more than 10,000 acres of land was sold in the selected villages during the five years from 1948-49 to 1952-53. This agrees well with the results of the ten per cent sample of plots covered by Schedule I, and presented in Chapter IV. It will be seen from Table No. 4.7 that out of the 21,272 acres of land which was owner-cultivated in 1952-53, 4.5 per cent was acquired by its present owners by purchase sometime during the five year period. This means that about 957 out of the 21,272 acres of land was subjected to sale during this period. Similarly, out of the 7839 acres of land which was tenant-cultivated in 1952-53, 1.0 per cent, that is nearly 78 acres of it was acquired by its present owners by purchase sometime during the five year period. Thus we have that out of the total area of the ten per cent sample plots covered by Schedule I, 957 plus 78 that is a total of 1035 acres of land was subjected to sales during the five year period. Part of this area was subjected to more than one sale during this period and hence if we

TABLE No. 5.3.

*Area of agricultural lands, sold and mortgaged, classified by years.*

District	Area (acres) sold					Total	Area (acres) mortgaged					Total
	1948-49	1949-50	1950-51	1951-52	1952-53		1948-49	1949-50	1950-51	1951-52	1952-53	
West Khandesh	220	100	99	133	51	602	42	3	3	6	—	54
East Khandesh	55	29	102	139	62	387	—	—	3	1	—	4
Nasik	33	30	68	80	148	359	9	29	77	25	29	169
Thana	62	17	10	8	15	112	—	—	—	—	—	—
Kolaba	51	28	30	46	43	198	—	—	—	—	—	—
Poona	29	38	34	75	212	388	4	11	11	6	17	49
Ahmednagar	56	33	33	139	144	405	—	—	—	9	10	19
Sholapur	153	87	214	208	233	895	10	1	32	11	25	79
North Satara	60	19	21	56	171	327	—	—	—	—	—	—
South Satara	8	8	41	142	195	394	—	22	—	—	22	44
Kolhapur	34	52	49	54	85	274	—	—	—	1	—	1
Bijapur	470	148	168	295	360	1441	48	37	37	49	56	227
Belgaum	156	100	84	178	122	640	14	59	46	49	63	231
Dharwar	279	86	118	90	170	743	19	15	8	11	20	73
<b>Total</b>	<b>1666</b>	<b>775</b>	<b>1071</b>	<b>1643</b>	<b>2011</b>	<b>7166</b>	<b>146</b>	<b>177</b>	<b>217</b>	<b>168</b>	<b>242</b>	<b>950</b>

TABLE No. 5.2.

*Classification of the transactions studied according to their nature whether genuine sales or mortgages by years.*

District	1948-49		1949-50		1950-51		1951-52		1952-53		All years.		Total
	Sales	Mortgages	Sales	Mortgages	Sales	Mortgages	Sales	Mortgages	Sales	Mortgages	Sales	Mortgages	
West Khandesh	50	7	21	1	19	1	25	2	13	—	123	11	139
East Khandesh	21	—	15	—	36	1	34	1	22	—	123	2	130
Nasik	9	3	10	6	26	18	26	5	41	12	112	44	156
Thana	32	—	12	—	9	—	10	—	9	—	72	—	72
Kolaba	22	—	11	—	20	—	15	—	30	—	98	—	98
Poona	9	3	19	7	16	6	23	4	44	12	111	32	143
Ahmednagar	12	—	17	—	14	—	29	4	37	2	109	6	115
Sholapur	15	1	17	1	30	1	25	1	36	1	123	5	128
North Satara	12	—	18	—	14	—	21	—	46	—	111	—	111
South Satara	3	—	5	1	15	—	29	—	53	1	105	2	107
Kolhapur	13	—	21	—	17	—	26	1	42	2	119	3	122
Bijapur	35	9	20	11	31	8	43	7	27	11	156	48	202
Belgaum	27	4	15	10	13	12	30	13	25	12	110	51	161
Dharwar	34	5	17	3	26	2	16	3	27	5	120	18	138
<b>Total</b>	<b>294</b>	<b>32</b>	<b>218</b>	<b>40</b>	<b>286</b>	<b>49</b>	<b>352</b>	<b>41</b>	<b>452</b>	<b>58</b>	<b>1602</b>	<b>220</b>	<b>1822</b>

count it two or three times as the case may be, it turns out that out of the sample plots a total of 1219 acres were sold during the five years. Hence, we might estimate that in the selected villages, a total of 12,190 acres were sold during the five year period 1948-53.

5.8 In a study of sales, the chief interest is in the sale values of land. In Table No. 5.4 are shown, for the sales studied by us, the average sale values on a per acre basis and also as multiples of land revenue. It will be seen that the average sale value for all the districts and for all the years together is nearly Rs. 350 per acre. As multiple of land revenue, the average value appears to be 286.2 times the revenue.

5.9 The average values of land on a per acre basis show a certain amount of variation over the five years. Beginning with Rs. 315 per acre in 1948-49, the land values seem to have risen to Rs. 387 and Rs. 404 in 1949-50 and 1950-51 respectively. Thereafter the prices show a certain amount of decline. In 1951-52 and 1952-53 the prices declined to Rs. 374 and Rs. 316 per acre respectively.

5.10 Examined as multiples of land revenue the variation in the prices over the five years is less pronounced. It seems therefore that a part of the variation over the years was on account of differences in the average quality of land, as judged by the levels of land revenue, sold in different years. Nevertheless, as between 1948-49 and 1949-50, the rise in land values seems real. As multiples of land revenue, the prices rose from 250 in 1948-49 to nearly 300 in 1949-50 which is a rise of 20 per cent. However, thereafter, the prices seem to have remained more or less steady at nearly 300 times the land revenue. The prices did not apparently decline in 1951-52 as they appear on the basis of the per acre values, and the decline in 1952-53, if any, was only slight.

5.11 The average land values appear greatly different in different districts. They range from above Rs. 1000 per acre in Kolhapur district to below Rs. 150 per acre in Sholapur district. In the following, the districts are arranged to show the range of variation in land values.

District	Land value per acre Rs. (approx)	Land value as multiple of land revenue.
Kolhapur	1000	400
East Khandesh	750	267
Thana	550	185
West Khandesh, Kolaba	450	171, 237
Nasik, Belgaum, Dharwar	350	452, 390, 229
South Satara	325	371
Ahmednagar	300	384
Poona, North Satara	260	424, 302
Bijapur	230	366
Sholapur	145	233

TABLE No. 54.

*Average sale value of land per acre and as a multiple of land revenue for different years.*

District	Sale value per acre in Ra.					Average for all years.	Sale value as a multiple of land revenue					Average for all years.
	1948-49	1949-50	1950-51	1951-52	1952-53		1948-49	1949-50	1950-51	1951-52	1952-53	
West Khandesh	475.5	339.9	444.3	531.2	265.7	442.6	197.7	198.5	128.8	173.1	124.1	171.1
East Khandesh	833.6	825.0	767.2	668.0	872.6	762.2	241.6	274.5	238.9	309.1	270.6	267.0
Nasik	816.9	227.6	418.6	425.5	330.5	358.3	419.0	297.8	476.9	515.4	441.2	452.3
Thana	547.2	801.2	455.4	577.6	281.9	543.8	176.8	210.9	239.6	216.3	131.6	185.3
Kolaba	594.1	211.8	257.0	487.1	350.4	452.0	337.2	957.8	299.6	270.6	165.9	237.1
Poona	829.1	403.1	442.5	310.3	191.1	267.2	350.0	460.3	510.3	618.4	347.0	423.9
Ahmednagar	450.9	578.0	857.8	261.7	208.9	302.6	453.7	685.2	399.0	350.0	293.7	383.8
Sholapur	123.7	136.6	173.2	163.2	117.7	144.4	251.8	234.2	332.8	221.4	166.1	232.5
North Satara	122.7	106.0	514.1	150.2	226.6	260.9	335.5	372.9	317.4	238.5	282.2	302.2
South Satara	173.7	183.5	449.3	177.4	286.8	324.9	622.3	695.0	379.4	307.8	326.9	371.2
Kolhapur	911.9	917.6	667.7	1406.2	1111.7	1028.3	399.2	358.7	274.2	441.8	389.9	378.7
Bijapur	152.6	245.4	357.5	205.7	283.2	229.5	307.9	326.9	456.4	296.1	459.3	366.4
Belgaum	230.7	239.9	318.3	453.5	372.9	352.7	515.0	484.1	409.3	437.9	247.5	390.0
Dharwar	262.5	263.0	420.6	513.5	380.7	345.1	161.2	209.7	273.7	370.0	255.6	228.6
<b>Total</b>	<b>315.2</b>	<b>336.6</b>	<b>404.7</b>	<b>374.4</b>	<b>316.0</b>	<b>349.5</b>	<b>250.2</b>	<b>298.5</b>	<b>299.2</b>	<b>311.1</b>	<b>297.4</b>	<b>286.2</b>

5.12 In the above the districts are arranged in a descending order according to the average land values per acre. In a parallel column are given the average land values as multiples of land revenue. Thus it will be seen that though the range of variation in land values per acre is indeed great, the land values as multiples of land revenue do not show so large a variation. For instance, as multiples of land revenue the land values are seen to vary from about 175 to 450 which range of variation is less than half the range of variation in the land values per acre. Moreover, the districts do not maintain the same order if they are rearranged according to the land values as multiples of land revenue. Thus the land values per acre are the highest in Kolhapur district where they are above Rs. 1000 per acre. But as multiple of land revenue, the average value in Kolhapur is only 400 and though this is on the higher side, it is by no means the highest; as multiples of land revenue the land values are higher in Poona and Nasik where the land values per acre are very much lower than in Kolhapur. Similarly the average land value is the lowest in Sholapur where it is below Rs. 150 per acre. But as multiples of land revenue it is 233 which though on the lower side is by no means the lowest; as multiples of land revenue, the land values are lower still in Thana, West Khandesh and Dharwar where the values on a per acre basis are very much higher than in Sholapur. It seems therefore that a considerable part of the variation in the land values between districts is on account of the differences in the qualities of land as judged by the levels of land revenue.

5.13 Nevertheless, in Kolhapur district, the land values seem to be on the higher side both in respect of the value per acre and as multiple of land revenue. This must be so on account of the sugar cane areas in this district. Sugar cane in this district is irrigated mostly by private pumps so that even though the revenue assessment of these lands might be somewhat higher on account of the water rights they enjoy, they bear no irrigation charges comparable to those of lands irrigated by government canals. Hence the land values which are high per acre also appear relatively high as multiples of land revenue.

5.14 In Thana, Kolaba, West Khandesh and East Khandesh, the land values per acre are rather high and range between Rs. 450 and Rs. 750 per acre. As multiples of land revenue the land values in these districts are however rather low. This must be on account of the paddy lands in Thana and Kolaba and the cotton lands in East Khandesh and West Khandesh both of which are subject to higher assessments.

5.15 At the other extreme is Sholapur where both as average per acre and as multiple of land revenue the average land value appears

to be low. In all other districts the average land values seem to vary in comparatively narrow range; they are either between Rs. 300 to Rs. 350 per acre or between 300 to 450 times the land revenue.

5.16 Among the many factors affecting sale values of land, one is likely to be the size of the sale in terms of the area of the land sold. In the first instance, the average quality of soil is likely to be inferior in larger sales; secondly, being a large sale, the purchaser is likely to be at an advantage in bargaining. For both reasons, we should expect lower per acre values in larger sales. The relevant data are presented in Table Nos. 5.5, 5.6, 5.7 and 5.8.

5.17 In Table No. 5.5 the sales are distributed according to the size of the lands sold. In Table No. 5.6 is shown the corresponding distribution of the total area involved in the sales. It will be seen from Table No. 5.5 that, considering all districts together, more than 25 per cent of the sales involved less than one acre and about 11 per cent of the sales involved more than 10 acres. In terms of the area, however, as will be seen from Table No. 5.6, the sales involving 10 or more acres accounted for 42.6 per cent of the total area involved in all the sales, while the sales involving less than one acre accounted for only 2.7 per cent of the total area involved in all the sales.

5.18 Size distribution of sales is very different in different districts. A large majority of the sales in Thana and Kolaba, between 55 to 60 per cent, are of areas under one acre. This is also true of North Satara and Kolhapur where nearly 45 per cent of the sales are of under one acre. In Poona, South Satara and Nasik, over 30 per cent of the sales are of less than one acre. In most of these districts, less than 10 per cent of the sales are of 10 or more acres. On the other hand, in Sholapur nearly 25 per cent and in Bijapur nearly 33 per cent of the sales involved more than 10 acres.

5.19 In Table No. 5.7 are given the average land values per acre for sales of different sizes. Considering all the districts together, it will be seen that the land values vary greatly according to the size of the sale. Thus beginning with over Rs. 1200 per acre for sales under one acre, the land values fall to below Rs. 200 per acre for sales of ten acres or more. The fall in the values is also remarkably well graduated. Thus the land values for the successive sizes of sales are approximately Rs. 1200, 740, 525, 500, 450, 420, 350, 350, 300, 300, 200 per acre.

5.20 It may also be noted that when the comparison between different districts is made within each size group of sales, the variation appears less pronounced. Thus, considering sales of land under one acre, it will appear that except in Sholapur, Bijapur and Dharwar and also in Thana, prices per acre are all above Rs. 1000 and Kolhapur dis-



TABLE No. 5.6.

*Percentage distribution of the area of the agricultural lands sold by the size of the sale in acres (all years).*

District	Total area sold (acres)	Size of the sale in acres										
		0—	1—	2—	3—	4—	5—	6—	7—	8—	9—	10—
West Khandesh	603	1.2	4.1	7.4	13.5	8.8	8.0	12.8	6.2	4.1	14.4	19.5
East Khandesh	387	3.6	11.2	8.9	15.9	20.6	7.0	6.8	8.9	2.3	—	19.9
Nasik	359	4.1	4.9	7.3	16.2	12.2	7.4	10.7	4.3	12.0	5.2	15.7
Thana	112	16.8	23.3	4.6	8.8	4.4	—	6.1	—	7.2	17.0	11.8
Kolaba	198	11.3	14.8	5.9	8.7	2.2	5.9	10.2	4.0	8.4	—	23.6
Poona	388	5.0	9.4	6.3	7.9	3.3	5.2	6.5	9.3	2.2	—	44.9
Ahmednagar	405	1.4	8.3	11.3	11.9	6.8	5.2	12.6	3.7	8.8	6.9	23.6
Sholapur	895	0.7	1.9	4.8	3.0	3.4	2.4	3.0	5.7	3.6	11.5	60.0
North Satara	327	7.5	9.2	8.3	3.9	4.1	6.6	6.0	4.6	2.5	—	47.3
South Satara	394	4.4	8.4	7.0	7.6	8.0	6.8	—	3.8	8.7	2.5	42.8
Kolhapur	274	9.6	13.8	12.6	12.4	6.8	3.8	2.3	5.3	3.0	3.4	27.0
Bijapur	1441	0.5	0.9	2.8	2.6	5.3	3.8	1.3	4.2	9.7	2.6	66.2
Belgaum	640	0.9	3.1	5.2	4.3	12.0	4.3	8.0	3.4	3.8	4.5	50.5
Dharwar	743	0.3	1.9	4.6	7.1	11.0	8.8	11.2	7.2	8.0	6.4	33.5
<b>Total</b>	<b>7166</b>	<b>2.7</b>	<b>5.2</b>	<b>6.0</b>	<b>7.4</b>	<b>7.8</b>	<b>5.3</b>	<b>6.3</b>	<b>5.0</b>	<b>6.3</b>	<b>5.4</b>	<b>42.6</b>

TABLE No. 55.

*Percentage distribution of sale transactions of agricultural lands by the size of the sale in acres (all years).*

District	Total no. of sales	Size of the sale in acres										
		0—	1—	2—	3—	4—	5—	6—	7—	8—	9—	10—
West Khandesh	128	9.4	13.3	13.3	18.7	9.4	7.0	9.4	3.9	2.3	7.0	6.3
East Khandesh	128	23.4	23.4	10.9	14.1	14.1	3.9	3.1	1.6	3	—	4.7
Nasik	112	31.3	11.6	9.8	16.1	8.9	4.4	5.4	1.8	5	1.8	4.4
Thana	72	59.6	25.0	2.8	4.2	1.4	—	1.4	—	1	2.8	1.4
Kolaba	98	55.1	21.5	5.1	5.1	1.0	2.0	3.1	1.0	2.0	—	4.1
Poona	111	33.4	24.3	9.0	8.1	2.7	3.6	3.6	4.5	0.9	—	9.9
Ahmednagar	109	16.5	22.0	17.5	12.8	5.5	3.7	7.3	1.8	3.7	2.8	6.4
Sholapur	123	13.0	11.4	14.5	6.5	5.7	3.3	3.3	5.7	3.3	8.9	24.4
North Satara	111	46.0	20.7	9.9	3.6	2.7	3.6	2.7	1.8	0.9	—	8.1
South Satara	105	30.5	21.9	11.4	8.6	6.7	4.8	—	1.9	3.8	0.9	9.5
Kolhapur	119	43.7	23.5	11.8	8.4	3.4	1.7	0.8	1.7	0.8	0.8	3.4
Bijapur	156	5.1	5.8	10.9	7.1	11.5	6.4	1.9	5.1	10.9	2.6	32.7
Belgaum	110	12.7	11.8	13.6	7.3	16.5	4.5	7.3	2.7	2.7	2.7	18.2
Dharwar	120	3.3	7.5	11.7	13.3	15.9	10.0	10.8	5.8	5.8	4.2	11.7
<b>Total</b>	<b>1602</b>	<b>25.3</b>	<b>16.8</b>	<b>11.2</b>	<b>9.8</b>	<b>7.9</b>	<b>4.4</b>	<b>4.4</b>	<b>3.0</b>	<b>3.4</b>	<b>2.6</b>	<b>11.2</b>

TABLE No. 5.8.

Average sale values as multiples of land revenue for classes of sales classified by size of the sale (all years).

District	Average for all sales	Size of the sale in acres										
		0—	1—	2—	3—	4—	5—	6—	7—	8—	9—	10—
West Khandesh	171.1	238.0	197.9	181.8	165.1	157.3	247.7	166.3	217.5	160.8	174.9	146.2
East Khandesh	267.0	543.7	291.4	288.2	290.4	275.2	206.3	366.1	106.7	168.8	—	188.9
Nasik	452.3	1033.7	662.0	604.1	511.0	820.1	404.4	288.2	279.6	211.5	97.3	186.7
Thana	185.3	236.1	198.4	121.3	297.1	271.7	—	912.7	—	245.4	87.3	429.7
Kolaba	237.1	248.6	153.2	97.1	117.6	300.0	642.9	306.7	400.0	100.0	—	501.5
Poona	423.9	663.4	687.3	603.7	174.7	357.1	544.6	257.6	886.5	115.4	—	430.0
Ahmednagar	383.8	1303.0	878.7	201.3	395.9	270.7	730.0	366.8	209.1	203.5	216.9	290.6
Sholapur	232.5	410.3	376.9	425.3	277.8	444.4	371.8	157.9	193.0	362.0	205.8	182.7
North Satara	302.2	458.0	242.8	316.8	306.1	283.8	692.3	416.7	157.9	300.0	—	99.0
South Satara	371.2	610.7	527.0	442.7	265.7	371.3	303.0	—	882.4	261.3	153.2	162.2
Kolhapur	378.7	608.7	395.2	432.1	366.0	246.5	250.0	120.5	750.0	222.2	431.8	172.6
Bijapur	366.4	818.2	109.1	375.5	554.0	505.6	344.4	522.9	341.7	316.7	376.9	338.1
Belgaum	390.0	1598.2	375.9	331.8	754.5	335.3	133.0	527.1	542.9	224.0	521.8	353.6
Dharwar	228.6	513.5	373.3	245.4	324.9	200.4	316.3	223.5	269.5	227.0	378.5	169.2
<b>Total</b>	<b>286.2</b>	<b>483.2</b>	<b>334.7</b>	<b>323.8</b>	<b>295.3</b>	<b>295.0</b>	<b>338.8</b>	<b>235.8</b>	<b>292.1</b>	<b>243.4</b>	<b>228.1</b>	<b>235.3</b>

TABLE No. 5.7.

Average sale values (Rs.) per acre for classes of sales classified by the size of the sale (all years).

District	Average sale value for all sales (Rs.)	Size of the sale in acres										
		0—	1—	2—	3—	4—	5—	6—	7—	8—	9—	10—
West Khandesh	442.6	1085.9	617.0	430.6	480.4	341.6	730.5	406.7	662.4	409.0	444.7	229.2
East Khandesh	762.2	1689.3	979.8	998.5	857.3	811.8	568.3	626.6	180.3	740.7	—	481.5
Nasik	358.8	1418.0	514.6	500.4	400.0	567.5	410.4	214.9	168.6	178.6	96.8	109.7
Thana	543.8	768.7	629.3	284.6	311.5	505.0	—	338.2	—	996.9	377.0	415.9
Kolaba	452.0	1004.5	710.7	142.4	243.1	109.1	154.8	845.1	50.8	204.5	—	304.2
Poona	267.2	1019.1	730.4	600.0	167.1	354.3	269.3	100.9	69.2	178.6	—	120.0
Ahmednagar	302.6	1542.6	752.2	202.3	300.6	175.9	69.7	224.1	92.5	137.3	228.2	225.5
Sholapur	144.4	562.2	240.9	366.9	188.5	286.9	275.5	780.7	212.5	180.8	138.7	98.9
North Satara	260.9	1268.1	725.5	307.6	233.0	154.7	415.7	126.6	59.7	74.3	—	33.0
South Satara	324.9	1691.2	1036.4	352.0	269.5	511.3	378.4	—	198.7	85.1	176.7	71.6
Kolhapur	1028.3	1624.0	1000.7	1582.4	1867.3	891.2	576.9	159.3	2146.5	243.9	2021.3	288.2
Bijapur	229.5	529.4	760.9	349.3	397.1	329.7	247.9	311.5	247.9	264.6	270.0	189.7
Belgaum	352.7	1619.9	307.2	428.4	607.5	469.5	457.0	355.2	440.8	166.5	490.1	263.3
Dharwar	345.1	894.1	580.0	398.5	459.7	346.2	322.1	351.5	448.2	293.0	394.5	280.5
<b>Total</b>	<b>349.5</b>	<b>1242.4</b>	<b>739.5</b>	<b>524.5</b>	<b>499.4</b>	<b>454.7</b>	<b>420.5</b>	<b>328.5</b>	<b>360.4</b>	<b>248.2</b>	<b>339.7</b>	<b>184.5</b>

trict does not appear very much of an exception. The distinguishing feature about Kolhapur is that while in most other districts such high land values as above Rs. 1000 per acre are confined to only very small sales of under one acre, in Kolhapur, the high values persist in sales of upto 4 acres, which might be the usual limit for sugar cane plots irrigated by pumps on the rivers. In Sholapur, Bijapur and Dharwar sales of smaller plots are comparatively few and frequently even the smaller plots may not have irrigation facilities all the year round. Nevertheless, in Sholapur the land values per acre appear to be low for sales of all sizes. In North Satara and South Satara, the land values are by no means low for smaller plots which frequently enjoy adequate irrigation facility on wells but the land values drop very low, to about Rs. 50 per acre, for sales of above 10 acres. This is even lower than the corresponding land values in Sholapur. The reason for this disparity appears to be that while in Sholapur large blocks of fertile soils are not rare, in North and South Satara, large plots almost always include or comprise very poor soils.

5.21 In Table No. 5.8 the land values for different sizes of sales are shown as multiples of land revenue. The variation in the sale values for different sizes of sales is here much smaller but is of the same type. The land values gradually decline with the increasing size of the sales. The variation in this case is much smaller because when expressed as multiples of land revenue, the variation in the prices on account of the quality differences in lands is to a certain extent eliminated. As multiples of land revenue, the gradual fall in the land values with the increasing size of sales may therefore be partly for the other reason namely that with bigger sales the purchaser is usually at an advantage.

5.22 In view of the important restrictions which the Act had placed on the transfer of agricultural lands and particularly in view of the priorities of purchase it gave to different classes of purchasers, it would be of interest to examine from this standpoint the composition of the sales under study. In Table No. 5.9 we have classified the sales according to the categories of sellers and buyers. The sellers are distinguished into three classes, namely, the cultivating owners, the non-cultivating owners resident in the village, and the non-cultivating owners not resident in the village. The buyers are distinguished into four classes: the tenant-in-possession when the seller is not a cultivator; the cultivator cultivating any land adjoining the land under sale, whom, in the title of the Table, we have briefly described as the 'neighbour cultivator'; any other cultivator; and finally a non-cultivator. It should be noted that the uses of the term 'non-cultivator' in the above in relation to the seller and the buyer respectively do not have the same connotation. In respect of the seller,

the term 'non-cultivating owner' is to be understood only in relation to the land in question and means that the owner did not personally cultivate the land on sale; but he might be cultivating other lands. On the other hand, in respect of the buyers, the term non-cultivator is absolute and means that the persons did not cultivate any lands.

5.23 In Table No. 5.10 we give a similar classification, by categories of sellers and buyers, of the area involved in the sales under study. It will be seen that, considering all the districts together, 42.5 per cent of the area was sold by cultivating owners, nearly 10 per cent to neighbouring cultivators, about 30 per cent to other cultivators and about 2.5 per cent to non-cultivators. The remaining 57.5 per cent of the area was sold by non-cultivating owners nearly half of whom were residents in the villages in which the lands were situated. It should not be supposed however that the non-resident cultivators were necessarily residents of urban towns or cities or of far away villages; some of them were certainly residents of the adjoining villages. If we put these two categories of sellers together, we find that 28.6 per cent, which is half of the area sold by non-cultivators, was purchased by the tenants-in-possession. The non-resident owners seem to have sold a larger proportion to the tenants than did the resident owners. 24.2 per cent, which is more than 40 per cent of the sales by the non-cultivators were to cultivators other than the tenants-in-possession, and only a small proportion of it was to cultivators of adjoining lands. Sales by the non-cultivating owners to other non-cultivators accounted for 2.8 per cent which together with what was sold by the cultivating owners to the non-cultivators brought the sales to the non-cultivators to about 5 per cent of the total sales.

5.24 In order to examine whether the land values varied according to the categories of the sellers and buyers, we have presented in Table Nos. 5.11 and 5.12 the average land values per acre and as multiples of land revenue respectively. On the basis of the land values per acre, it might seem that among the sales by cultivating owners, the per acre value of sales to cultivators was lower than that of sales to non-cultivators; and that the per acre value of sales to neighbouring cultivators were lower still. But this is not corroborated when the land values are considered as multiples of land revenue. Among the sales by non-cultivating owners also, the values of sales to buyers of different categories do not show any systematic and meaningful differences. It seems therefore that the market in land could still be regarded to be a free market for all practical purposes.

5.25 In Table 5.13, we give data relating to the mortgages appearing in our study. In this Table, the mortgage values of land are shown

TABLE No. 5.10.

Percentage distribution of the area of the agricultural lands sold by categories of sellers and buyers, (all years).

District	Total area sold (acres)	Sold by a cultivating owner to a			Sold by a resident non-cultivating owner to a				Sold by a non-resident non-cultivating owner to a			
		2	3	4	1	2	3	4	1	2	3	4
West Khandesh	608	9.7	36.2	0.9	13.1	2.0	4.9	1.7	13.5	1.0	17.0	—
East Khandesh	387	8.2	61.3	1.5	9.1	0.6	2.8	5.1	9.5	—	1.9	—
Nasik	359	10.4	46.9	3.6	17.4	3.7	13.3	—	1.8	—	2.9	—
Thana	112	6.6	16.0	1.1	5.2	0.3	17.0	2.6	2.9	—	40.0	8.4
Kolaba	198	3.8	23.9	5.0	5.1	10.0	31.6	1.8	13.1	—	5.4	0.3
Poona	388	21.5	30.3	4.0	15.1	5.1	3.7	0.1	17.8	—	2.4	—
Ahmednagar	405	12.2	23.4	8.7	11.1	1.2	26.6	0.2	8.0	0.1	3.5	—
Sholapur	895	16.3	23.4	0.6	17.6	2.2	23.7	—	10.8	—	0.4	—
North Satara	327	9.5	31.6	1.9	4.4	—	11.9	—	34.7	—	6.0	—
South Satara	394	20.6	32.5	1.5	10.9	—	11.9	—	10.6	—	12.0	—
Kolhapur	274	1.2	12.0	2.4	14.2	2.0	26.4	0.5	33.3	—	7.5	0.5
Bijapur	1441	7.1	25.2	1.8	12.7	0.3	9.0	3.5	19.7	0.7	14.8	5.2
Belgaum	640	5.7	29.5	—	11.9	1.0	17.2	—	17.6	0.9	15.3	0.9
Dharwar	743	3.9	24.9	3.9	12.9	1.0	11.2	2.0	20.5	—	19.7	—
Average	7166	9.8	30.4	2.3	12.6	1.6	13.7	1.5	16.0	0.3	10.5	1.3

(1) Tenant-in-possession. (2) Neighbour-cultivator. (3) Other cultivator. (4) Non-cultivator.

TABLE No. 5.9.

*Percentage distribution of the sales of agricultural lands by categories of sellers and buyers, (all years).*

District	Total no. of sales.	Sold by a cultivating owner to a			Sold by a resident non-cultivating owner to a				Sold by a non-resident non-cultivating owner to a			
		2	3	4	1	2	3	4	1	2	3	4
West Khandesh	128	12.5	39.8	2.3	9.4	2.3	3.1	0.8	13.3	1.6	14.9	—
East Khandesh	128	15.6	59.4	3.1	7.8	1.6	4.7	2.3	3.9	—	1.6	—
Nasik	112	17.9	46.4	6.2	9.8	4.5	9.8	—	2.7	—	2.7	—
Thana	72	16.7	34.7	2.8	5.5	1.4	11.1	1.4	2.8	—	22.2	1.4
Kolaba	98	13.3	28.6	5.1	17.3	5.1	15.3	2.0	8.2	—	4.1	1.0
Poona	111	25.2	38.8	3.6	14.4	3.6	3.6	0.9	6.3	—	3.6	—
Ahmednagar	109	13.8	41.3	6.4	11.0	1.8	16.5	0.9	3.7	0.9	3.7	—
Sholapur	123	26.0	34.1	0.8	17.1	3.3	9.7	—	5.7	—	3.3	—
North Satara	111	17.1	44.2	5.4	8.1	—	5.4	—	15.3	—	4.5	—
South Satara	105	23.8	43.8	2.8	10.5	—	4.8	—	7.6	—	6.7	—
Kolhapur	119	4.2	17.7	4.2	21.9	5.0	16.8	2.5	20.2	—	6.7	0.8
Bijapur	156	15.4	26.3	2.6	12.8	1.9	7.7	2.6	14.0	1.9	10.9	3.9
Belgaum	110	10.0	35.5	—	11.8	2.7	16.4	—	11.8	0.9	10.0	0.9
Dharwar	120	9.2	28.3	3.3	16.7	1.6	14.2	0.8	16.7	—	9.2	—
<b>Total</b>	<b>1602</b>	<b>15.7</b>	<b>37.0</b>	<b>3.4</b>	<b>12.6</b>	<b>2.5</b>	<b>9.7</b>	<b>1.1</b>	<b>9.8</b>	<b>0.4</b>	<b>7.2</b>	<b>0.6</b>

(1) Tenant-in-possession. (2) Neighbour-cultivator. (3) Other cultivator. (4) Non-cultivator.



TABLE No. 5.12.

Average sale values as a multiple of land revenue for classes of sales classified by categories of sellers and buyers, (all years).

District	Average for all sales.	Sold by a cultivating owner to a			Sold by a resident non-cultivating owner to a				Sold by a non-resident non-cultivating owner to a			
		2	3	4	1	2	3	4	1	2	3	4
West Khandesh	171.1	152.5	194.2	265.6	127.0	674.2	134.0	526.3	196.6	217.8	199.1	—
East Khandesh	267.0	342.2	2797.8	451.7	345.8	111.1	200.0	189.8	144.5	—	171.9	—
Nasik	452.3	614.0	423.7	834.0	353.8	596.2	439.7	—	424.2	—	139.1	—
Thana	185.3	270.7	144.1	2300.0	130.2	500.0	233.4	145.2	452.4	—	234.2	71.6
Kolaba	237.1	167.1	300.0	163.5	113.3	4445.0	2305.3	864.5	194.1	—	266.5	100.0
Poona	423.9	478.9	483.3	205.5	388.3	3730.2	473.3	277.8	258.2	—	421.1	—
Ahmednagar	383.8	340.3	419.2	279.4	494.4	208.3	379.7	210.5	326.1	533.3	365.9	—
Sholapur	232.5	230.7	289.3	230.8	166.6	383.3	184.6	—	339.7	—	562.5	—
North Satara	302.2	275.1	358.1	280.0	367.6	—	317.2	—	262.0	—	116.9	—
South Satara	371.2	496.6	372.9	528.3	370.8	—	476.9	—	2076.9	—	274.5	—
Kolhapur	378.7	347.1	351.3	811.5	442.2	735.8	262.2	666.7	339.0	—	582.0	111.1
Bijapur	366.4	438.8	385.3	277.6	335.8	426.5	408.0	327.9	343.9	232.1	452.1	176.1
Belgaum	390.0	655.2	298.0	—	609.0	650.5	542.0	—	270.6	833.3	4810.6	140.9
Dharwar	228.6	236.4	239.6	241.1	294.1	329.4	238.3	333.3	221.7	—	171.3	—
<b>Total</b>	<b>286.2</b>	<b>328.1</b>	<b>298.2</b>	<b>333.5</b>	<b>282.1</b>	<b>351.0</b>	<b>288.7</b>	<b>200.2</b>	<b>256.3</b>	<b>283.5</b>	<b>284.4</b>	<b>121.3</b>

(1) Tenant-in-possession. (2) Neighbour-cultivator. (3) Other cultivator. (4) Non-cultivator.

TABLE No. 5.11.

Average sale values (Rs.) per acre for classes of sales classified by categories of sellers and buyers, (all years).

District	Average sale value for all sales (Rs.)	Sold by a cultivating owner to a			Sold by a resident non-cultivating owner to a				Sold by a non-resident non-cultivating owner to a			
		2	3	4	1	2	3	4	1	2	3	4
West Khandesh	442.6	355.2	411.6	450.9	457.1	246.9	462.6	95.5	545.4	834.0	495.4	—
East Khandesh	762.2	1116.0	766.8	1117.9	951.9	344.1	501.2	264.6	595.4	—	583.9	—
Nasik	358.3	492.5	353.0	726.2	202.4	577.3	378.8	—	216.2	—	155.3	—
Thana	543.8	670.7	502.2	1104.0	308.1	428.6	369.6	310.3	612.9	—	642.3	533.3
Kolaba	452.0	374.9	419.6	260.7	517.7	855.4	250.4	524.8	290.2	—	1544.2	695.7
Poona	267.2	267.3	352.6	95.7	330.2	118.5	488.8	1428.6	102.6	—	254.6	—
Ahmednagar	302.6	215.9	337.5	249.4	415.3	101.5	289.1	432.4	278.2	336.8	315.8	—
Sholapur	144.4	157.8	159.4	57.1	138.2	309.0	114.0	—	120.5	—	458.6	—
North Satara	260.9	323.8	392.8	918.0	474.7	—	184.6	—	106.3	—	148.7	—
South Satara	324.9	444.0	299.3	476.6	592.1	—	132.2	—	258.4	—	178.0	—
Kolhapur	1028.3	1322.8	1228.9	755.7	1097.1	1399.1	528.9	965.5	979.7	—	2545.5	153.8
Bijapur	229.5	283.9	250.8	293.8	223.6	300.5	193.0	140.6	192.6	245.9	285.6	140.5
Belgaum	352.7	328.7	291.6	—	374.8	1015.2	422.7	—	358.0	500.0	323.7	350.0
Dharwar	345.1	338.0	334.3	305.0	374.6	378.4	419.3	335.6	370.1	—	279.7	—
Average	349.5	340.0	371.3	379.1	364.0	482.5	284.5	220.6	321.5	465.0	411.7	197.7

(1) Tenant-in-possession. (2) Neighbour-cultivator. (3) Other cultivator. (4) Non-cultivator.

TABLE No. 5.13.

Average mortgage value of land per acre and as a multiple of land revenue for different years.

District	Mortgage value per acre in Rs.					Mortgage value as multiple of land revenue.						
	1948-49	1949-50	1950-51	1951-52	1952-53	All Years	1948-49	1949-50	1950-51	1951-52	1952-53	All Years
West Khandesh	230.6	104.3	327.0	213.8	194.5	241.4	110.7	102.5	344.1	166.7	252.2	195.3
East Khandesh												
Nasik												
Poona	55.9	68.3	91.2	142.9	119.0	102.4	184.9	168.4	125.4	133.3	212.0	162.3
Ahmednagar												
Sholapur												
North Satara												
South Satara												
Kolhapur												
Bijapur	119.6	128.2	140.4	214.8	140.0	149.8	129.3	202.5	295.8	267.7	186.9	209.2
Belgaum												
Dharwar												

for each year separately both on a per acre basis and as multiples of land revenue. As the number of mortgage cases appearing in our study was rather small, we have given these data for groups of districts and not for individual districts. It will be seen that the mortgage values show broadly the same trend as shown by the sale values and that the mortgage values when considered on a per acre basis are somewhat less than half the sale values and are about 70 per cent of the sale values when considered as multiples of land revenue.

5.26 In conclusion we might say that the Tenancy Act had left the market in land, at any rate upto 1952-53, very much unaffected both in respect of the volume of business and in respect of its character as a free market.

## CHAPTER VI

### CHANGES IN TENANCY

6.1 In this Chapter, we shall describe in greater detail the changes in tenancy occurring during the five year period 1948-53. By 'change in tenancy', one might normally understand change in tenants of a tenant-cultivated plot of land. For the purpose of the present study, we propose to use the term in a somewhat wider sense. Whenever a plot of land passes from the cultivating possession of one person, into the cultivating possession of another person, we shall regard the case as one of a change in tenancy. From this standpoint, we have three main types of change in tenancy: Firstly, a plot of land which was owner-cultivated in one year might be rented out next year by creating a new tenancy. Secondly, a plot of land which was tenant-cultivated in one year might be resumed next year causing the eviction of the tenant. Finally, the tenant of a tenant-cultivated plot of land might be changed. In addition to these three principal categories, there are a few minor types, such as subletting by a tenant and eviction of the sub-tenant by a principal tenant. Along with these, we might also mention cases of acquisition of a tenant-cultivated land by the tenant-in-possession though these do not obviously involve a change in the persons in cultivating possession. In Chapter IV we have indicated the extent of these several types of change on the basis of the ten per cent sample of plots covered by Schedule I. However, as was explained there, the information contained in Schedule I was all based on the village records and they did not naturally furnish many details. Therefore, in order to further probe into the nature and causes of these changes, all such changes were followed up by means of another schedule, namely, Schedule III, which required personal interviewing of all the parties concerned. In order to have a sufficiently large number of cases to study, it was decided that we should have at least 25 such cases from each selected village. Therefore, if in any village the cases of change in tenancy appearing in Schedule I were fewer than 25, the balance was made up by taking additional cases occurring during 1952-53 but not covered by Schedule I. It was expected that when all the changes occurring in 1952-53 were taken into account we would obtain a sample of 25 cases from every village and hence no instructions were given to include non-sample cases of change occurring in earlier years. However, in some of the villages 25 cases of change of tenancy could not be secured even after including all the non-sample cases occurring in 1952-53. In such cases, the investigators sometimes went further

back and added the non-sample cases of change occurring in earlier years. We have thus a sample of cases of change in tenancy as appearing in the ten per cent sample of plots covered by Schedule I; and in addition some non-sample cases, that is, those not covered by Schedule I, and mostly occurring in 1952-53.

6.2 In all we studied by means of Schedule III a total of 2835 cases of change in tenancy. They were selected for study because on the face of the entries in the village records, they appeared to be cases of change in tenancy. However, on closer scrutiny, it turned out that the recorded entries were not correct in all cases and that, in fact, in 598 cases studied, no change in tenancy was involved. In 233 more cases, we were unable to trace or contact the parties and hence could not obtain any particulars. The remaining 2004 cases all involved genuine changes in tenancy; 1430 of these related to the ten per cent sample of plots covered by Schedule I while 574 were non-sample cases not covered by Schedule I. In Table No. 6.1 we give this preliminary classification of the cases studied by us. It will be seen that the 2835 cases studied by us comprised a total area of 11,138 acres and that 8689 acres of it related to the 2004 cases of genuine change. To begin with we shall concentrate attention on the cases of genuine change.

6.3 In Table 6.2, we give a classification of the cases of genuine change according to the year in which they occurred and according to whether they belonged to the ten per cent sample of plots covered by Schedule I. We have covered the period from 1948-49 to 1952-53. Hence the first set of changes which we could detect were those that occurred between the years 1948-49 and 1949-50. We have regarded such changes as taking place in 1949-50 and have shown them as such. From the manner in which we added the non-sample cases to our study, it will be clear that their distribution by years is of no significance; a majority of them are from 1952-53. The distribution of the sample cases is however significant. The 1430 sample cases are more or less equally divided between the four years and there is no evidence of any decline in them from 1949-50 to 1952-53.

6.4 In Table No. 6.3 we have classified the cases of genuine change in tenancy according to the three main categories described above, namely, new leases, resumption and changes of tenants. The residual class named 'other changes' includes subletting and eviction of sub-tenants by the principal tenants and acquisitions of tenant-cultivated lands by the tenants-in-possession. In Table No. 6.4 is given a similar classification of the area relating to the cases of tenancy changes. In Table Nos. 6.5 and 6.6, the cases and the related area are shown in a more detailed classification. For instance, here the

TABLE No. 6.2.

*Sample and non-sample cases of genuine tenancy change classified by years.*

District	1949-50			1950-51			1951-52			1952-53			All years		
	Sample	Non-sample	Total	Sample	Non-sample	Total	Sample	Non-sample	Total	Sample	Non-sample	Total	Sample	Non-sample	Total
West Khandesh	4	21	25	5	18	23	1	26	27	3	24	27	13	89	102
East Khandesh	9	11	20	15	19	34	16	30	46	9	19	28	49	77	126
Nasik	32	1	33	30	2	32	28	8	36	22	48	70	112	61	173
Thana	1	—	1	13	—	13	2	—	2	28	23	51	44	23	67
Kolaba	6	—	6	11	—	11	5	—	5	10	31	41	32	31	63
Poona	57	—	57	49	—	49	49	—	49	57	—	57	212	—	212
Ahmednagar	23	10	33	16	9	25	32	16	48	17	24	41	88	59	147
Sholapur	19	8	27	26	3	29	29	17	46	20	22	42	94	50	144
North Satara	35	—	35	79	—	79	21	—	21	19	6	25	154	6	160
South Satara	34	—	34	30	—	30	20	—	20	25	4	29	109	4	113
Kolhapur	23	—	23	36	—	36	28	1	29	27	6	33	114	7	121
Bijapur	41	—	41	48	—	48	53	1	54	48	48	96	190	49	239
Belgaum	24	1	25	17	1	18	20	—	20	30	27	57	91	29	120
Dharwar	45	—	45	28	3	31	20	1	21	35	85	120	128	89	217
<b>Total</b>	<b>353</b>	<b>52</b>	<b>405</b>	<b>403</b>	<b>55</b>	<b>458</b>	<b>324</b>	<b>100</b>	<b>424</b>	<b>350</b>	<b>367</b>	<b>717</b>	<b>1430</b>	<b>574</b>	<b>2004</b>

TABLE No. 6.1.

*Cases of changes in tenancy and the related area classified by the character of the change.*

District	No. of cases				Total No. of cases	Area (acres)				
	Bogus cases	Nature of change known	Genuine cases not the sample	Genuine cases not from the sample		Bogus cases	Nature of change known	Genuine cases from the sample	Genuine cases not from the sample	Total area (acres)
West Khandesh	25	14	13	89	141	113	75	76	371	635
East Khandesh	18	34	49	77	178	58	100	135	269	560
Asik	83	20	112	61	276	191	66	269	272	798
Yana	76	12	44	23	155	66	21	48	13	148
Olaba	50	19	32	31	132	48	35	23	31	135
Yona	17	14	212	—	243	27	269	632	—	928
Ahmednagar	9	8	88	59	164	27	12	368	304	711
Wolapur	14	—	94	50	158	86	—	661	522	1269
North Satara	89	61	154	6	310	111	90	257	4	462
South Satara	75	32	109	4	220	258	67	315	4	644
Kolhapur	52	4	114	7	177	128	4	190	10	332
Bijapur	30	6	190	49	275	255	39	1540	598	2432
Belgaum	50	9	91	29	179	208	52	574	117	951
Dharwar	10	—	128	89	227	47	—	625	461	1133
<b>Total</b>	<b>598</b>	<b>233</b>	<b>1430</b>	<b>574</b>	<b>2835</b>	<b>1619</b>	<b>830</b>	<b>5713</b>	<b>2976</b>	<b>11138</b>



TABLE No. 6.4.

Area relating to cases of genuine tenancy change classified by year and by type of change.

District	1949-50				1950-51				1951-52				1952-53			
	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4
West Khandesh	15	50	19	14	36	69	12	—	27	45	24	—	62	65	9	—
East Khandesh	21	33	18	1	61	38	28	—	48	76	19	—	28	37	6	—
Nasik	37	17	43	1	14	31	31	—	25	34	21	—	97	70	120	—
Thana	—	—	—	—	—	1	6	—	1	1	—	—	3	16	32	1
Kolaba	1	1	1	1	1	4	4	—	1	1	—	1	3	25	7	3
Poona	42	90	27	13	70	45	57	—	42	71	44	—	24	95	12	—
Ahmednagar	59	40	55	—	19	69	35	—	112	54	32	—	81	46	70	—
Sholapur	75	104	12	—	24	126	48	—	81	121	82	57	215	175	63	—
North Satara	25	33	4	—	50	55	20	6	11	5	2	—	2	20	28	—
South Satara	25	52	23	—	14	43	20	20	9	32	8	6	37	16	8	6
Kolhapur	2	11	40	—	29	15	10	3	16	13	16	—	26	5	12	2
Bijapur	31	148	178	—	152	103	113	9	62	157	191	35	276	283	339	61
Belgaum	11	87	26	5	40	13	52	3	19	63	36	12	98	180	39	7
Dharwar	91	79	38	7	40	22	43	39	3	39	43	10	158	251	179	44
<b>Total (acres)</b>	<b>485</b>	<b>745</b>	<b>484</b>	<b>42</b>	<b>550</b>	<b>634</b>	<b>479</b>	<b>80</b>	<b>452</b>	<b>712</b>	<b>518</b>	<b>121</b>	<b>1105</b>	<b>1284</b>	<b>924</b>	<b>124</b>

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(1) New Lease. (2) Resumption. (3) Change of tenant. (4) Other changes.

TABLE No. 6.3.  
Cases of genuine tenancy change classified by year and type of change.

District	1949-50				1950-51				1951-52				1952-53			
	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4
West Khandesh	3	16	5	1	6	15	2	—	8	11	8	—	18	11	3	—
East Khandesh	7	5	7	1	16	11	7	—	16	20	8	—	7	18	3	—
Nasik	10	8	14	1	10	13	9	—	9	19	10	—	28	19	23	—
Thana	—	1	—	—	—	6	7	—	1	1	—	—	9	25	16	1
Kolaba	1	1	3	1	2	6	3	—	1	3	—	1	4	25	10	2
Poona	21	20	15	1	15	20	14	—	21	14	14	—	17	28	12	—
Ahmednagar	9	9	15	—	8	12	5	—	22	19	7	—	17	10	14	—
Sholapur	7	16	4	—	8	15	6	—	16	19	10	1	19	17	6	—
North Satara	14	11	10	—	33	27	14	5	11	8	2	—	4	12	9	—
South Satara	10	16	7	1	10	10	7	3	4	10	5	1	18	10	5	1
Kolhapur	3	8	12	—	16	8	11	1	11	8	10	—	14	7	10	2
Bijapur	10	14	16	1	20	13	14	1	9	21	22	2	31	28	34	3
Belgaum	4	13	7	1	3	7	7	1	7	5	6	2	11	36	8	2
Dharwar	15	14	12	4	8	9	7	7	2	10	6	8	30	51	38	6
<b>Total</b>	<b>114</b>	<b>152</b>	<b>127</b>	<b>12</b>	<b>155</b>	<b>172</b>	<b>113</b>	<b>18</b>	<b>138</b>	<b>168</b>	<b>108</b>	<b>10</b>	<b>217</b>	<b>297</b>	<b>186</b>	<b>17</b>

(1) New Lease. (2) Resumption. (3) Change of tenant. (4) Other changes.

TABLE No. 6.6.

*Area relating to cases of genuine tenancy change classified by type of change in greater detail.*

District	Leased out		Resumed		Change of tenant		Sub-letting	Other changes		Total (acres)
	By original owner	Following change in owner	By original owner	Following change in owner	By original owner	Following change in owner		Sub-tenant evicted by tenant	Acquired by tenant	
West Khandesh	136	4	187	42	64	—	—	14	—	426
East Khandesh	148	—	184	—	71	—	1	—	—	397
Nasik	178	—	142	10	215	—	—	—	1	532
Thana	4	—	10	8	38	—	1	—	—	58
Kolaba	6	—	31	—	12	—	1	3	1	53
Poona	178	—	298	3	140	—	13	—	—	631
Ahmednagar	271	—	202	7	192	—	—	—	—	661
Sholapur	395	—	503	23	205	—	57	—	—	1175
North Satara	84	4	112	1	54	—	—	—	6	252
South Satara	73	12	109	34	58	1	6	15	11	312
Kolhapur	71	2	39	5	78	—	—	—	5	198
Bijapur	521	—	586	105	796	25	77	27	1	2135
Belgaum	144	24	272	71	153	—	19	—	8	681
Dharwar	285	7	378	13	303	—	60	28	12	1077
<b>Total</b>	<b>2489</b>	<b>53</b>	<b>3053</b>	<b>322</b>	<b>2379</b>	<b>26</b>	<b>235</b>	<b>87</b>	<b>45</b>	<b>8588</b>

TABLE No. 6.5.

*Cases of genuine tenancy change classified by type of change in greater detail.*

District	Leased out		Resumed		Change of tenant		Sub-letting	Other changes		Total No. of cases
	By original owner	Following change in owner	By original owner	Following change in owner	By original owner	Following change in owner		Sub-tenant evicted by tenant	Acquired by tenant	
West Khandesh	29	1	47	6	18	—	—	1	—	96
East Khandesh	46	—	54	—	25	—	1	—	—	125
Nasik	57	—	51	8	56	—	—	—	1	166
Thana	10	—	25	8	23	—	1	—	—	64
Kolaba	8	—	35	—	16	—	1	2	1	61
Poona	74	—	81	1	55	—	1	—	—	209
Ahmednagar	56	—	48	2	41	—	—	—	—	145
Sholapur	50	—	66	1	26	—	1	—	—	142
North Satara	59	3	56	2	35	—	1	—	4	155
South Satara	34	3	39	7	23	1	2	1	3	107
Kolhapur	39	5	26	5	43	—	1	—	2	119
Bijapur	70	—	65	11	85	1	4	2	1	237
Belgaum	22	3	49	12	28	—	3	—	3	114
Dharwar	53	2	80	4	58	—	11	6	3	215
<b>Total</b>	<b>607</b>	<b>17</b>	<b>722</b>	<b>67</b>	<b>532</b>	<b>2</b>	<b>27</b>	<b>12</b>	<b>18</b>	<b>1955</b>

cases of fresh leasing out, of resumption and of change in tenants have been classified according as the change was caused by the original owner or by a new owner following a change in ownership. It will be seen that in practically all the cases of change of tenants, the changes were made by the original owners. Similarly, a majority of the cases of fresh leasing were by the original owners and only in less than 3 per cent of the cases, the fresh leases were preceded by a change in ownership. It is only in the case of resumption that we have a substantial number of cases where the resumption was a consequence of a change in ownership from the non-cultivating to a cultivating owner. But even here the change in ownership accounted for less than 9 per cent of the cases of resumption; in the remaining cases the originally non-cultivating owners themselves resumed the lands. The Tables also give particulars of the miscellaneous cases of tenancy changes, namely, of sub-letting, of eviction of sub-tenants and also of acquisition by the tenants-in-possession. We shall begin by presenting our data relating to the three main types of change, namely, fresh leasing, resumption and change in tenants and in doing this we shall keep these three classes distinct. Later we shall present the data relating to the miscellaneous cases of sub-letting, of eviction of sub-tenants and also of acquisition by tenants. Towards the end, we shall return to a consideration of the cases of bogus change and of the mistaken entries in the village records.

6.5 As we have earlier explained, Schedule III required personal interviewing of all parties to each change in tenancy under study. However, though in a majority of the cases we could interview all the parties concerned, this was not always possible. In Table No. 6.7, we give particulars regarding the completeness, from this standpoint, of our investigation into the three main types of change. In the case of new leases, there were only two parties, namely, the owner and the new tenant. Similarly, there were only two parties to the cases of resumption, namely, the owner and the evicted tenant. There were however three parties to changes involving a change of tenant, namely, the owner, the old tenant and the new tenant. In Table No. 6.7 we give a classification of the cases involving the three main types of change, according to the extent to which we could contact the parties concerned. It will be seen that in more than 80 per cent of the cases of fresh leases and of resumption, we were able to contact both the owner and the tenant and in another 15 per cent or more cases, though we could not contact the owner, we could secure the requisite information from the tenant. One reason why the owners could not be contacted in some of these cases was that they were not residents of the selected villages. It will be noticed that it was only

TABLE No. 6.7.

*Cases of different types of tenancy change classified by the nature of response to our investigation from the parties concerned.*

District	Cases of leasing out Information obtained from						Cases of Resumption Information obtained from				Cases of change of tenant Information obtained from				
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
West Khandesh	30	66.7	23.3	—	10.0	53	50.9	30.2	5.7	13.2	18	50.0	16.7	16.6	16.7
East Khandesh	46	80.4	19.6	—	—	54	63.1	29.6	3.7	3.6	25	36.0	40.0	20.0	4.0
Nasik	57	94.8	3.5	—	1.7	59	82.3	10.1	5.1	3.7	56	71.4	23.2	5.4	—
Thana	10	60.0	40.0	—	—	33	78.8	15.1	—	6.1	23	56.5	43.5	—	—
Kolaba	8	50.0	25.0	12.5	12.5	35	68.6	31.4	—	—	16	68.8	25.0	6.2	—
Poona	74	86.5	10.8	—	2.7	82	82.9	15.9	1.2	—	55	83.6	14.6	—	1.8
Ahmednagar	56	76.8	21.4	1.8	—	50	82.0	16.0	2.0	—	41	73.2	24.4	2.4	—
Sholapur	50	78.0	22.0	—	—	67	80.6	14.9	4.5	—	26	69.2	30.8	—	—
North Satara	62	53.2	40.3	4.9	1.6	58	79.4	17.2	3.4	—	35	28.6	34.3	23.5	8.3
South Satara	37	94.6	5.4	—	—	46	84.8	13.0	—	2.2	24	83.3	8.3	8.4	—
Kolhapur	44	84.1	15.9	—	—	31	90.6	9.4	—	—	43	62.8	37.2	—	—
Bijapur	70	84.3	15.7	—	—	76	89.5	6.6	2.6	1.3	66	75.6	20.9	3.5	—
Belgaum	25	84.0	16.0	—	—	61	86.8	11.6	1.6	—	28	50.0	42.8	3.6	3.6
Dharwar	55	96.4	1.8	—	1.8	84	100.0	—	—	—	58	93.2	1.7	3.4	1.7
<b>Total</b>	<b>624</b>	<b>80.9</b>	<b>16.8</b>	<b>0.9</b>	<b>1.4</b>	<b>789</b>	<b>81.1</b>	<b>14.7</b>	<b>2.3</b>	<b>1.9</b>	<b>534</b>	<b>68.5</b>	<b>23.8</b>	<b>5.8</b>	<b>1.9</b>

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- (1) Total number of cases. (2) Both tenant and owner. (3) Tenant only. (4) Owner only. (5) Village Officers.  
 (6) Total number of cases. (7) Both tenant and owner. (8) Tenant only. (9) Owner only. (10) Village Officers.  
 (11) Total number of cases. (12) Both the tenants and owner. (13) Tenants only. (14) Only one of the tenants.  
 (15) One of the tenants and owner.

in a very few cases that the information was obtained either from the owners only or from the village officials and leaders.

6.6 As the cases involving change of tenants concerned three parties, it was somewhat difficult to contact all of them. Nevertheless, in nearly 70 per cent of the cases we could contact all of them. In addition, in nearly 25 per cent other cases, though it was not possible to contact the owner, we could interview both the tenants. Thus it will be seen that our investigation was quite satisfactory from the standpoint of the need to interview personally all the parties concerned.

6.7 We shall now examine the nature of the cases of fresh leasing where the owner-cultivators had rented out their lands. We shall present the data not in terms of the number of cases but in terms of the related area, namely, the area leased out. In Table No. 6.8 we give a classification of the area freshly leased out according to the nature of the ownership, the nature of tenancy and the nature of rent. It will be seen that the cases of fresh leases studied by us involved a total of 2542 acres of area. 82.6 per cent of this was owned by owners resident in the villages in which the lands were situated and 16.4 per cent was owned by non-residents some of whom would be residents of the adjoining villages. In view of this possibility, the distinction between the resident and the non-resident might not be of great significance. Nevertheless, it may be noted that the proportion of the non-resident ownership in the fresh leases is very large in West Khandesh, Thana and North Satara where the proportion is 40 per cent or higher. It is also rather high in Sholapur, Belgaum and Dharwar.

6.8 Most of the tenants were proper tenants. Nevertheless, we have shown a classification by the nature of tenancy to bring out a few cases where the persons recorded as tenants were indeed mortgagees-in-possession. In all districts together they accounted for nearly one per cent of the freshly leased area. They seem more or less in the same proportions in all the districts of the central and south Deccan. However, unless the figure is accidental, the proportion of mortgagee possession in West Khandesh seems large.

6.9 The Table also gives a classification according to the nature of rent, namely, whether share rent or cash rent. It will be seen that nearly 63 per cent of the freshly leased out area was share rented and 25 per cent was cash rented. There are significant differences between the districts in this respect. In the central districts of Poona, North Satara, Ahmednagar and Sholapur, the proportion of share renting is large. In Poona, practically the whole of the newly leased out area was share rented. In North Satara nearly 90 per cent was share rented while in Ahmednagar and Sholapur, more than

District	Total area newly leased out (Acres) = 100	Nature of ownership			Nature of tenancy			Nature of rent			
		Resident	Non-Resident	Public	Tenant	Mortgagee	No rent	Share rent	Cash rent	Other	Unspecified
West Khandesh	140	60.1	87.3	2.6	97.0	3.0	17.3	17.3	35.3	2.5	27.6
East Khandesh	148	79.4	8.5	12.1	100.0	—	—	48.2	40.8	11.0	—
Nasik	173	98.7	1.3	—	100.0	—	0.1	77.5	2.7	18.0	3.7
Thana	4	13.7	86.3	—	100.0	—	—	19.7	—	2.8	77.5
Kolaba	6	83.3	16.7	—	100.0	—	—	27.5	—	60.2	12.3
Poona	178	95.6	4.4	—	100.0	—	0.3	97.2	1.5	0.2	0.8
Ahmednagar	271	94.4	5.6	—	99.8	0.2	0.2	78.7	16.5	—	4.6
Sholapur	395	71.1	28.9	—	98.7	1.3	1.4	79.9	16.7	—	2.0
North Satara	88	52.6	44.5	3.0	98.2	1.8	1.2	87.5	9.1	—	2.2
South Satara	85	99.8	0.2	—	90.7	9.3	9.3	67.0	19.9	—	3.8
Kolhapur	73	91.3	7.8	0.7	95.1	4.9	5.2	41.0	23.6	29.5	0.7
Bijapur	521	87.3	—	12.7	99.4	0.6	2.7	58.9	35.3	4.6	0.5
Belgaum	158	79.7	20.8	—	97.0	3.0	3.0	26.6	63.6	3.2	3.6
Dharwar	292	78.1	21.9	—	97.3	2.7	3.2	58.7	23.5	9.3	0.3
<b>Total</b>	<b>2542</b>	<b>82.6</b>	<b>16.4</b>	<b>1.0</b>	<b>98.5</b>	<b>1.5</b>	<b>3.4</b>	<b>68.3</b>	<b>24.7</b>	<b>5.1</b>	<b>3.5</b>



80 per cent was share rented. In Nasik also more than 80 per cent was share rented but in the other two northern districts of West Khandesh and East Khandesh, the position was very different. Our figures for West Khandesh have been affected by a few exceptional cases giving rise to a large proportion of area where the mode of rent could not be ascertained and a considerable proportion of area reported to be rent-free. The main reason for our failure to ascertain mode of rent on so large a part of the newly leased out area in this district was that it involved a few owners and tenants who did not reside in the selected villages; they were mostly residents of the neighbouring villages. Nevertheless, it is clear that nearly 40 per cent of the newly leased area in this district was cash rented. Between Thana and Kolaba, the two rice growing districts, share renting was common in Thana but in Kolaba fixed rents in kind were more prevalent. This was also true of the rice lands in Kolhapur. In the south, Belgaum showed a large proportion of cash rented area.

6.10 There is a small proportion of area reported to be rent-free. This proportion is exceptionally large in West Khandesh and Dharwar and is indeed on account of exceptional cases. The 17.3 per cent of the area appearing rent-free in West Khandesh is accounted for by three cases of fresh leasing involving 3, 18, and 3 acres respectively. The first two cases were instances of requisition by Government, under the provisions of the Act, of land which after being resumed by the owner had been left uncultivated. After requisitioning, Government leased out these lands to the former tenants on condition of payment of land revenue. Consequently, the tenants so restored were not paying any rent whatever to the owners in respect of these lands. We might have appropriately regarded these cases as of cash renting, the cash rent being equivalent to the revenue. In the third case, a prospective buyer had paid part of the price and was cultivating the land without payment of any rent. The rent in this case could of course be regarded as equivalent to the interest on the part payment of price. In Dharwar district, the 8.2 per cent of the newly leased out area appearing as rent-free is also accounted for by three cases involving a total of 24 acres. In one case, a plot of 15 acres was given to the divorced wife as an alimony and the wife though appearing as tenant, cultivated it rent-free. In the other two cases, the tenants were given rent-free, land which had fallen into disuse on condition that they should bring it under cultivation. These cases illustrate the circumstances of free-renting occurring in a few instances in the other districts as well.

6.11 In Table No. 6.9, we have classified the newly leased out area according to the reasons for leasing. It will be seen that 34 per cent of the new leasing was because the owner, being short of bullock

TABLE No. 8.9.

Newly leased out area classified by reasons of leasing out.

District	Owner could not cultivate because							Because of financial needs		Leased out because					
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
West Khandesh	140	—	12.9	5.7	—	—	5.9	—	2.4	15.0	—	—	—	8.5	49.6
East Khandesh	148	—	30.6	24.0	—	—	1.3	—	19.2	7.5	0.8	7.7	—	—	8.9
Nasik	173	—	6.7	44.8	—	—	—	—	15.5	13.6	2.3	1.2	—	—	12.6
Thana	4	—	—	—	—	—	—	—	—	—	—	—	—	77.5	22.5
Kolaba	6	—	—	18.5	—	—	—	—	—	—	—	—	—	12.3	69.2
Poona	178	—	58.9	9.9	—	—	1.0	—	0.1	7.5	—	—	—	16.2	6.4
Ahmednagar	271	—	72.0	2.8	—	—	9.8	—	4.1	—	—	0.3	—	5.4	5.6
Sholapur	395	—	58.0	14.9	—	—	3.2	—	—	8.0	—	1.9	—	2.1	11.9
North Satara	88	5.0	59.8	20.8	1.9	—	0.6	1.8	—	—	8.4	—	—	1.7	—
South Satara	85	3.2	56.6	10.2	1.1	5.4	—	9.2	—	—	13.5	—	—	0.8	—
Kolhapur	73	—	16.6	11.5	0.5	9.6	12.8	5.0	1.8	2.5	0.9	—	1.9	1.3	35.6
Bijapur	521	1.2	22.4	14.3	3.9	1.8	—	0.5	14.7	—	6.9	1.3	—	0.5	32.5
Belgaum	168	1.2	10.8	12.8	3.6	2.8	—	3.1	29.4	—	16.6	—	—	3.9	16.2
Dharwar	292	—	3.2	52.2	8.3	1.2	—	2.7	15.2	9.3	0.5	0.5	—	0.3	6.6
<b>Total</b>	<b>2542</b>	<b>0.6</b>	<b>83.9</b>	<b>19.2</b>	<b>2.1</b>	<b>1.2</b>	<b>2.4</b>	<b>1.1</b>	<b>9.4</b>	<b>5.1</b>	<b>3.5</b>	<b>1.2</b>	<b>0.1</b>	<b>3.5</b>	<b>16.7</b>

CHANGES IN TENANCY

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(1) Total area leased out (Acres). (2) Owner migrated from the village. (3) Short of bullock power. (4) Short of family labour. (5) Plots far away. (6) He has other lands. (7) Has other occupation. (8) Mortgaged. (9) Deposit rented. (10) Land fallen into disuse. (11) Improvement lease. (12) Leased to a needy relative. (13) Forcible occupation by tenant. (14) Leased to prospective buyer. (15) Reason unspecified.

power, could not cultivate the lands personally. He could not cultivate personally another 19 per cent for reported shortage of family labour. 2.1 per cent of the area was far away and hence inconvenient for personal cultivation by the owners; only 1.2 per cent of the area was leased out because the owners had excess lands and 2.4 per cent because the owners had other occupation. Thus, in all, nearly 60 per cent of the area was leased out because the owners, for one reason or another, could not cultivate it personally.

6.12 Nearly 10 per cent of the newly leased out area was leased out because, we were told, of financial needs. In a small proportion of these cases, the lands were mortgaged and the possession given to the mortgagee. These were clear cases of financial needs. But in the remaining cases, which we have described as cases of deposit renting, it is not clear whether the owner was really needy. Such cases were reported on a considerable scale in the Karnatak districts of Bijapur, Belgaum and Dharwar and also in East Khandesh and Nasik. But in a large majority of the cases, it seems that they were nothing but peculiar regional practices. In these cases, the tenants kept a fixed deposit with the owner and in fact it was reported that the practice was to rent out to the one who offered the highest amount as a deposit. These deposits did not earn any interest. On the other hand, the tenants were required to pay usual rents. The tenant was entitled at any time to ask for his deposit and quit the land. At the same time the landlord was entitled at any time to return the deposit and to evict the tenant; and if the tenant refused to comply, he might forfeit the deposit. This seems to be the main function of such deposits.

6.13 Several other miscellaneous reasons for leasing out have been mentioned. 5.1 per cent of the leased out area was reported to have fallen into disuse and another 3.5 per cent was leased out explicitly to effect improvement in the land. These were called 'improvement leases' in which the land was leased out for a period of years usually three or five for a nominal rent. The main advantage that the owner expected to derive was an improvement in the land through the cultivation by the tenant.

6.14 Next, we shall examine the nature and causes of resumption. As before, we shall present the data in terms of the area affected and not in terms of the number of cases of resumption. In Table No. 6.10 we give a classification of the area resumed according to the nature of ownership, the nature of tenancy and the nature of rent. It will be seen that we have data pertaining to a total of 3375 acres of land resumed by the owners during the five years. Its composition by nature of ownership, nature of tenancy and nature of rent is more or

District	Total area resumed (Acres)	Nature of ownership		Nature of tenancy			Nature of rent				
		Resident	Non-Resident	Public	Tenant	Mortgagee	No rent	Share rent	Cash rent	Other	Unspecified
West Khandesh	229	80.1	19.9	—	90.1	9.9	9.4	28.2	61.3	—	6.1
East Khandesh	184	94.4	5.6	—	96.2	3.8	3.8	49.8	40.0	4.9	1.5
Nasik	152	92.4	7.6	—	98.0	2.0	2.0	86.3	8.4	—	3.3
Thana	18	50.3	49.7	—	70.3	29.7	42.3	19.9	12.7	18.1	7.0
Kolaba	31	77.0	23.0	—	95.4	4.6	4.6	6.8	24.8	64.3	—
Poona	301	85.3	14.7	—	99.9	0.1	0.1	82.7	17.2	—	—
Ahmednagar	209	91.6	8.4	—	100.0	—	—	86.1	10.9	—	3.0
Sholapur	526	72.0	28.0	—	100.0	—	—	89.2	8.1	—	2.7
North Satara	113	80.4	18.6	1.0	92.9	7.1	7.1	79.3	2.0	—	11.6
South Satara	143	70.0	30.0	—	100.0	—	—	64.2	24.4	—	11.4
Kolhapur	44	99.3	0.3	0.4	91.7	8.3	8.3	64.0	4.0	28.7	—
Bijapur	691	95.4	4.6	—	99.6	0.4	3.7	66.0	22.4	6.8	1.1
Belgaum	343	79.7	17.9	2.4	97.9	2.1	2.1	28.0	56.5	17.7	0.7
Dharwar	391	90.0	10.0	—	100.0	—	1.0	59.9	88.8	—	0.3
<b>Total</b>	<b>3375</b>	<b>85.2</b>	<b>14.6</b>	<b>0.2</b>	<b>98.2</b>	<b>1.8</b>	<b>2.7</b>	<b>63.9</b>	<b>26.4</b>	<b>4.5</b>	<b>2.5</b>

less similar to that of the area newly leased out and there are no special features to note.

6.15 In Table No. 6.11 we give a classification of the resumed area according to the period, in years, for which the lands in question were in the personal cultivation of the evicted tenants. It will be seen that nearly 12 per cent of the resumed area was in the cultivation of the evicted tenants for nine or more years; and nearly 25 per cent of the resumed area was in their cultivation for more than five years. In West Khandesh, East Khandesh and Belgaum, nearly 40 per cent of resumed area was in the cultivation of the evicted tenants for more than five years.

6.16 In Table No. 6.12 we give a classification of the resumed area according to the reasons for resumption as given by the tenants. It will be noted that more than 85 per cent of the area resumed by owners was voluntarily resigned by the tenants, and it was only in the case of about 15 per cent of the area that the tenancy was terminated by the owners. Nevertheless a large part of the voluntary resignation was because the owners wanted the land either for personal cultivation or for sale or because the lease term had expired. These three circumstances accounted for nearly 64 per cent of the resumed area and thus though the area was admittedly resigned by the tenants voluntarily, it was quite obviously at the instance of the owners. The remaining, nearly 20 per cent, might be taken as genuine cases of voluntary resignations. Nearly 9 per cent of the area was resigned because of either death or migration of the tenants or because the tenants did not find it profitable to cultivate the lands. In the case of another 9 per cent of the area the tenants resigned because they said they were either short of bullock power or of family labour. Of the nearly 15 per cent of the area where the tenancy was terminated by the landlords, in the case of 8.7 per cent of the area, the tenancies were terminated on grounds that the landlords wanted the lands for personal cultivation. These involved in all 80 cases and in 18 of these, the tenancies were terminated by recourse to law. Similarly, in the case of a small area amounting to only 0.5 per cent of the total resumed area, the tenancies were terminated on grounds that the tenants had defaulted payment of rent. They involved 10 cases and in 8 of these the tenancies were terminated with recourse to law. Thus we have on record a total of 26 cases of termination of tenancies by recourse to law. Half of these, that is 13 cases occurred in Thana and Kolaba. Another 8 cases occurred in the districts of West Khandesh and East Khandesh. In the remaining districts, such cases were few. In all the cases occurring in Thana and Kolaba, the possession was obtained through the Mamlatdar's court by giving legal notice. Of the 8 cases occurring in West

TABLE No. 6.11.

*Area resumed by owner classified by the duration of the terminated tenancy.*

District	Total area resumed (Acres)	No. of years									Unspecified.
		1	2	3	4	5	6	7	8	9 or more	
West Khandesh	229	16.0	8.9	11.6	5.5	15.7	6.1	5.8	13.8	11.0	6.1
East Khandesh	184	27.0	11.4	15.8	1.8	2.0	10.9	6.3	12.2	7.7	4.3
Nasik	152	7.4	38.6	10.9	13.9	1.3	10.8	3.7	—	8.2	5.2
Thana	18	7.7	7.2	—	1.9	31.0	2.3	6.2	—	28.4	15.3
Kolaba	31	3.2	3.7	—	13.0	9.3	—	—	—	70.8	—
Poona	301	39.0	17.8	15.2	2.1	10.7	1.9	—	1.0	12.2	0.1
Ahmednagar	209	29.3	36.2	6.4	8.8	1.2	0.9	—	0.7	13.5	3.0
Sholapur	526	15.2	26.4	6.5	5.7	32.6	8.0	—	1.3	1.6	2.7
North Satara	113	16.2	13.6	4.4	7.2	18.2	0.3	—	16.7	11.8	11.6
South Satara	143	4.4	20.9	5.6	16.3	13.6	9.4	5.1	—	7.1	17.6
Kolhapur	44	18.9	26.3	22.9	1.6	1.4	—	1.0	—	20.7	7.2
Bijapur	691	36.0	15.4	11.4	6.9	7.6	5.2	1.6	1.8	13.0	1.1
Belgaum	343	19.0	5.3	13.0	7.3	8.5	10.0	0.2	3.9	28.6	3.9
Dharwar	391	15.8	23.4	16.5	20.6	5.6	3.4	0.2	6.9	7.6	—
Total	3375	22.8	19.0	11.0	8.4	11.9	5.8	1.5	4.1	12.0	3.5

TABLE No. 6.12.

Area resumed by owner classified by reasons for terminating tenancy as given by the tenant.

District	VOLUNTARY RESIGNATION BY TENANT BECAUSE											TERMINATION BY OWNER BECAUSE			
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
West Khandesh	229	49.5	9.7	2.9	2.8	11.0	—	5.4	—	—	—	7.4	2.0	—	9.6
East Khandesh	184	46.5	—	—	22.8	3.8	—	13.3	0.7	—	—	5.7	4.2	—	3.0
Nasik	152	77.7	2.1	—	1.0	2.0	—	6.5	—	0.1	—	—	—	1.3	9.3
Thana	18	21.2	6.9	8.0	26.1	3.6	2.6	—	—	2.0	—	12.0	10.5	—	7.1
Kolaba	31	21.2	0.7	1.0	—	4.6	—	—	—	3.2	8.7	40.4	—	—	11.2
Poona	301	88.4	—	—	1.4	0.1	—	1.2	—	1.6	—	5.8	—	—	2.0
Ahmednagar	209	65.9	1.1	—	2.7	—	—	4.7	5.6	8.7	4.4	—	—	—	6.9
Sholapur	526	70.9	—	9.5	0.5	—	—	3.8	2.4	10.0	0.1	0.1	—	—	2.7
North Satara	113	83.2	—	—	6.3	7.1	—	0.4	2.6	1.8	1.0	23.1	—	5.7	18.8
South Satara	143	32.3	—	—	—	—	8.7	0.3	12.9	8.4	—	25.4	0.2	—	11.8
Kolhapur	44	25.5	0.1	—	—	8.8	—	27.3	—	16.4	14.4	0.3	—	0.5	7.2
Bijapur	691	48.8	13.3	5.1	5.8	0.4	—	4.8	3.5	4.8	3.3	9.5	—	—	0.7
Belgaum	343	10.6	6.1	9.8	13.2	2.2	2.2	6.3	—	24.7	—	22.4	0.1	—	2.4
Dharwar	391	49.0	4.1	0.1	21.8	—	4.5	3.7	—	3.4	—	7.4	—	6.0	—
Total	3375	52.3	4.6	3.8	7.2	1.8	1.1	4.7	2.2	6.8	1.3	8.7	0.5	1.0	4.0

- (1) Total area resumed (Acres). (2) Owner wanted for personal cultivation. (3) Owner wanted to sell.  
 (4) Death or migration of tenant. (5) Expiry of lease term. (6) Redemption of loan. (7) Was adequately compensated.  
 (8) Tenant did not want the plot. (9) Tenant short of bullock power. (10) Tenant short of family labour. (11) Unspecified.  
 (12) Owner wanted for personal cultivation. (13) Default of rent. (14) Other default. (15) Unspecified.

Khandesh and East Khandesh, in 6 cases the possession was obtained through the Mamlatdar's court and in 2 out of these, the original landlord had sold the land and it was the new owner who secured the possession. In the other two cases, the possession was obtained through the Debt Adjustment Board. The lands were mortgaged and the mortgagee had leased them out. After the mortgager-owner obtained possession, the tenants resigned. Of the remaining 5 cases, occurring in the other districts, in 3 cases, the possession was secured through the Mamlatdar's court and in one of these cases, the owner gave to the tenant Rs. 75 as compensation. In another of these cases, the original owner had sold the land and it was the new owner who had obtained the possession. Of the remaining 2 cases, in one case, the owner had obtained a civil court decree for recovery of rent which was in arrears for 5 years and then on the strength of this decree obtained possession through the Mamlatdar's court. In the other case, the land was sold by auction by the civil court in execution of a decree and the possession was given to the bidder.

6.17 In Table No. 6.13 we give a classification of the resumed area according to the causes for resumption as given by the landlords. It will be seen that even on the admission of the landlords 70.8 per cent of the area was resumed because the landlords wanted it for personal cultivation. In the case of 13.5 per cent of the area, they reported that the land had to be resumed because the tenants had left and were unwilling to cultivate. Thus the reasons for resumption as given by the landlords are in general agreement with those given by the tenants. In particular, in the case of only 1.6 per cent of the area the landlords reported that the tenants had defaulted and this was fully corroborated by the tenants.

6.18 Finally, we shall examine the nature of the cases where the tenants were changed. In Table No. 6.14 is given a classification of the related area according to the nature of the ownership, the nature of tenancy and the nature of rent. The composition of the area in these respects is seen to be similar to the composition of the area which was newly leased out or the area which was resumed. No special features are noticeable.

6.19 In Table No. 6.15 we give a classification of the area from which tenants were changed according to the period for which the evicted tenants were cultivating the lands in question. It will be seen that nearly 15 per cent of the area was in the cultivation of the evicted tenants for more than five years. The proportion is thus obviously considerably smaller than that in the case of area resumed by the owners. Incidentally, it may be noted that, as in the case of resumption, the proportion of the area on which older tenants were



TABLE No. 6.14.

*Area of which tenants were changed classified by the nature of ownership, terminated tenancy and rent.*

District	Total area resumed (acres)	Nature of ownership			Nature of tenancy			Nature of rent			
		Resident	Non-Resident	Public	Tenant	Mortgagee	No rent	Share rent	Cash rent	Other	Unspecified
West Khandesh	64	78.1	21.9	—	92.2	7.8	7.8	8.8	52.3	7.8	23.3
East Khandesh	71	64.8	38.8	2.1	92.1	7.9	2.0	43.8	45.1	—	9.1
Nasik	215	75.9	24.1	—	100.0	—	—	78.4	3.6	1.0	17.0
Thana	38	62.8	36.8	0.4	99.6	0.4	0.4	12.6	9.5	77.5	—
Kolaba	12	75.9	24.1	—	100.0	—	—	4.7	32.6	50.0	12.7
Poona	140	86.2	10.9	2.9	100.0	—	—	99.4	0.6	—	—
Ahmednagar	192	60.1	39.9	—	96.8	3.2	3.1	88.8	5.8	—	2.3
Sholapur	205	50.8	49.7	—	100.0	—	2.4	68.8	29.3	—	—
North Satara	54	23.4	76.6	—	100.0	—	—	85.4	3.2	—	11.4
South Satara	59	70.5	29.5	—	100.0	—	—	79.8	19.0	—	1.2
Kolhapur	78	85.4	13.8	0.8	98.2	1.8	1.8	55.1	25.0	15.3	2.8
Bijapur	821	73.9	26.1	—	99.6	0.4	1.4	58.6	28.6	11.4	—
Belgaum	153	70.8	29.2	—	99.4	0.6	0.6	67.8	26.8	—	4.8
Dharwar	303	75.2	24.8	—	100.0	—	—	58.0	32.4	5.8	3.8
<b>Total</b>	<b>2405</b>	<b>70.4</b>	<b>29.8</b>	<b>0.8</b>	<b>99.3</b>	<b>0.7</b>	<b>1.3</b>	<b>64.9</b>	<b>23.2</b>	<b>6.8</b>	<b>3.8</b>

TABLE No. 6.13.

*Area resumed by owner classified by reasons for resumption as given by the owner.*

District	Total area resumed (Acres)	For personal cultivation	Resumption preparatory to sale	Redemption of mortgage	Tenant left	Default of rent	Other default	Unspecified
West Khandesh	229	49.6	3.0	13.0	2.9	—	—	31.5
East Khandesh	184	49.3	0.6	3.8	0.2	4.9	12.6	28.6
Nasik	152	68.6	0.9	2.0	—	—	—	28.5
Thana	18	50.6	—	3.6	—	—	—	45.8
Kolaba	31	69.0	11.8	4.6	—	5.0	3.2	6.4
Poona	301	82.9	—	1.0	4.7	—	—	11.4
Ahmednagar	209	77.5	—	2.3	—	—	3.5	16.7
Sholapur	526	99.5	—	—	—	—	0.5	—
North Satara	118	67.9	—	7.1	3.0	—	4.1	17.9
South Satara	143	69.2	—	0.2	17.9	—	3.3	9.4
Kolhapur	44	33.0	—	3.3	35.4	—	—	23.3
Bijapur	691	74.5	—	0.4	19.6	—	—	5.5
Belgaum	343	45.0	1.3	0.8	45.4	—	—	7.5
Dharwar	391	66.4	2.9	—	24.8	—	—	5.9
<b>Total</b>	<b>3375</b>	<b>70.8</b>	<b>0.9</b>	<b>2.0</b>	<b>13.5</b>	<b>0.3</b>	<b>1.3</b>	<b>11.2</b>

TABLE No. 6.15.

Area of which tenants were changed classified by the duration of the terminated tenancy.

District	Total Area (acres)	No. of years									
		1	2	3	4	5	6	7	8	9 or more	Unspeci- fied.
West Khandesh	64	12.1	16.1	19.6	—	6.9	9.0	—	6.3	18.6	16.4
East Khandesh	71	30.0	16.5	18.7	11.6	4.9	—	—	—	5.7	12.6
Nasik	215	30.9	25.1	21.6	2.6	—	—	—	—	1.1	18.7
Thana	38	—	2.8	—	—	37.5	—	—	9.7	50.0	—
Kolaba	12	—	28.3	1.8	4.1	2.8	—	—	11.7	47.2	4.1
Poona	140	20.1	42.1	12.9	17.6	3.2	2.3	—	—	0.2	1.6
Ahmednagar	192	17.4	21.7	29.9	12.3	—	0.7	—	—	15.8	2.2
Sholapur	205	36.6	22.7	12.1	1.5	7.0	—	—	—	20.1	—
North Satara	54	4.1	0.7	7.1	49.0	3.3	—	—	—	18.7	17.1
South Satara	59	48.5	6.9	12.6	—	12.8	—	—	—	11.7	8.0
Kolhapur	78	15.7	30.5	22.2	9.9	10.2	—	—	2.0	3.6	5.9
Bijapur	821	32.4	28.9	13.5	8.0	5.9	9.1	2.2	1.6	3.4	—
Belgaum	153	0.6	21.8	22.6	11.1	—	0.4	—	4.7	21.8	17.0
Dharwar	303	15.2	23.8	20.5	22.0	4.4	7.4	1.2	—	5.5	—
Total	2405	24.4	23.2	17.0	10.4	5.0	4.5	0.9	1.3	8.7	4.6

evicted in favour of new tenants was large in West Khandesh and in Belgaum.

6.20 In Table No. 6.16 is given a classification of the area according to the reasons for changing the tenants as given by the old tenants. It will be noted that here again more than 80 per cent of the area was, on the admission of the evicted tenants, voluntarily resigned by the tenants. Only about 20 per cent of this where the tenants resigned because the landlords presumably wanted it for personal cultivation or for sale or because of the expiry of the lease period, might be said to be at the instance of the landlord. In the case of the remaining 60 per cent of the area, the resignations by the tenants must be regarded as genuinely voluntary. In the case of 25 per cent of the area, the resignations were because the tenants were short of either bullock power or family labour. They did not find it profitable to cultivate another 16 per cent of the area and the resignation of yet another 5 per cent of the area was the result of either the death or migration of the tenants.

6.21 In the case of nearly 20 per cent of the area, the old tenants reported that they were evicted by the owners against their will; in the case of 1.8 per cent, the evictions were ostensibly for the purpose of personal cultivation by the owners; in the case of 0.8 per cent, they were due to default of rent; in the case of 3.0 per cent, they were for certain other default on the part of the tenants; and in the case of 2.7 per cent for securing higher rent. There were in all 15 cases where the old tenants were evicted for default of rent and in 8 out of these, the termination of their tenancies was secured through the court. 6 of these cases occurred in the districts of West Khandesh and East Khandesh. It will be remembered that there also appeared a number of cases from these two districts, where the lands were resumed by recourse to law.

6.22 It will be noted that in a total of about 17 per cent of the area the tenant either resigned or was evicted because the landlord ostensibly wanted the lands for personal cultivation; but where in fact, he changed the tenants. This must be regarded the most serious misuse of the right to resume. It will be noted that this happened on a large scale in Poona and North Satara and also in Ahmednagar and Sholapur..

6.23 In Table No. 6.17 we give a classification of the area according to the reasons for change of tenants as given by the landlords. It will be seen that in a large majority of the cases we did not get satisfactory answers from the landlords. Nevertheless it will be noted that after the old tenant was evicted, 1.3 per cent of the area was mortgaged by the owners; 3.4 per cent of the area was rented out to

TABLE No. 6.17.

*Area of which tenants were changed classified by reasons for change of tenant as given by the landlord.*

District	Wanted to raise funds.									
	1	2	3	4	5	6	7	8	9	10
West Khandesh	64	—	—	—	—	—	—	—	—	100.0
East Khandesh	71	—	3.5	—	—	—	—	10.3	—	86.2
Nasik	215	—	—	—	0.1	—	2.9	0.2	2.1	94.7
Thana	38	—	—	—	—	—	—	—	—	100.0
Kolaba	12	—	—	—	—	—	—	—	—	100.0
Poona	140	—	—	—	0.5	—	16.5	4.1	2.3	76.6
Ahmednagar	192	6.6	—	0.7	4.6	1.0	6.7	8.8	5.4	66.2
Sholapur	205	5.4	3.0	0.3	11.0	—	—	2.4	7.5	70.4
North Satara	54	5.4	—	—	—	1.7	—	1.6	1.5	89.8
South Satara	59	—	—	1.1	7.0	—	—	0.8	5.3	86.0
Kolhapur	78	2.7	2.1	—	14.3	2.8	4.3	—	—	73.8
Bijapur	821	0.4	5.5	—	3.0	3.7	2.7	—	—	84.1
Belgaum	153	—	2.6	—	—	—	3.8	1.4	—	92.2
Wharwar	303	—	7.2	—	7.2	—	6.1	2.1	1.6	75.8
<b>Total</b>	<b>2405</b>	<b>1.3</b>	<b>3.4</b>	<b>0.1</b>	<b>3.9</b>	<b>1.4</b>	<b>3.9</b>	<b>1.9</b>	<b>2.0</b>	<b>82.1</b>

(1) Total area (acres). (2) By mortgage. (3) By accepting advance rent. (4) Leased out to a prospective buyer. (5) Could secure higher rent. (6) New tenant appeared to improve land. (7) Wanted to lease to a relative. (8) Old tenant was not taking proper care. (9) Strained relations with old tenant. (10) Unspecified.

TABLE No. 6.16.

Area of which tenants were changed classified by reasons for terminating tenancy as given by the original tenant.

District	Voluntary resignation by tenant because										Termination by owner because							
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
West																		
Khandesh 64	11.9	7.7	24.2	22.5	—	—	9.0	—	—	—	9.4	—	6.3	—	—	—	—	9.0
East																		
Khandesh 71	8.6	—	15.1	4.3	—	—	37.3	5.6	—	2.1	—	—	5.8	0.7	—	—	—	20.5
Nasik 215	16.5	—	—	1.0	—	—	0.3	40.2	1.5	1.1	5.7	22.2	—	6.4	—	—	—	5.1
Thana 38	10.9	—	0.5	—	0.5	—	3.6	—	1.8	23.6	35.2	—	—	—	—	—	21.1	2.3
Kolaba 12	27.9	—	23.9	—	—	—	8.7	6.1	—	4.0	—	13.6	—	11.7	—	—	—	4.1
Poona 140	58.6	—	0.5	1.6	—	—	14.9	5.3	14.4	—	2.2	—	—	—	—	—	—	2.5
Ahmed-nagar 192	28.5	0.7	1.7	0.2	3.1	—	7.6	38.3	4.2	—	14.7	—	—	—	1.0	—	—	—
Sholapur 205	25.1	0.4	—	—	—	—	14.1	24.2	8.4	3.0	11.2	—	—	2.4	—	—	—	11.2
North																		
Satara 54	19.3	—	4.5	—	—	—	5.0	2.5	0.7	—	4.1	37.7	0.5	6.7	—	—	—	19.0
South																		
Satara 59	—	—	6.8	18.4	—	2.3	—	38.0	19.7	—	4.3	2.2	—	4.3	—	—	—	8.5
Kolhapur 78	8.2	—	3.2	0.5	1.3	—	11.5	—	20.3	—	13.9	—	9.4	5.7	1.4	—	—	24.1
Bijapur 821	11.1	—	7.3	6.7	0.4	1.7	16.8	6.6	25.2	0.2	15.6	0.3	—	2.5	—	—	—	5.6
Belgaum 153	1.5	—	6.9	—	—	—	12.0	2.6	21.0	—	14.4	7.2	0.8	—	—	—	—	33.6
Dharwar 303	2.3	—	—	3.5	—	0.3	13.8	3.1	19.9	—	7.4	2.3	—	7.5	20.6	—	—	19.3
Total 2405	15.1	0.3	4.7	4.1	0.5	0.7	16.4	9.4	15.6	1.3	12.9	1.8	0.8	3.0	2.7	0.3	—	10.4

(1) Total area resumed (acres). (2) Owner wanted for personal cultivation. (3) Owner wanted to sell. (4) Death or migration of tenant. (5) Expiry of loan term. (6) Redemption of loan. (7) Was adequately compensated. (8) Tenant did not want the plot. (9) Tenant short of bullock power. (10) Tenant short of family labour. (11) Leased out to a needy relative. (12) Reason unspecified. (13) Owner wanted for personal cultivation. (14) Default of rent. (15) Other default. (16) To obtain higher rent. (17) Forcible occupation by tenant. (18) Reason unspecified.

new tenants who agreed to pay a few years' rent in advance; in the case of 3.9 per cent of the area the new tenants had agreed to pay higher rents. Only in the case of 4 per cent of the area the landlords reported that either the tenants had defaulted or that their relations with the tenants were strained. It will be noticed that the proportion of mortgages was high in Ahmednagar, Sholapur, North Satara and Kolhapur and that the proportions where the owners had accepted a few years' rent in advance were large in the Karnatak districts of Bijapur, Belgaum and Dharwar and also to some extent in Kolhapur and East Khandesh.

6.24 We shall now describe the miscellaneous cases of tenancy change, namely, of sub-letting, of eviction of sub-tenants by the principal tenants and also of acquisition of the tenant-cultivated plots by the tenants in cultivating possession. Naturally, we have only a few cases of each one of these types. In the following we shall present brief descriptive notes on these cases.

6.25 We have a total of 27 cases of sub-letting. Of these 18 are from the Karnatak districts, namely, from Bijapur, Belgaum and Dharwar; a large majority of them are in fact from Dharwar District. Sub-letting, thus seems to be common in the Karnatak districts, particularly in Dharwar. The remaining 9 cases are from all the other districts and might therefore be regarded as no more than stray cases.

6.26 However, even in these districts, where sub-letting is not so common, the tenants seem to have sublet the plots for an advantage. Thus out of the 9 cases of sub-letting appearing in these districts, the sub-letting was at par only in 2 cases. In these cases therefore the tenants enjoyed no more than a false title. In the remaining cases the sub-letting was usually at an advantage of rent varying from 15 to 50 per cent. In two cases, while the principal tenants were paying cash rent, the sub-letting was for 1/2 share. Presumably this left an adequate margin for the principal tenants. In one case where the share rent was reduced from 1/2 to 1/6 in accordance with law, the original tenant passed off his tenancy rights to another tenant for a cash consideration of Rs. 425 for one acre of land.

6.27 Out of the 18 cases of sub-letting from the Karnatak districts, 7 involved no profits to the principal tenants. In 5 cases, original cash tenancies were sub-let for 1/2 share and in 2 cases original share tenancies were sublet for cash presumably leaving a margin to the principal tenants. In one case, a cash tenancy was sublet for a clear 20 per cent margin and in 3 more cases, original long leases were sublet for shorter periods and for a clear profit.

6.28 We have 12 cases where the sub-tenants were evicted by the principal tenants. In 8 of these cases, the tenants had resumed the

land for personal cultivation. In one case, the tenant had resumed the land on the death of the sub-tenant. In 2 cases the sub-tenants were evicted in an attempt to raise the rent or to obtain more favourable terms; in one of these cases the land was later sublet to another person offering a higher rent. In the remaining case, the sub-tenant reported that he was on the land for the last 17 years and had been paying his rent direct to the landlord. Nevertheless, he alleged, the name of another person was shown as the tenant and his own as a sub-tenant. Recently the nominal tenant offered higher rent to the landlord, and had forcibly occupied the land. The principal tenant of course denied these allegations; he had sublet the land and now resumed it for personal cultivation.

6.29 We have 18 cases where the tenants had reportedly acquired the land. 12 of these cases were genuine purchases by the tenants while in the remaining cases the purchasers were not genuine tenants. Among the 12 cases where the tenants had purchased, in 6 cases the lands were in the cultivating possession of the tenants for more than 10 years; in the remaining cases they were on the land for smaller durations, usually for 3 or 4 years. Of the 6 cases where the purchasers were not genuine tenants, in 2 cases they were actually relatives of the owner, temporarily shown as tenants and who had later acquired the plots by inheritance and not by purchase. In 2 cases, the tenants were in fact the original owners, had mortgaged the plots, during which period they were shown as tenants, and later had redeemed the mortgage. In the remaining two cases, the prospective purchasers were shown as tenants before the final purchase. We have earlier noted that there were very few cases where the tenants-in-possession had acquired the lands cultivated by them. The evidence of these few illustrative cases shows that possibly not even these few apparent cases of acquisition were all genuine and that probably only about two-thirds of them might be regarded as cases of genuine acquisition by the tenants-in-possession. We came across no case of purchase of land where a protected tenant had exercised his right to purchase on his own initiative and thus had compelled the landlord to sell against his will.

6.30 We shall now examine the nature of the bogus cases of change detected by us in the village records. As we have explained earlier, we studied in all a total of 2835 cases. They were selected for study because on the face of the entries in the village records they appeared to be cases of tenancy changes involving new leases, resumption, change of tenants and similar forms of tenancy changes involving sub-tenants. Of the total of 2835 cases studied by us, we could not trace or contact the parties concerned and ascertain the facts with regard to 233 cases. Of the remaining 2602 cases where we were



able to ascertain the nature of the changes, we found that in 598 cases, which is roughly 23 per cent of all cases, there was in fact no change of tenancy involved. We have termed these as bogus cases of change. It is necessary to enquire into the nature of these cases for two reasons: Firstly because their number is rather large. Secondly because, as our entire analysis of Schedule I outlined in Chapter IV was based on the information as it appeared in the village records unverified by personal interviewing of the parties concerned, it would need a certain correction if so large a proportion of the apparent cases of change did not appear to be genuine on closer examination.

6.31 In Table No. 6.18 we give a classification of these bogus cases and the related area according to the nature of the apparent tenancy change involved in them. It will be seen that out of a total of 598 cases, 217 were apparent new leases, 224 were apparent resumptions and 157 were apparent changes of tenants.

6.32 The causes for mistaken or inaccurate entries in the record giving rise to cases of apparent fresh leasing and resumption are similar and related. If a wrong entry in the record causes an apparent fresh leasing, the subsequent rectification of the error causes an apparent resumption; similarly, if a wrong entry causes an apparent resumption, its subsequent rectification causes an apparent fresh leasing. It will be convenient therefore to consider the two types of bogus cases together. We have classified the apparent cases of new leases and of resumption according to their true nature in Table Nos. 6.19 and 6.20 respectively. It will be seen that a large number of these were on account of just wrong entries in the record or due to rectification of the wrong entries earlier made. Thus there are 107 cases where the plots were in fact owner-cultivated and continued to be so cultivated but which nevertheless were suddenly and wrongly shown as tenant-cultivated thus causing apparent new leases. In 60 other cases, the plots were in fact tenant-cultivated but were wrongly recorded as owner-cultivated in earlier years; the error was subsequently rectified again causing apparent new leases.

6.33 We have a number of corresponding cases of apparent resumption. Thus in 100 cases, the plots which were in fact tenant-cultivated and continued to be so, were suddenly and wrongly shown as owner-cultivated causing apparent resumption. In 82 other cases, the plots were in fact owner-cultivated but were wrongly shown as tenant-cultivated in earlier years; the error was subsequently rectified again causing apparent resumption.

6.34 The remaining cases do not involve any error of record as such but nevertheless give an appearance of either fresh leasing or resumption because the record does not reveal the relationship between

District	NO. OF CASES				AREA (ACRES)			
	Total	Leasing out	Cases of apparent Resumption	Change of tenant	Total	Leasing out	Cases of apparent Resumption	Change of tenant
West Khandesh	25	11	9	5	113	59	34	20
East Khandesh	18	7	8	3	56	25	27	4
Nasik	83	39	41	3	192	78	95	19
Thana	76	19	22	35	65	10	20	35
Kolaba	50	10	14	26	46	6	11	29
Poona	17	12	5	—	27	21	6	—
Ahmednagar	9	8	4	2	28	7	6	15
Sholapur	14	11	3	—	86	78	8	—
North Satara	89	28	35	26	110	19	39	52
South Satara	75	36	27	12	258	90	81	87
Kolhapur	52	15	10	27	127	16	25	86
Bijapur	30	13	12	5	256	83	97	76
Belgaum	50	11	31	8	210	43	103	64
Dharwar	10	2	3	5	47	3	17	27
<b>Total</b>	<b>598</b>	<b>217</b>	<b>224</b>	<b>157</b>	<b>1621</b>	<b>538</b>	<b>569</b>	<b>514</b>

TABLE No. 6.20.

*Bogus cases of resumption classified by their true nature.*

District	Total No. of cases	Tenant-cultivated plot changed to owner-cultivated by a recording error	Rectification of a previous error showing an owner-cultivated plot to be tenant cultivated	Removed tenant a member of owner-cultivator's family	Joint cultivation by owners & tenants	Resumed before 1948 but recorded later
West Khandesh	9	—	6	—	—	4
East Khandesh	8	5	3	—	—	—
Nasik	41	23	16	—	—	2
Thana	22	9	12	—	—	1
Kolaba	14	9	5	—	—	—
Poona	5	5	—	—	—	—
Ahmednagar	4	2	1	—	—	1
Sholapur	3	1	2	—	—	—
North Satara	35	10	20	3	1	2
South Satara	27	10	7	8	4	1
Kolhapur	10	1	8	2	—	—
Bijapur	12	7	3	2	—	—
Belgaum	31	15	5	11	—	—
Dharwar	3	3	—	—	—	—
<b>Total</b>	<b>224</b>	<b>100</b>	<b>82</b>	<b>26</b>	<b>5</b>	<b>11</b>

TABLE No. 6.19.  
*Bogus cases of fresh leasing classified by their true nature.*

District	Total No. of cases	Owner cultivated plot changed to tenant-cultivated by a recording error	Rectification of a previous error showing a tenant-cultivated plot to be owner-cultivated	New tenant a member of owner-cultivator's family	Joint cultivation by owner & tenant	Exchange between two owner cultivators	Leased out before 1948 but recorded later
West Khandesh	11	10	—	1	—	—	—
East Khandesh	7	5	2	—	—	—	—
Nasik	39	21	7	9	—	1	1
Thana	19	6	9	4	—	—	—
Kolaba	10	7	1	2	—	—	—
Poona	12	11	—	1	—	—	—
Ahmednagar	3	2	—	1	—	—	—
Sholapur	11	6	2	3	—	—	—
North Satara	28	14	8	3	2	1	—
South Satara	36	18	16	7	—	—	—
Kolhapur	15	6	1	5	3	—	—
Bijapur	18	1	9	3	—	—	—
Belgaum	11	4	4	3	—	—	—
Dharwar	2	1	1	—	—	—	—
Total	217	107	60	42	5	2	1

the recorded owner and the tenant. Thus there are 42 cases of apparent fresh leasing where the newly entered tenants were in fact members of the owner-cultivator's families; why their names should have suddenly appeared in the record as tenants is not clear. In 5 other cases the plots were in the joint cultivation of the owners and the tenants throughout the period; but the record showed them as owner-cultivated for sometime and as tenant-cultivated subsequently. In 2 more cases, the owner-cultivators had exchanged their plots for mutual convenience. Finally in one case, the change was genuine but had occurred prior to the period under investigation and was recorded only later.

6.35 We have also the analogous cases of apparent resumption not involving an error of record as such. Thus in 26 cases the original tenants who were removed from the record, were in fact either members of the owners' families or were one of the owners who jointly cultivated the plot. In 5 other cases, the cultivation was in fact joint between the owner and the tenant and continued to be so; but on record the plots were previously shown as tenant-cultivated and subsequently as owner-cultivated. In the remaining 11 cases the resumption was genuine but had in fact occurred prior to the period under investigation and was recorded only later.

6.36 We shall next examine the nature of the apparent cases of change of tenants. In Table No. 6.21 they are classified according to their true nature. Here again a number of these cases arise out of just wrong entries in the record or rectification of such errors earlier made. Thus in 25 cases, the original tenants had continued unchanged but suddenly their names were removed and the names of certain other persons substituted. In 33 other cases, similar errors earlier made were rectified. Obviously on both the occasions, the entries caused apparent change of tenants.

6.37 The remaining cases did not involve an error of record as such but involved changes which might be mistaken as changes of tenants. For instance, in 44 cases the new tenants were either members of the old tenants' families or were in fact heirs of the old tenants. In 42 other cases, the cultivation was indeed joint by a number of tenants. Sometimes their number changed through either resignation or death of one of their members. Sometimes the names of some of them were not recorded by oversight. In 6 cases, the plots were public lands and were in the cultivation of the persons who rendered the respective village services in rotation. There are 5 cases where even though the original tenants continued to cultivate, temporary tenancies were created on record in favour of persons who in 3 of these cases had actually purchased the plots, in one case had inherited the plot and

TABLE No. 6.21.

*Bogus cases of change of tenants classified by their true nature.*

District	Total No. of cases	Change in tenant's name by a recording error	Rectification of previous error in tenant's name	New tenant member of old tenant's family	Joint cultivation by tenants	Public lands	New tenants were in fact new owners	Exchange between two tenants	Change of tenant before 1948 but recorded later
West Khandesh	5	—	—	1	—	3	1	—	—
East Khandesh	3	—	—	—	1	1	—	1	—
Nasik	3	1	—	1	—	—	1	—	—
Thana	35	4	18	8	2	2	—	—	1
Kolaba	26	3	3	13	7	—	—	—	—
Poona	—	—	—	—	—	—	—	—	—
Ahmednagar	2	—	—	1	—	—	1	—	—
Sholapur	—	—	—	—	—	—	—	—	—
North Satara	26	6	4	5	11	—	—	—	—
South Satara	12	2	2	3	5	—	—	—	—
Kolhapur	27	2	2	7	15	—	1	—	—
Bijapur	5	2	2	1	—	—	—	—	—
Belgaum	8	3	1	3	1	—	—	—	—
Dharwar	5	2	1	1	—	—	1	—	—
<b>Total</b>	<b>157</b>	<b>25</b>	<b>33</b>	<b>44</b>	<b>42</b>	<b>6</b>	<b>5</b>	<b>1</b>	<b>1</b>

who in one case was a mortgagee. In another case, two cultivating tenants had exchanged their plots for mutual convenience. Finally, in the one remaining case, the change of tenants was genuine but had actually occurred before the period of investigation and was recorded only later.

6.38 It will thus be seen that a large majority of the apparent tenancy changes were caused by either recording errors or rectification of the errors earlier made. In fact out of the total of 598 bogus cases of tenancy change described above, 407 were due to either recording errors or rectification of the previous errors. If we relate this to the total of 2602 cases of tenancy change which we detected and followed up, it seems that nearly 16 per cent of the tenancy changes detected from the village records were on account of recording errors or their rectification. In view of this, it might be worthwhile examining a little more closely the nature of these recording errors. As we have seen in the above there are three main types of recording errors and their rectifications which have caused a majority of these apparent tenancy changes. They are as under:—

Owner-cultivated plots wrongly recorded as tenant-cultivated	107
Rectification of errors of the above type	82
Tenant-cultivated plots wrongly recorded as owner-cultivated	100
Rectification of errors of the above type	60
Wrong alterations in the names of tenants of the tenant-cultivated plots	25
Rectification of the errors of the above type	33
<b>Total</b>	<b>407</b>

6.39 It is to be hoped that these are no more than just genuine errors. Otherwise there exist obviously strong temptations for tampering with the record so as to remove the tenant's name from the record. There can of course be equally strong temptations to create false tenancy rights by creating a false record of tenant-cultivation; but presumably tampering with the record for this purpose is more difficult. That the two kinds of erroneous entries very nearly balance mutually might indicate that in a large number of cases they were no more than bona fide errors of record. Nevertheless, it should be noted that these are all errors of commission and not of omission. The village record in this respect is usually maintained by carrying forward the entries made in the previous years. Any errors of omission in respect of changes taking place are therefore understandable. Errors of making changes which have just not taken place are not so easily understandable.

6.40 It is consoling, nevertheless, that errors of both these kinds are rectified in due course. Thus while 107 new errors of the type where an owner-cultivated plot was recorded as tenant-cultivated were

committed, 82 similar errors previously made were rectified. On the other hand while 100 new errors of recording the tenant-cultivated plots as owner-cultivated were committed, 60 similar errors previously committed were rectified. It might be noted therefore that though the two kinds of errors are seen to be committed more or less to the same extent, the first kind of errors namely of recording owner-cultivated plots as tenant-cultivated seem to be rectified somewhat more promptly than the second kind of errors where the tenant-cultivated plots are recorded as owner-cultivated. Thus there seems to remain on balance a small excess of apparent resumption; that is to say there remains on balance a small excess of cases where though the plots are tenant-cultivated and continue to be so the rights of the tenants do not appear on the record.

6.41 Wrong alterations in the names of tenants seem to be fully rectified. Nevertheless in all such cases, as also in all cases of apparent resumption where the names of the tenants are wrongly removed from the record, the recording errors though later rectified, cause a break in the term of the tenure as appearing on the record. As a consequence, a number of protected tenancies initially recorded as such might cease to be protected tenancies. The right of protected tenancy, under the Act, is a legal right and its proper recording is a legal requirement. Even in the case of ordinary tenancies, it is legally necessary and desirable to have the period of tenure properly recorded. In view of this, the fact that nearly sixteen per cent of the changes in records should be inaccurate suggests that the recording of tenancy rights in village records has not yet been toned up and brought in tune with the requirements of the new legal provisions.

6.42 We have earlier mentioned that the number of cases of bogus change discovered by us are far too many. In fact, out of a total of 2602 cases appearing as of tenancy change on the basis of the village records, 598, which is only a little less than one-fourth, turned out to be cases not involving any genuine change. In view of this we may have to revise somewhat the estimates of tenancy changes based on Schedule I which we have presented in Chapter IV. It is therefore necessary to examine more closely the incidence of the cases of bogus change. In Table No. 6.22, we give for each district and for each one of the three main types of tenancy changes, namely, fresh leasing resumption and change of tenants, what proportion of the cases as discovered in Schedule I were found, on closer scrutiny, to be not involving any real tenancy change. Considering all the districts together, it will be seen that 25.8 per cent cases identified as of fresh leasing on the basis of the village records, were found to be not genuine cases of fresh leasing. Similarly, 22.1 per cent of the cases identified as of resumption were found to be not cases of genuine



TABLE No. 6.22.

*Bogus tenancy changes shown as proportion of all detected tenancy changes.*

District	No. of bogus changes as proportion of all detected changes			Area of bogus cases as proportion of the area of all detected cases of change		
	Leasing out	Resumption	Change of tenant	Leasing out	Resumption	Change of tenant
West Khandesh	26.8	14.5	21.7	29.6	12.9	23.8
East Khandesh	13.2	12.9	10.7	14.5	12.8	5.3
Nasik	40.6	41.0	5.1	31.1	38.5	8.1
Thana	65.5	40.0	60.3	71.4	51.8	47.9
Kolaba	55.6	28.6	61.9	50.0	26.2	70.7
Poona	14.0	5.7	—	10.8	2.0	—
Ahmednagar	5.1	7.4	4.7	2.5	2.8	7.2
Sholapur	18.0	4.3	—	16.5	1.5	—
North Satara	31.1	37.6	42.6	17.8	25.7	49.1
South Satara	49.3	37.0	33.3	51.4	36.2	59.6
Kolhapur	25.4	24.4	38.8	18.0	36.2	52.4
Bijapur	15.7	13.6	5.5	19.7	12.3	8.5
Belgaum	30.6	33.7	22.2	20.4	23.1	29.5
Dharwar	3.5	3.4	7.9	1.0	4.2	8.2
<b>Total</b>	<b>25.8</b>	<b>22.1</b>	<b>22.7</b>	<b>17.5</b>	<b>14.4</b>	<b>17.6</b>

resumption, and 22.7 per cent cases identified as of change of tenants were found not to involve any genuine change of tenants.

6.43 Most of the analysis of Schedule I as presented in Chapter IV was based on the area of the plots investigated and not on their number. Therefore, it will be convenient if the extent of bogus cases is also indicated on the basis of area. This is done in the latter half of Table No. 6.22. Thus it will be seen that when all districts are considered together, 17.5 per cent of the area which was recognised as having been freshly leased out, was found on closer scrutiny as not to be so. Similarly 14.4 per cent of the area which was considered as having been resumed, was found as not to have been resumed; and 17.6 per cent of the area which was thought of as having been affected by change of tenants was later found not to have been so affected. It will be seen that in all the three cases, the extent of bogus changes appears smaller when considered on the basis of the area of the plots affected than when considered on the basis of the number of plots. It means that the plots relating to the bogus changes were on an average smaller than the plots affected by genuine changes.

6.44 There are large differences between different districts as regards this incidence of the cases of bogus change. It appears to be the largest in Thana and Kolaba. Thus here nearly 70 per cent of the area thought of as having been freshly leased out, was not found to have been genuinely leased out. Similarly, 70 per cent of the area thought of as having been affected by change of tenants, was not found to involve any real change of tenants. The incidence of bogus cases was also rather large in South Satara, Kolhapur and North Satara districts. It was comparatively low in Poona, Ahmednagar and Sholapur and also in Dharwar.

6.45 In the light of this assessment of the bogus cases, we may now revise our original estimates of fresh leasing, of resumption and of change of tenants. In Table No. 4.4 we have exhibited the condition in 1952-53 of the area which was owner-cultivated in 1948-49. Of the several classes shown in that Table, we might distinguish only two according as the originally owner-cultivated area was or was not owner-cultivated in 1952-53. Similarly in Table No. 4.5 we have shown the condition in 1952-53 of the area which was tenant-cultivated in 1948-49. In this case, the principal categories to distinguish are (i) the area which continued to be held by the same tenant; (ii) the area which was resumed by the owner; (iii) the area of which tenants were changed; and (iv) the area which was acquired by the tenants-in-possession. In view of the large number of bogus cases of change, the estimates given in Table Nos. 4.4 and 4.5 need to be revised. We have done this and we show the net final figures in Table No. 6.23. Thus, taking all the districts together, it will be

TABLE No. 6.23.

*Final assessment of the condition in 1952-53 of the areas which in 1948-49 were owner-cultivated and tenant-cultivated respectively.*

District	AREA OWNER-CULTIVATED IN 1948-49			AREA TENANT-CULTIVATED IN 1948-49				
	Total owner-cultivated Area (Acres) 1948-49	Per cent continued to be owner-cultivated in 1952-53	Per cent leased out	Total tenant cultivated area (Acres) 1948-49	Per cent continued to be held by the same tenant	Per cent resumed by owner	Per cent affected by change of tenants	Per cent acquired by the tenant
West Khandesh	895	98.0	2.0	261	63.4	15.8	8.8	12.0
East Khandesh	846	95.1	4.9	239	60.3	28.6	4.9	6.2
Nasik	1320	96.3	3.7	523	57.5	15.7	18.1	8.7
Thana	301	99.4	0.6	307	88.8	3.1	8.1	—
Kolaba	296	97.4	2.6	265	86.8	9.4	2.1	1.7
Poona	2265	96.1	3.9	806	45.5	37.2	18.1	4.2
Ahmednagar	1209	90.7	9.3	418	58.4	26.7	14.0	0.9
Sholapur	2568	94.2	5.8	752	31.4	43.2	22.5	2.9
North Satara	1842	96.0	4.0	357	59.1	22.4	18.2	0.3
South Satara	1778	97.0	3.0	726	77.8	14.7	6.3	1.2
Kolhapur	531	89.7	10.3	429	81.0	8.9	10.0	0.1
Bijapur	2859	90.7	9.3	1766	47.9	21.2	29.7	1.2
Belgaum	1548	95.0	5.0	920	61.0	21.7	14.5	2.8
Dharwar	1838	94.3	5.7	1246	62.6	16.4	20.5	0.5
<b>Total</b>	<b>20069</b>	<b>94.5</b>	<b>5.5</b>	<b>9015</b>	<b>58.2</b>	<b>21.8</b>	<b>17.6</b>	<b>2.4</b>
<b>Weighted average</b>	<b>—</b>	<b>94.5</b>	<b>5.5</b>	<b>—</b>	<b>58.1</b>	<b>23.0</b>	<b>15.7</b>	<b>3.2</b>

seen that 94.5 per cent of the area which was owner-cultivated in 1948-49, remained owner-cultivated in 1952-53 and only 5.5 per cent was converted into tenant-cultivated due to fresh leasing. On the other hand, of the area which was tenant-cultivated in 1948-49, only 58.1 per cent continued to be cultivated in 1952-53 by the same tenants or their heirs; 23.0 per cent was resumed, 15.7 per cent was affected by change of tenants, and only 3.2 per cent was acquired by the tenants-in-possession. This brings out in a summary form the net results of the operation of the Tenancy Act. Broadly speaking, the original tenants continued on only 60 per cent of the tenant-cultivated area. Within a period of five years from the passing of the Act, nearly 25 per cent of the tenant-cultivated area was resumed by the owners and 15 per cent was subjected to change of tenants. It is thus obvious that the Act had failed in its primary objective of protecting the tenant. The other objective of the Act, namely, of promoting the transfer of agricultural lands into the hands of the tenants, had also made little progress; during the course of the five years, only about 3 per cent of the tenant cultivated area was acquired by the tenants-in-possession.

6.46 It will be clear from the particulars we have given of the cases of resumption and of change of tenants that the failure of the Act to protect the tenant adequately was on account of a certain inherent weakness of its provisions in this respect; the Act permitted the landlord, without any restrictions, to retain the lands when they were voluntarily surrendered by the tenants. With the amount of social and economic power that a majority of the landlords possessed over their tenants, it was obviously not very difficult for them to induce voluntary resignations from the tenants and effect either resumption or change of tenants at their will. The failure of the Act to promote transfer of agricultural lands into the hands of the tenants was also due to the limitations it placed on the right it gave to the tenants to purchase, on their own initiative, the lands they cultivated; the right of purchase given to the tenant was subject to the condition that such a purchase must not reduce the holding of the landlord below 50 acres. The Act also gave the tenants very little active assistance to avail themselves of this even limited right to purchase. It seems therefore that the failure of the Act in respect of both of its primary objectives was due to certain inherent weaknesses in its provisions which could have been possibly foreseen.

## CHAPTER VII

### CHANGES IN THE TERMS OF TENANCY

7.1 In this Chapter we shall briefly describe the prevailing mode and level of rents and shall also examine whether there have occurred any significant changes in them since the Tenancy Act. As we have earlier explained, the data regarding the sample of plots contained in our Schedule I, were all based on the village records. These records, though they were also supposed to give information relating to the mode and the level of rents, were not always found complete in this respect; and from the manner in which the information relating to the mode and particularly the information relating to the level of rents was recorded, such information did not seem trustworthy. For these reasons we did not choose to present such information relating to the mode and the level of rents as was available in Schedule I. For any information on the mode and the level of rents to be reliable, it was necessary to have been obtained and verified from both the landlord and the tenant.

7.2 We had occasion to interview a number of landlords and tenants in connection with Schedule III which was used for following up the cases of tenancy changes as discovered in Schedule I and the results of which were presented in the previous Chapter. We had, therefore, utilised this Schedule to collect information regarding the prevailing mode and level of rents. We shall begin by presenting this information. It should be emphasised that the sample of plots covered by Schedule III did not form a random or an unselected sample; in fact they were all selected because, during the course of the five years under study, they were affected by tenancy changes involving either fresh leasing, resumption or change of tenants. However, we do not expect that this selection would greatly affect the general composition in respect of the mode and the level of rents. In the previous Chapter (Ref. Table Nos. 6.8, 6.10 and 6.14) we had shown a classification of the cases of fresh leasing, resumption and change of tenants by the mode of rent. Between themselves these three categories of cases did not show any differences in this respect and thus did not give any indication that their composition in respect of mode of rent would be very different from that of the tenancies in general.

7.3 In Table No. 7.1 is given a classification of 2055 cases according to the mode of rent. In the same Table, the cases of share rent are further classified by the level of rent. In Table No. 7.2 is shown a percentage distribution of the related area. It will be seen that

TABLE No. 7.1.

*Distribution of tenant-cultivated plots by the mode of rent paid.*

District	Total No. of cases	More than 1/2	Share rent paid					Total	Cash rent	Cash rent paid according to Govt. rules	Fixed rent (kind)	Mixed rent	No rent paid
			1/2	2/5	1/3	1/4	1/6						
West Khandesh	88	—	33	—	—	—	—	33	50	—	—	—	5
East Khandesh	130	—	52	—	1	2	—	55	75	—	—	—	—
Nasik	180	1	153	—	11	—	—	165	13	—	1	—	1
Thana	114	—	9	—	8	4	5	26	30	19	37	—	2
Kolaba	76	—	11	—	6	1	11	29	5	—	41	1	—
Poona	210	9	134	5	42	1	—	191	19	—	—	—	—
Ahmednagar	142	2	83	—	28	—	—	113	28	—	—	1	—
Sholapur	141	—	54	33	26	—	—	113	28	—	—	—	—
North Satara	174	18	142	—	—	—	—	160	12	—	—	—	2
South Satara	103	1	78	—	—	—	—	79	24	—	—	—	—
Kolhapur	128	7	48	—	—	1	—	56	41	—	5	23	3
Bijapur	237	11	114	—	5	—	—	130	85	—	8	14	—
Belgaum	136	1	58	1	4	—	—	64	65	—	3	4	—
Dharwar	196	—	118	—	—	—	—	118	72	—	—	3	3
<b>Total</b>	<b>2055</b>	<b>50</b>	<b>1087</b>	<b>39</b>	<b>131</b>	<b>9</b>	<b>16</b>	<b>1332</b>	<b>547</b>	<b>19</b>	<b>95</b>	<b>46</b>	<b>16</b>

TABLE No. 7.2.

*Percentage distribution of tenant-cultivated area by the mode of rent paid.*

District	Total area (Acres)	More than 1/2	Share rent paid					Total	Cash rent	Cash rent paid according to Govt. rules	Fixed rent (kind)	Mixed rent	No rent paid
			1/2	2/5	1/3	1/4	1/6						
West Khandesh	390	—	31.8	—	—	—	—	31.8	59.3	—	—	—	8.9
East Khandesh	403	—	48.9	—	1.7	1.5	—	52.1	47.9	—	—	—	—
Nasik	563	2.2	73.4	—	9.2	..	—	84.8	8.4	—	6.5	—	0.3
Thana	100	—	3.3	—	2.6	4.0	1.3	11.2	60.2	6.0	20.7	—	1.9
Kolaba	72	—	16.3	—	6.0	1.1	24.4	47.8	7.6	—	43.2	1.4	—
Poona	633	1.8	31.6	1.4	48.1	0.1	—	89.0	11.0	—	—	—	—
Ahmednagar	664	2.7	69.0	—	12.6	—	—	84.3	14.0	—	—	1.7	—
Sholapur	1155	—	33.6	32.5	15.4	—	—	81.5	18.5	—	—	—	—
North Satara	277	4.5	83.9	—	—	—	—	88.4	6.4	—	—	—	5.2
South Satara	307	0.6	74.3	—	—	—	—	74.9	25.1	—	—	—	—
Kolhapur	289	6.6	32.2	—	—	—	—	38.8	22.6	—	4.0	33.3	1.3
Bijapur	2167	3.1	54.2	—	2.4	—	—	59.7	29.5	—	4.9	5.9	—
Belgaum	836	0.1	35.7	1.8	1.1	—	—	38.7	53.1	—	2.6	5.6	—
Dharwar	1059	—	50.8	—	—	—	—	50.8	43.1	—	—	5.1	1.0
<b>Total</b>	<b>8915</b>	<b>1.6</b>	<b>49.3</b>	<b>4.5</b>	<b>7.8</b>	<b>0.1</b>	<b>0.2</b>	<b>63.5</b>	<b>29.3</b>	<b>0.1</b>	<b>2.6</b>	<b>3.8</b>	<b>0.7</b>

taking all districts together, nearly 50 per cent of the area is share rented for half crop share and nearly 30 per cent is rented for cash rent. Among the northern districts, cash renting is more common in West Khandesh and East Khandesh, particularly the former, while in Nasik, nearly 85 per cent of the area is share rented so that share renting seems to be almost the rule. In this district, half share is the common practice, though in nearly 10 per cent of the area one-third share prevails.

7.4 Between the two coastal districts, cash rents are more common in Thana and share rents more common in Kolaba. In both the districts, fixed rents in kind are also prevalent though they are more common in Kolaba than in Thana. Share rents are the lowest in Kolaba and in fact more than half the share rented area is rented out for 1/6th share. Obviously therefore, the Act has made a certain effect in this district.

7.5 In the central districts of Poona, Ahmednagar and Sholapur, share renting is the common practice and between 80 and 90 per cent area is share rented. In Poona 1/2 and 1/3 shares are common. This is also true of Ahmednagar though here 1/2 share is the more common practice. In Sholapur, along with 1/2 share, 2/5 share seems to be a common practice. This is the only district in which this share practice is reported on a large scale. In this district 1/3 share also is common but to a smaller extent.

7.6 Among the southern districts, nearly 90 per cent of the area in North Satara is share rented and most of it is for 1/2 share. In South Satara, nearly 75 per cent is share rented for 1/2 share and nearly 25 per cent is cash rented. In Kolhapur, the area is nearly equally divided between share renting for 1/2 share, cash renting and mixed renting in which the rent is partly paid in kind and partly in cash. This is the only district in which this practice is reported on a large scale though the practice is also prevalent in the Karnatak districts. Fixed rents in kind are also common in Kolhapur as in the Karnatak districts. Presumably these are confined mostly to rice lands.

7.7 In the Karnatak districts, particularly in Belgaum and Dharwar, cash renting is considerable. As already mentioned fixed rents in kind and mixed rents are also prevalent. In share renting, 1/2 share is the most common practice.

7.8 The above information pertains to the level of share rents as they prevailed at the time of the enquiry. In the cases of resumption, they were the rents at the time when the tenancy was terminated. In the cases of fresh leasing, they were the rents at which land was leased out; and in the cases of change of tenants,



they were the rents which the new tenants paid. In all cases therefore they show the prevailing position. In view of the great prevalence of 1/2 share rents, it is obvious that the clauses of the Act regulating the rent and prescribing the maximum had little effect in practice. The only exception is Kolaba district though even here in 16 per cent cases, 1/2 share persisted.

7.9 We shall now examine the level of prevailing cash rents. We might discuss the level of cash rents either on a per acre basis or as multiples of land revenue. It might be seen from Table No. 7.1 that we have a total of 547 cases of cash tenancies. In Table No. 7.3 we have classified these by the level of cash rent per acre. In Table No. 7.4 we give the corresponding classification of the area of the plots concerned. Thus it will be seen that nearly 20 per cent of the cash rented area is rented for not more than Rs. 5/- per acre. There is of course a large variation in this respect in different districts. The cash rents appear particularly low in Kolaba. As we have earlier noted, share rents or fixed rents in kind are the most prevalent in this district and we have indeed very few cases of cash tenancies in our sample from this district. Most probably these cases also relate only to the inferior lands and not to the rice lands. Besides as we have noted this is the one district where the provisions of the Act regarding the maximum rent seem to have been effectively enforced and consequently the share rents in this district are also the lowest.

7.10 After Kolaba, the cash rents are seen to be the lowest in Sholapur, Bijapur and Poona in that order. In Sholapur, nearly 50 per cent of the area is seen to be rented for not more than Rs. 5 per acre. In Bijapur and Poona more than 75 per cent of the cash rented area is seen to be rented for not more than Rs. 15 per acre. It may be remembered that the land values in these three districts are also the lowest in that order.

7.11 On the other hand, the cash rents are seen to be the highest in Kolhapur and East Khandesh. Nearly 55 per cent of the cash rented area in Kolhapur is rented for more than Rs. 50 per acre. Similarly, more than 36 per cent of the cash rented area in East Khandesh is rented for more than Rs. 50 per acre. It will be remembered that the land values in these two districts are also the highest in that order.

7.12 There is thus seen to be a certain correspondence between the level of land values and the level of cash rents prevalent in different districts. We might examine such a relationship more closely. In the following, we give the cash rents per acre (Re. Table No. 7.4) and sale values of land per acre (Ref. Table No. 5.4) in different

TABLE No. 7.3.

*Distribution of cash-rented plots by rent (Rs.) per acre.*

District	Total No. of cases	Rent (Rs.) per acre											More than 50	Unspe- cified
		—5	—10	—15	—20	—25	—30	—35	—40	—45	—50			
West Khandesh	50	6	4	10	10	6	1	3	3	—	3	3	1	
East Khandesh	75	2	5	1	5	7	5	9	7	6	1	26	1	
Nasik	18	1	2	1	1	1	1	—	—	—	—	5	1	
Thana	30	3	5	1	2	4	4	—	2	3	—	5	1	
Kolaba	5	2	1	2	—	—	—	—	—	—	—	—	—	
Poona	19	—	2	2	4	2	—	—	1	2	1	4	1	
Ahmednagar	28	—	1	1	4	5	3	3	—	3	3	5	—	
Sholapur	28	5	7	8	2	1	1	—	—	—	—	2	2	
North Satara	12	1	—	2	2	2	—	—	2	—	—	2	1	
South Satara	24	1	5	3	4	—	1	—	2	2	—	5	1	
Kolhapur	41	—	1	1	1	1	3	—	1	1	—	29	3	
Bijapur	85	15	13	14	12	5	5	5	2	4	—	—	5	
Belgaum	65	13	9	10	7	3	4	3	3	2	2	7	2	
Dharwar	72	11	13	10	11	9	4	6	2	1	1	3	1	
<b>Total</b>	<b>547</b>	<b>60</b>	<b>73</b>	<b>66</b>	<b>65</b>	<b>46</b>	<b>32</b>	<b>29</b>	<b>25</b>	<b>24</b>	<b>11</b>	<b>96</b>	<b>20</b>	

TABLE No. 7A.  
Percentage distribution of cash-rented area by rent (Rs.) per acre.

District	Total area (Acres)	Rent (Rs.) per acre											Average rent per Acre (Rs.)	
		—5	—10	—15	—20	—25	—30	—35	—40	—45	—50	More than 50		Un- specified
West Khandesh	232	9.4	6.1	22.7	26.2	9.5	4.1	3.5	4.4	—	8.3	2.0	3.8	19.4
East Khandesh	193	7.2	3.0	4.3	4.1	7.9	6.0	12.3	4.7	11.9	1.9	36.5	0.2	42.9
Nasik	48	12.8	49.5	9.1	8.6	2.1	2.1	—	—	—	—	14.5	1.3	17.8
Thana	60	15.3	28.9	7.7	5.3	14.5	7.5	—	3.0	10.0	—	1.7	6.1	14.9
Kolaba	6	63.6	9.1	27.3	—	—	—	—	—	—	—	—	—	5.2
Poona	69	—	45.1	41.8	5.6	0.5	—	—	1.9	1.4	1.4	1.7	0.6	12.2
Ahmednagar	93	—	13.8	6.0	9.4	16.5	16.1	12.0	—	10.2	4.7	11.3	—	29.8
Sholapur	214	49.3	19.7	17.0	3.3	0.3	9.3	—	—	—	—	1.0	0.1	8.6
North Satara	18	1.1	—	28.8	22.0	11.9	—	—	18.1	—	—	14.7	3.4	26.3
South Satara	76	0.4	54.8	20.3	11.8	—	2.7	—	2.3	1.7	—	5.9	0.1	16.2
Kolhapur	66	—	0.3	1.1	0.3	8.2	17.4	—	0.1	12.8	—	54.6	5.2	55.7
Bijapur	640	22.2	34.6	19.0	11.6	3.2	2.8	2.3	1.2	1.4	—	—	1.7	10.6
Belgaum	444	27.7	20.7	23.5	10.2	4.2	6.1	2.1	0.7	1.3	0.1	2.9	0.5	14.4
Dharwar	456	18.4	19.9	9.5	18.2	19.5	3.9	6.1	1.6	1.2	0.4	1.2	0.1	16.2
Total	2615	19.5	22.7	16.6	11.9	7.6	5.3	3.6	1.8	2.7	1.1	6.0	1.2	17.5

districts. In a parallel column the sale value is expressed as a multiple of the cash rent.

District	Cash rent per cent	Sale value of land per acre	Sale value as multiple of rent
West Khandesh	19.4	442.6	22.8
East Khandesh	42.9	762.2	17.8
Nasik	17.8	358.3	20.1
Thana	14.9	543.8	36.5
Kolaba	5.2	452.0	86.9
Poona	12.2	267.2	21.9
Ahmednagar	29.8	302.6	10.2
Sholapur	8.6	144.4	16.8
North Satara	26.3	260.9	9.9
South Satara	16.2	324.9	20.1
Kolhapur	55.7	1028.3	18.5
Bijapur	10.6	229.5	21.7
Belgaum	14.4	352.7	24.5
Dharwar	16.2	345.1	21.3
All districts	17.5	349.5	20.0

7.13 Thus it will be seen that taking all districts together the average sale value of land is 20 times the average cash rent. It is noteworthy that this average relationship is also seen to hold quite closely in most of the districts. The only real exceptions are Thana and Kolaba on the one hand and Ahmednagar and North Satara on the other. In Thana and Kolaba, the rents are too low compared to the average value of the land. The case of Kolaba is already mentioned. Situation in Thana is similar though probably less intense. In both the districts, the rents have been brought down by a firmer enforcement of the provisions of the Act. The only point to note is that the land values do not seem yet to have come down as a consequence of the lowering of the rents.

7.14 In Ahmednagar and North Satara the average land values are only about 10 times the average rent. The average land values in Ahmednagar are not particularly low. The average land values in North Satara are on the lower side but by no means exceptionally low; they are about the same as in Poona. However, the average rents both in Ahmednagar and North Satara are seen to be on the higher side in comparison with average rents in most other districts. The rather low ratio of sale value to rent in these two districts seems therefore to be a consequence of high rents rather than of low land values.

7.15 We might next examine the level of rents in relation to the land revenue. In Table No. 7.5, the cases of cash tenancies are classified by the rent as a multiple of revenue. In Table No. 7.6 is given the corresponding classification of the area of the plots concerned. It will be seen that if all the districts are considered together, the distribution of the area according to the rent as a multiple of land revenue is very closely similar to its distribution according to the rent per acre; rent five times the land revenue corresponding to the rent of Rs. 5 per acre; rent ten times the land revenue corresponding to the rent of Rs. 10 per acre; and so on. This correspondence between the two distributions is however only illusive and is a remarkable illustration of a fortuitous regularity of statistical averages; because when considered district by district, the two distributions exhibit little correspondence and in fact for any single district, the two distributions are in most cases widely different.

7.16 In Thana and Kolaba the rents when judged as multiples of revenue again appear low. Nearly 70 per cent of the cash rented area in these districts is rented for rent less than 10 times the land revenue. Thus, however one might see them, the rents in these two districts appear low and confirm the suggestion earlier made that in these districts the provisions of the Act have been more firmly and effectively enforced.

7.17 But as multiples of land revenue the rents appear somewhat low also in West Khandesh and Belgaum. Between 60 and 70 per cent of the cash rented area in these two districts is rented for rent less than 10 times the revenue. The rents appear very high in Poona and Ahmednagar where the average rent is over 30 times the land revenue. In Poona district nearly 70 per cent of the cash rented area is rented for between 40 to 45 times the land revenue. Similarly nearly 25 per cent of the cash rented area in Ahmednagar district is rented for rent more than 50 times the land revenue. A majority of these cases relate to canal irrigated lands which are liable to heavy water rates which are ordinarily not compounded with the revenue. The same is true of Kolhapur and Nasik where between 15 to 20 per cent of the cash rented area is rented for rent more than 45 times the revenue. It is obvious that while relating the rent to revenue the canal irrigated lands must be excluded. If we exclude such cases, the rent in most districts would appear to be around ten times the land revenue.

7.18 We may now examine whether there have occurred any significant changes either in the mode or the level of rents since the Tenancy Act. Obviously, the most opportune moment for the landlord to make any such changes is when the tenants are changed. There-

TABLE No. 7.5.

*Distribution of cash-rented plots by rent as multiple of land revenue.*

District	Total No. of cases	Rent as multiple of land revenue											Unspe- cified
		—5	—10	—15	—20	—25	—30	—35	—40	—45	—50	More than 50	
West Khandesh	50	25	13	5	2	1	—	1	2	—	—	—	1
East Khandesh	75	9	22	11	12	8	5	2	1	1	—	3	1
Nasik	13	1	1	1	3	2	—	—	—	—	2	2	1
Thana	30	11	4	1	2	2	1	—	2	—	—	6	1
Kolaba	5	1	2	1	—	—	—	—	1	—	—	—	—
Poona	19	2	1	2	1	—	3	—	1	6	—	2	1
Ahmednagar	28	—	2	2	—	4	5	3	2	2	1	7	—
Sholapur	28	—	3	12	5	—	—	2	—	—	1	3	2
North Satara	12	4	—	3	—	1	—	1	—	1	—	1	1
South Satara	24	3	6	4	4	3	—	3	—	—	—	—	1
Kolhapur	41	2	3	11	2	2	7	1	3	1	2	4	3
Bijapur	35	8	17	11	9	8	6	5	2	1	1	12	5
Belgaum	65	10	16	11	4	4	4	2	1	1	3	7	2
Dharwar	72	14	20	12	7	8	4	2	1	—	1	2	1
<b>Total</b>	<b>547</b>	<b>90</b>	<b>110</b>	<b>87</b>	<b>51</b>	<b>48</b>	<b>35</b>	<b>22</b>	<b>16</b>	<b>13</b>	<b>11</b>	<b>49</b>	<b>20</b>

TABLE No. 7.6.  
Percentage distribution of cash-rented area by rent as multiple of land revenue.

District	Total area (Acres)	Rent as multiple of land revenue <sup>a</sup>										More than 50	Average rent as Un- multiple of specified revenue.	
		—5	—10	—15	—20	—25	—30	—35	—40	—45	—50			
West Khandesh	232	50.4	27.9	9.1	4.7	2.2	—	1.0	0.9	—	—	—	3.8	6.8
East Khandesh	193	12.7	28.7	15.9	11.3	18.1	9.2	0.8	0.7	0.1	—	2.3	0.2	14.3
Nasik	48	12.8	22.5	26.9	19.8	3.4	—	—	—	—	7.4	5.9	1.3	17.9
Thana	60	52.7	15.7	0.8	1.1	4.5	4.3	—	10.5	—	—	4.3	6.1	5.1
Kolaba	6	9.1	63.6	21.8	—	—	—	—	5.5	—	—	—	—	10.5
Poona	69	0.3	19.1	1.7	0.9	—	3.5	—	1.4	70.4	—	2.1	0.6	32.1
Ahmednagar	93	—	2.3	10.8	—	10.0	12.7	18.2	12.7	3.2	1.3	23.8	—	30.4
Sholapur	214	—	29.8	44.7	21.3	—	—	2.5	—	—	0.2	1.4	0.1	14.3
North Satara	18	31.6	—	33.9	—	2.8	—	9.6	—	15.3	—	3.4	3.4	10.1
South Satara	76	15.2	19.0	42.9	3.9	6.9	—	12.0	—	—	—	—	0.1	10.4
Kolhapur	66	1.3	1.8	34.8	14.5	4.0	14.0	2.3	2.3	0.3	4.6	14.9	5.2	18.0
Bijapur	640	14.2	17.8	14.1	18.4	14.7	6.0	3.5	1.3	0.9	0.3	7.1	1.7	17.2
Belgaum	444	29.9	31.6	19.6	1.7	3.2	2.4	3.9	2.6	0.8	0.6	3.2	0.5	9.8
Dharwar	456	14.0	30.0	30.9	3.2	3.8	2.8	2.1	1.2	—	0.8	1.1	0.1	12.1
<b>Total</b>	<b>2615</b>	<b>18.5</b>	<b>24.1</b>	<b>21.2</b>	<b>10.1</b>	<b>8.1</b>	<b>4.0</b>	<b>3.4</b>	<b>1.9</b>	<b>2.6</b>	<b>0.6</b>	<b>4.3</b>	<b>1.2</b>	<b>12.2</b>

fore, we thought that in order to study such changes we might concentrate attention on those cases where the tenants were changed during the course of the five years under study. Presumably the changes in the terms of tenancy were much less frequent where the tenants had remained unchanged.

7.19 As will appear from Table No. 6.5 in Chapter VI, we have studied a total of 534 cases where the tenants were changed during the course of the five years. In Table No. 7.7 we have classified these cases according to the mode of rent prior to the change of tenants and after the change of tenants. Thus, before the change of tenants, 343 of these cases were of share renting and 114 were of cash renting. After the change of tenants, 347 were of share renting and 121 of cash renting. It will thus be seen that there was no appreciable shift from one mode to another. This is more or less true even if the position is examined district by district except that both in Thana and Kolaba the fixed rents in kind seem to be in the process of being converted into either cash or share rents. Possibly there might also be a slight shift from share renting to cash renting in Dharwar district. In all other districts the overall position seems to remain more or less unchanged.

7.20 In Table No. 7.8 we classify the cases which prior to the change of tenants were either share or cash tenancies, according to their mode after the change of tenants. Thus of the 343 cases of initial share tenancies, 255 continued to be so without any change after the change of tenants; in 19 cases, the tenancies continued to be share tenancies but at an enhanced rate and in 9 cases at a reduced rate. In 35 cases the initial share tenancies were converted into cash tenancies and in 6 other cases to other forms such as fixed rent in kind or mixed renting; in 19 cases our information was incomplete. Similarly out of the initial 114 cases of cash tenancies, 26 continued to be so without any change; in 34 cases the rent was enhanced and in only 13 cases the rent was reduced. In 28 cases the initial cash tenancies were converted into share tenancies and in 4 other cases to other forms of tenancy; in 9 cases our information was incomplete.

7.21 It will be seen that there are more cases where the rents were enhanced than where they were reduced; in the case of share tenancies there are twice as many cases of enhancement of rent as of reduction and in the case of cash tenancies, they are as many as three times.

7.22 It will be seen that cases of other forms of rents such as fixed rents in kind and mixed rents are confined to only a few districts; they are Thana, Kolaba, Kolhapur, Bijapur and Dharwar. There were a total of 37 such cases. Of these 14 were converted to share renting and 6 to cash renting. Among the remaining 17 cases, in 10 the rents



TABLE No. 78.

Cases of change of tenants classified by the change in the mode and level of rents following the change in tenants.

District	Total No. of cases	Originally share rented changed to					Originally cash rented changed to							
		Same share rent	Increased share rent	Reduced share rent	Cash rent	Other mode specified	Rent un-specified	Total No. of cases	Same cash rent	Increased cash rent	Reduced cash rent	Share rent	Other mode specified	Rent un-specified
West Khandesh	3	1	—	—	1	—	1	10	1	5	—	3	—	1
East Khandesh	9	6	—	—	2	—	1	13	2	4	8	1	—	3
Nasik	53	47	3	—	1	—	2	2	1	1	—	—	—	—
Thana	6	1	—	4	1	—	—	8	8	—	—	—	—	—
Kolaba	2	1	—	—	—	—	—	8	1	1	1	—	—	—
Poona	53	50	2	—	—	—	—	2	—	1	—	1	—	—
Ahmednagar	34	27	3	—	—	—	1	4	1	1	1	1	—	—
Sholapur	17	13	1	—	1	—	1	8	2	8	1	2	—	—
North Satara	26	19	—	—	—	—	6	1	—	—	—	—	—	—
South Satara	19	17	—	—	—	—	1	3	—	1	—	2	—	—
Kolhapur	16	11	1	—	—	—	1	16	9	2	1	2	1	1
Bijapur	45	21	8	—	3	—	2	28	2	7	5	8	2	4
Belgaum	21	14	1	—	—	—	1	5	1	1	1	2	—	—
Dharwar	39	27	—	—	—	—	2	16	8	7	—	6	—	—
<b>Total</b>	<b>343</b>	<b>255</b>	<b>19</b>	<b>9</b>	<b>35</b>	<b>6</b>	<b>19</b>	<b>114</b>	<b>26</b>	<b>34</b>	<b>13</b>	<b>28</b>	<b>4</b>	<b>9</b>

TABLE No. 77.

Cases of change of tenancy classified by the mode of rent before and after the change.

District	Total No. of cases of change of tenants	Mode of rent before change					Mode of rent after change				
		Share rent	Cash rent	Rent fixed in kind	Mixed rent	Rent un-specified	Share rent	Cash rent	Rent fixed in kind	Mixed rent	Rent un-specified
West Khandesh	18	3	10	—	—	5	6	7	—	—	5
East Khandesh	25	9	13	—	—	3	8	12	—	—	5
Nasik	56	53	2	—	—	1	50	3	1	—	2
Thana	23	6	3	13	—	1	8	9	6	—	—
Kolaba	16	2	3	9	—	2	8	3	5	—	—
Poona	55	53	2	—	—	—	54	1	—	—	—
Ahmednagar	41	34	4	—	—	3	34	6	—	—	1
Sholapur	26	17	8	—	—	1	18	7	—	—	1
North Satara	35	26	1	—	—	8	26	1	1	—	7
South Satara	24	19	3	—	—	2	21	2	—	—	1
Kolhapur	43	16	16	1	—	7	15	15	8	—	4
Bijapur	86	45	28	5	—	3	46	25	4	—	6
Belgaum	28	21	5	—	—	3	19	8	—	—	1
Dharwar	58	39	16	—	—	2	34	22	—	—	2
Total	534	343	114	28	9	40	347	121	20	11	35

TABLE No. 7.9.

*Cases of change of tenants classified by the net change in the mode and the level of rents following the change of tenants.*

District	Total No. of cases	Mode of rent unchanged			Mode of rent changed to			Original rent unspecified	Later rent unspecified
		Rent same	Rent increased	Rent reduced	Share rent	Cash rent	Other mode		
West Khandesh	18	2	5	—	3	1	—	5	2
East Khandesh	25	8	4	3	1	2	—	3	4
Nasik	56	48	4	—	—	1	—	1	2
Thana	23	7	1	5	3	6	—	1	—
Kolaba	16	5	1	2	5	—	1	2	—
Poona	55	50	3	1	1	—	—	—	—
Ahmednagar	41	28	4	1	1	3	—	3	1
Sholapur	26	15	4	2	2	1	—	1	1
North Satara	35	19	—	—	—	1	1	8	6
South Satara	24	17	1	—	2	1	—	2	1
Kolhapur	43	24	3	1	2	1	3	7	2
Bijapur	86	23	17	10	13	9	5	3	6
Belgaum	28	15	2	1	2	5	—	2	1
Dharwar	58	30	7	—	7	10	—	2	2
<b>Total</b>	<b>534</b>	<b>291</b>	<b>56</b>	<b>28</b>	<b>42</b>	<b>41</b>	<b>10</b>	<b>40</b>	<b>28</b>

continued unchanged, in 3 cases they were enhanced and in 4 they were reduced.

7.23 The position is summarised in Table No. 7.9. Here the 534 cases have been classified according to the nature of the change. Thus in 291 cases, there was no change whatever, either in the mode or in the level of rent. In 56 cases the rent was enhanced and in 26 cases it was reduced without any change in the mode of payment. In the remaining cases there was a change in the mode of rent itself and we could not therefore make any comparison regarding the levels of rent. In 42 of these cases the tenancies were changed to share tenancies and in 41 cases they were changed to cash tenancies; in 10 cases they were changed to either fixed rents in kind or mixed rents. In 40 cases our information regarding the initial position and in 28 cases about the end position was incomplete. It is thus clear that there is no general shift from one mode of rent to another. In particular there is no evidence of a shift from share renting to cash renting. There is however some evidence that on the balance, there has been a certain enhancement of rents. Thus in more than 10 per cent of the cases of change of tenants studied, the rents were increased and only in 5 per cent cases they were reduced. It is possible, as has been already pointed out, that such cases of enhancement were largely confined to situations where the tenants were changed; in fact as was noted earlier, that could be a motive in causing the change of tenants. The above figures should not therefore be misunderstood to mean that in 10 per cent of all cases of renting, the rents were enhanced. The above figures nevertheless demonstrate the fact that there have been cases where an increase in rents was secured along with the change of tenants.

7.24 Apart from changes in the mode and the level of rents, changes may take place in the general practices governing the relationship between the tenant and the landlord. Share-renting is often governed by certain traditional practices by which the landlord contributes towards the expenses of cultivation. In order to ascertain the prevailing practices in this respect and to know whether there had occurred recently any change in them as a result of the Tenancy Act, we conducted a small enquiry. Using Schedule V we interviewed all the tenant-cultivators out of the sample of cultivators selected for Schedule IV. A large part of the response to Schedule V has been of a uniform type; this was to be expected as practically no change in share cropping practices has been reported. Therefore instead of trying to present this information in a statistical form, we prefer to present it in the form of short notes relating to conditions in each district.

7.25 In West Khandesh, where  $1/2$  was the usual share rent, the landlords shared half the expenditure on seed, manure and harvesting and paid only half the land revenue. It is reported that recently they have ceased to contribute to the expenses but instead pay the whole of the land revenue. In East Khandesh, though the usual share was  $1/2$ , it was  $2/3$  in the case of cotton. The landlords contributed their proportionate share of manure. They also contributed their share of seed but only in the case of wheat and groundnut or when the crops were irrigated. In a few cases they were also reported to have contributed to the weeding and harvesting expenses. They paid only their share of land revenue. There has been no change in these practices. In Nasik, the usual share rent was  $1/2$  though  $1/3$  was also common. The landlords contributed proportionately to the expenses of manure, seed and in some cases of weeding and harvesting.

7.26 In Thana and Kolaba, the landlords did not share expenses of cultivation.  $1/2$  was the most common share rent though in Kolaba  $3/4$  share also prevailed. As a result of the legislation, there has been a drastic change and the rents are being reduced to  $1/3$ ,  $1/4$  or even to  $1/6$ th. There have also been reported cases where the fixed rents in kind have been converted to share rents at either  $1/4$  or  $1/6$ th. In both the districts, there is a clear evidence that the clauses relating to the regulation of rent are being put into active operation.

7.27 In Poona district,  $1/2$  share was common on irrigated lands. On dry lands, the share was either  $1/2$  or  $1/3$ . The landlords paid the whole of the land revenue. When the share was  $1/2$ , they also contributed half the expenditure on manure, seed, and harvesting. In some cases, they also contributed to the expenditure on weeding. In the case of irrigated lands, the landlords also contributed to the watering expenses. In the case of canal irrigated lands, they paid half of the water charges. In the case of well irrigated lands, they bore half the expenditure on expenses of water lifts and the accessories. There has been no change in these practices. In Ahmednagar district, the landlords bore the entire land revenue and also the entire cost of manure. The practices were not uniform in respect of other items such as expenditure on seed, weeding and harvesting; but they often bore proportionate share of expenditure on these items. There has been no change in these practices. There was a great deal of variation in the level of share rents in Sholapur district.  $1/2$ ,  $2/5$  and  $1/3$  were the main forms of share renting and it was not clear on what the variation in the share depended. At any rate it did not seem to be related either to the crops or the availability of irrigation facility to the plot. With  $1/2$  share, the landlord paid the whole of land revenue and usually contributed proportionately to the

expenses of seed, manure, weeding and harvesting; with  $\frac{2}{5}$  and  $\frac{1}{3}$  shares, he contributed proportionately towards the revenue and the expenses of seed only. The practices have remained unchanged.

7.28 In North Satara,  $\frac{1}{2}$  share was the common practice but there were instances of  $\frac{3}{5}$  or even  $\frac{2}{3}$  share. In all cases, the landlord paid the whole of the land revenue and contributed proportionately to the expenses of seed and manuring. In South Satara also  $\frac{1}{2}$  share was the common practice. The landlord paid the whole of the land revenue and contributed proportionately towards the expenses of seed, manure, weeding, harvesting and watering in the case of irrigated lands. With irrigated lands, there were however some instances where the share was only  $\frac{1}{3}$  and the landlord did not contribute anything except paying the whole of land revenue. In Kolhapur district also more or less the same practices prevailed.  $\frac{1}{2}$  share was the common practice but the landlord was entitled to  $\frac{2}{3}$  share of the fruit of fruit trees. There were also noticed a few instances of tobacco cultivation where the landlord's share was  $\frac{2}{3}$ . The landlords paid the revenue and contributed proportionately towards seed and manure.

7.29 In Bijapur district,  $\frac{1}{2}$  share was common but  $\frac{1}{3}$  share also prevailed for the irrigated lands. There were also cases of  $\frac{2}{3}$  share for dry but superior lands and  $\frac{1}{3}$  share for particularly inferior lands. Practices with regard to the sharing of expenses of cultivation were not at all uniform and there appeared to be existing several forms of these arrangements. Land revenue was paid by the landlord either partly or wholly. Expenses on seed were usually shared but only in respect of certain crops such as cotton, wheat, groundnut, gram and linseed. Expenses on manure were not usually shared; the landlord either did not contribute anything or contributed the whole of the manure. Expenses on weeding and harvesting were sometimes shared. With all these unstandardised practices it is obvious that there would be a great deal of scope for unfair dealings. The conditions have continued unchanged. Conditions in Belgaum district were only slightly better in this respect. The landlords usually paid the whole of the land revenue and contributed proportionately to the expenditure on harvesting and seed in respect of certain crops. It was not common for them to contribute to the manure and when they did it was often as an alternative to the contribution to the seed. In Dharwar  $\frac{1}{2}$  share was most common. The landlord paid the whole of land revenue and contributed proportionately to the expenses of weeding and harvesting. The expenditure on manure was either shared or fully borne by the landlord. Expenses of seed were shared in respect of only certain crops. The practices have remained unchanged.

7.30 Thus, quite obviously, except in Thana and Kolaba districts, the provisions of the Act relating to the fixation of the maximum rent have made no effect whatever. The Act had specified the maxima in terms of share rent. These have been enforced with some effect only in Thana and Kolaba districts. In all other districts the share rents have remained largely unchanged and whatever changes have occurred in them are not related to the provisions of the Act. The practices governing share renting have also remained unchanged and unstandardised; of course, the Act itself had intended to leave them unchanged. The Act had fixed the maxima specifically in terms of the share. Therefore, in order to circumvent the provisions of the Act, one would have expected a certain shift from share to cash rents. Nothing of the kind has happened; the share rents have remained the share rents and at very much the old levels. It only means that the people have not found it necessary even to manoeuvre in order to evade law. The legal fixation of the maximum share rents, the restrictions on the transfer of lands and the general protection given to the tenants had also little effect on the cash rents. The cash rents have remained very much at the old levels and if one should judge on the strength of the small evidence that we have, there have been more cases of enhancing than of reducing the rents. There have been cases of change of tenants to secure higher rents and in some cases when the tenants had changed, the occasion had been utilised to effect a rise in the rents. The relations of the landlords and the tenants have thus continued to be governed by very much the same considerations as in the earlier days and the overall impression that one gathers is that the provisions of the Act have either not reached the people concerned or that they have not found it necessary to take cognisance of them.

## CHAPTER VIII

### IMPROVEMENT OF AGRICULTURAL LANDS.

8.1 One of the objects of the Bombay Tenancy and Agricultural Lands Act of 1948 was to promote full and efficient use of agricultural lands. This was supposed to follow from the protection offered to the tenants who as a consequence were expected to take better care of the land. A direct method to examine how far this objective was attained would be to test whether the productivity of the land, as measured by production yields, had increased since the enforcing of the Act. For reasons explained in Chapter III we did not attempt to do this but instead decided to concentrate attention on the investment in land in various forms of land improvement and to regard it as an indicator of better care and efficient use. Of course on account of the many development measures taken during the period since the enforcement of the Act in 1948, we should expect that there would be since then an increasingly larger amount of expenditure on land improvements; and it was obvious that this could not be attributed entirely to the Tenancy Act.

8.2 In order to isolate the effects of the Tenancy Act on the investment in land improvement, we must compare the condition of the tenant-cultivated lands with that of the owner-cultivated lands. Prior to the Tenancy Act, the principal cause from which the tenant-cultivated lands presumably suffered was the natural reluctance of the unprotected tenants to invest in any land improvement. Therefore if the protection given to the tenant by the Tenancy Act had indeed given him a real sense of security of tenure, we should expect that the difference between the owner-cultivated and the tenant-cultivated lands in respect of investment in the improvement of these lands would gradually narrow down after the enforcement of the Act.

8.3 For an enquiry into the relative investment in the improvement of the owner-cultivated and the tenant-cultivated lands, we could have utilised the ten per cent sample of plots which we used for ascertaining the extent and the nature of the changes in ownership and tenancy and the results of which we have presented in the previous chapters. For reasons explained in Chapter III, we preferred to conduct this enquiry on the basis of a sample of persons, landowners and cultivators, and not on the basis of the sample of plots. We have also fully explained the manner in which this sample of landowners and cultivators was selected.



8.4 The enquiry into the investment expenditure incurred by the sample of owners and cultivators was conducted by making use of Schedule IV. The main items of information included in this Schedule are the areas owned, leased out and leased in by each person in each of the five years from 1948-49 to 1952-53; and the expenditure he incurred on each one of these three categories of land in each one of the five years by way of land improvement of various descriptions. The primary objective of this Schedule was to ascertain the relative investment in the improvement of the owner-cultivated, the leased-out and the leased-in lands. Nevertheless, the Schedule also furnished incidentally data relating to the sizes of owned and cultivated land holdings, the areas leased out and leased in by landholders of different sizes and any change in these respects occurring during the period of five years from 1948 to 1953. We shall begin by presenting these data.

8.5 It may not be appropriate to present these data for each district separately as the sample of owners and cultivators from each single district is rather small. We therefore propose to group the districts into a few regions and present the data for each region. The following regions are made :

Region I : West Khandesh, East Khandesh and Nasik ;

Region II : Thana and Kolaba ;

Region III : Poona, Ahmednagar and Sholapur ;

Region IV : North Satara, South Satara and Kolhapur ;

Region V : Bijapur, Belgaum and Dharwar.

8.6 In Table 8.1 we give, for each of the above regions and for all the regions combined together, the distribution of the landowners by the size of their holdings. The distributions are shown as proportions of all the landowners owning more than certain areas specified in the first column; and in parallel columns are shown what proportion of the total area they owned. It will be seen that only one per cent of all the land holdings were of size of 100 acres or more but that they comprised 13.8 per cent of the total area. Similarly 5 per cent of all holdings were of 50 acres or more but they comprised nearly 30 per cent of the total area. Comparing the regions, it seems that our sample sizes for each region are not adequate to permit an inter-regional comparison regarding the inequalities in the distribution of land. In particular, it seems that our samples from Regions I and II, especially from Region II, suffer from an accidental inclusion of a few very large holders.

8.7 Our total sample for all regions together is fairly large and should ordinarily be adequate to indicate the size distribution of land holdings. Nevertheless, we wish to remind of the two circum-

TABLE No. 8.1.

*Distribution of land-owners by size of owned holding showing corresponding distribution of owned area by regions (1952-53).*

Size of owned holding (Acres)	REGION I		REGION II		REGION III		REGION IV		REGION V	
	Percent- age of owners	Percent- age of area	Percent- age of owners	Percent- age of area	Percent- age of owners	Percent- age of area	Percent- age of owners	Percent- age of area	Percent- age of owners	Percent- age of area
100 or more	1.8	25.0	3.9	75.2	0.8	1.6	—	—	0.7	6.0
50 or more	4.8	35.5	3.9	75.2	7.0	25.7	1.3	9.8	5.7	25.7
20 or more	23.5	66.3	6.2	79.6	30.6	66.3	16.1	51.3	28.3	67.1
10 or more	48.6	86.2	14.7	86.9	59.3	88.9	36.8	78.2	52.2	87.3
5 or more	68.9	94.6	21.7	90.4	76.1	96.1	52.8	89.3	70.6	95.4
2.5 or more	88.1	98.9	45.7	96.4	90.4	99.2	73.6	97.1	85.3	98.8
1.5 or more	95.0	99.7	59.7	98.2	96.1	99.8	81.9	98.7	91.6	99.6
0.5 acres or more	99.3	100.0	82.2	99.7	100.0	100.0	93.3	99.8	98.8	100.0
Total No. of owners	395		129		356		299		598	
Total area owned (acres)	6798		1965		6322		3068		10094	

stances which are likely to affect our results in this respect. In the first instance, as we have earlier explained, our sample does not cover the absentee landlords residing in urban areas; secondly, our information relating to land areas is obtained by interview and not from the village records. For both these reasons, the distributions of land holdings as appearing in Table No. 8.1 may not be entirely representative and trustworthy.

8.8 From the standpoint of the present study however the chief interest lies in comparing the size distributions of the land holdings over the period of five years since 1948-49. For this purpose of course, our data are quite adequate. We give in Table No. 8.2, for each one of the five years, the distribution of the landowners according to the size of their owned holdings. It may be noted that the distributions for the five years are based on one and the same sample of landholders and hence that the information for the five years relates to the same set of landowners; for this reason we should expect our data to give a more accurate comparison over the five years. As in Table No. 8.1, the distributions are shown as proportions of all the landowners owning more than certain areas specified in the first column; and in parallel columns are shown what proportions of the total area they owned. It is obvious that there has been no change whatever in the size distributions of landholdings during the five year period since the passing of the Tenancy Act, though here again we should remind that our data relate to the landowners resident in the rural areas only and exclude the absentee landlords resident in the urban areas. Of course, if there had occurred any substantial change in the size distribution of the landholding of these absentee landlords, presumably in the direction of reducing the size of their holdings, though such a change would not directly appear in our data, we should expect to discover in our data certain compensating changes in the size distribution of the landholdings of the landholders covered by our data. In fact no such change is noticeable.

8.9 A landowner may either cultivate all the land owned by him or may lease it out either wholly or partly. On the other hand, in addition to his owner-cultivated land, he may take more land on lease for tenant-cultivation. Hence if we deduct from his owned holding the area leased out and add to it the area leased in, we get the area under his cultivation, or in other words, his cultivated holding. We shall now present our data regarding the size distribution of cultivated holdings. This is done in Table Nos. 8.3 and 8.4.

8.10 It will be appropriate to include in these tables, along with the owner-cultivators, the non-owning cultivators or the pure tenants

Size of owned holding (Acres)	1948-49		1949-50		1950-51		1951-52		1952-53	
	Percent- age of owners	Percent- age of area	Percent- age of owners	Percent- age of area	Percent- age of owners	Percent- age of area	Percent- age of owners	Percent- age of area	Percent- age of owners	Percent- age of area
100 or more	1.0	13.8	1.0	13.8	1.0	13.8	1.0	13.8	1.0	13.8
50 or more	5.0	30.0	4.9	29.9	4.8	29.7	4.9	29.8	4.9	29.8
20 or more	24.2	66.2	24.1	66.1	24.1	66.1	24.1	66.1	24.0	65.9
10 or more	47.5	86.4	47.5	86.3	47.3	86.2	47.4	86.3	47.5	86.4
5 or more	64.8	94.3	64.8	94.3	64.7	94.3	64.8	94.3	64.8	94.3
2.5 or more	82.3	98.6	82.3	98.6	82.1	98.6	82.1	98.6	82.1	98.6
1.5 or more	89.4	99.5	89.4	99.5	89.3	99.5	89.3	99.5	89.3	99.5
0.5 acre or more	97.1	99.9	97.1	99.5	97.0	99.9	97.1	99.9	97.0	100.0
Total No. of owners 1769			1769		1775		1775		1777	
Total area owned (acres)		28162		28129		28120		28185		28247

TABLE No. 84.

Distribution of cultivators by size of cultivated holding showing corresponding distribution of cultivated area by years (all regions).

Size of cultivated holding (Acres)	1948-49		1949-50		1950-51		1951-52		1952-53	
	Percent- age of cultivators	Percent- age of area	Percent- age of cultivators	Percent- age of area	Percent- age of cultivators	Percent- age of area	Percent- age of cultivators	Percent- age of area	Percent- age of cultivators	Percent- age of area
100 or more	0.7	7.3	0.7	7.2	0.7	7.1	0.6	7.2	0.7	7.3
50 or more	4.3	25.3	4.2	25.0	4.2	24.9	4.3	25.6	4.2	25.0
20 or more	20.7	63.5	20.8	63.6	21.1	63.8	21.0	63.7	20.8	63.5
10 or more	40.5	84.4	40.6	84.5	40.6	84.5	40.8	84.6	40.5	84.4
5 or more	53.5	91.8	53.6	91.8	53.6	91.9	53.8	92.0	53.5	91.8
2.5 or more	70.6	97.0	70.4	97.0	70.4	97.0	70.5	97.0	70.4	97.0
1.5 or more	81.4	98.7	81.4	98.7	81.4	98.6	81.4	98.6	81.2	98.6
0.5 acre or more	98.2	100.0	98.2	100.0	98.1	99.9	98.2	99.9	98.2	100.0
Total No. of cultivators	2447		2448		2460		2462		2459	
Total area cultivated (Acres)	31791		31809		32088		32040		32030	

TABLE No. 83.

*Distribution of cultivators by size of cultivated holding showing corresponding distribution of cultivated area by regions (1952-53).*

Size of cultivated holding (Acres)	REGION I		REGION II		REGION III		REGION IV		REGION V	
	Percent- age of cultivators	Percent- age of area	Percent- age of cultivators	Percent- age of area	Percent- age of cultivators	Percent- age of area	Percent- age of cultivators	Percent- age of area	Percent- age of cultivators	Percent- age of area
100 or more	1.8	15.6	0.7	19.0	0.6	3.9	—	—	0.7	5.7
50 or more	3.8	26.6	0.7	19.0	9.5	33.3	0.6	6.2	6.1	25.7
20 or more	20.4	61.8	2.3	33.1	34.7	72.5	9.6	43.1	30.1	68.2
10 or more	42.5	83.9	4.9	42.0	61.6	91.4	23.3	69.0	55.8	89.1
5 or more	60.9	93.6	10.2	52.1	74.6	96.2	34.4	81.0	69.6	95.0
2.5 or more	74.6	97.7	35.7	77.9	88.1	99.0	54.0	91.6	84.9	98.8
1.5 or more	80.7	98.6	57.7	89.6	97.1	99.9	69.7	96.0	91.9	99.6
0.5 acre or more	99.4	100.0	94.1	99.5	100.0	100.0	96.8	99.9	99.1	100.0
Total No. of Cultivators	524		305		346		531		753	
Total area cultivated (Acres)		7133		1139		6927		3754		13077

For reasons fully explained in chapter III, our sample of pure tenants is not representative both in respect of their total number relative to the number of owner-cultivators in our sample, and in respect of their distribution by size of their cultivated holdings. The sample of non-owning cultivators or pure tenants therefore will need adjustments in both these respects before it may be appropriately combined with the sample of owner-cultivators.

8.11 As explained in Chapter III, the pure tenants included in our sample were selected on the basis of a sample of plots. This resulted in not giving every pure tenant the same chance of being included in the sample; the one with a larger number of plots under his cultivation got a proportionately larger chance of being included in the sample. Hence our sample of pure tenants is not representative of their class but gives a disproportionately larger representation to the bigger cultivators. More specifically the distribution of the pure tenants in our sample according to the size of their cultivated holdings does not represent the true size distribution of their class; instead it corresponds to the distribution of the number of plots according to the size class of cultivated holdings of the tenants who cultivate them. This latter may be taken to correspond approximately to the distribution of the area according to the size class of cultivated holdings of the tenants. From this it is possible, by straightforward methods, to derive the approximate distribution of the tenants according to the size of their holdings. Such a distribution, when derived, will also give an estimate of the average size of the cultivated holdings of the pure tenants. This is the first stage in the process of adjustment. A second adjustment is needed because in our total sample of 30 owners and cultivators from each village, the number of pure tenants does not bear any proper relationship to the number of landowners. This is because, the pure tenants were chosen on the basis of the ten per cent sample of plots and their number in the sample was allowed to be determined by the contingencies of this procedure; on the other hand, the number of landowners to be included in the sample was determined by the consideration that the total sample from each village should be about 30, which number itself was decided upon arbitrarily. Therefore the question to be decided is what should be the number of pure tenants that should be combined with the number of landowners actually included in the sample from each district. This is done on the following considerations. On the basis of Schedule I, we have an estimate for each district of what proportion of the total cultivated area was tenant cultivated. We propose that the landowners and the pure tenants should be combined in such a manner in each district that the tenant-cultivated area in the combined sample should

bear the same ratio to the total cultivated area as it did in that district on the basis of Schedule I. This gives us an estimate for each district of the area cultivated by the pure tenants corresponding to the area owner-cultivated by the landowners included in our sample from that district. When this is divided by the average size of cultivated holdings of the pure tenants earlier derived, we get the required number of pure tenants that should be combined with the given number of landowners. We thus get an estimate of the appropriate number of pure tenants, the total area under their cultivation and their distribution according to the size of their cultivated holdings. These size distributions of the non-owning cultivators are then combined with the corresponding distributions of the landowners to give the size distributions of the cultivated holdings as appearing in Table Nos. 8.3 and 8.4.

8.12 In Table No. 8.3, we give for each region, distributions of the cultivators, including the pure tenants, according to the size of their cultivated holdings. The distributions are given, as in Table No. 8.1, in the form of proportions of cultivators cultivating more than certain areas specified in the first column. In parallel columns are shown what proportions of the total cultivated area were cultivated by them. It will be seen that if all regions are considered together, less than 1 per cent of the cultivated holdings are of 100 or more acres but that they comprise more than 7 per cent of the total cultivated area. Similarly, about 4 per cent of the cultivated holdings are of 50 acres or more but they comprise 25 per cent of all cultivated area. Table No. 8.4 is similar to Table No. 8.2. Here we compare the size distributions of cultivated holdings over the period of five years since 1948-49. It is obvious that there has been little noticeable change.

8.13 We may now direct our attention more specifically to the area which was leased out by their owners and which was therefore tenant-cultivated. Particular importance attaches to the extent of concentration of this area in the hands of a few landowners. We shall examine our data from this standpoint. As earlier described we have obtained for each owner or cultivator included in our sample, the areas leased out and leased in by him. In a complete enumeration, the areas leased out should equal the areas leased in. In our results the two do not agree, and in all regions except in Thana and Kolaba, the areas reported to be leased out fall very much short of the areas reported to be leased in. The reported leased out areas also fall very much short of what we would expect on the basis of the proportions of the tenant-cultivated lands in the respective regions as estimated by Schedule I. It is clear therefore that the leased out area is very much under-enumerated in our



sample of land-owners and cultivators. The principal reason for this, we suppose, is the possibility that a considerable proportion of the leased out area might be owned by landowners residing in towns and cities who could not be represented in our sample of landowners. Nevertheless, the difference between the leased out area as reported and as we expect it to be, is so large that the possibility of reporting biases on the part of landlords cannot also be ruled out. Under the circumstances, we shall present our results for what they are worth.

8.14 In Table No. 8.5 is shown for each region the concentration of the leased out area in the hands of landowners arranged according to the size of their holdings. The distributions of landowners are similar to those appearing in Table No. 8.1 and are in the form of proportions owning more than certain areas specified in the first column. In parallel columns are shown what proportions of the total leased out area were owned by them. In the bottom line of the Table is shown the total reported leased out area as a percentage of the area expected to be leased out on the basis of Schedule I.

8.15 Considering all the regions together, it will be seen that nearly 40 per cent of the leased out area is owned by landowners owning 100 or more acres and who form just 1 per cent of all the landowners; or nearly 50 per cent of all leased out area is owned by the landlords owning more than 50 acres who form only about 5 per cent of all landowners. It is obvious therefore that there is a very heavy concentration of leased out area in the hands of a few large owners.

8.16 The extremely heavy concentration appearing in Region II, is on account of a few very large holders accidentally included in our sample; these have been referred to earlier. On their account, the leased out area as reported in this region is actually much larger than what we would otherwise expect. The particular set of figures are therefore not trustworthy.

8.17 In Table No. 8.6 similar data are given for all regions compared over the period of five years. It is obvious that the results show no change whatever.

8.18 We may make a corresponding analysis of the leased in area and examine the extent of its concentration in the hands of large cultivators. This is done in Table No. 8.7. The Table is similar to Table No. 8.5 except that here we are considering the concentration of leased in area in the hands of cultivators arranged according to the size of their cultivated holdings. It will be seen that, considering all regions together, nearly 15 per cent of the leased in area, that is to say, the tenant-cultivated area, is being cultivated by cultivators cultivating 50 or more acres; and that they form only about 4

TABLE No. 8.5.

*Distribution of land owners by size of owned holding showing corresponding distribution of leased out area by regions (1952-53).*

Size of owned holding (Acres)	REGION I		REGION II		REGION III		REGION IV		REGION V	
	Percent- age of owners	Percent- age of area	Percent- age of owners	Percent- age of area	Percent- age of owners	Percent- age of area	Percent- age of owners	Percent- age of area	Percent- age of owners	Percent- age of area
100 or more	1.8	54.4	3.9	95.2	0.3	1.5	—	—	0.7	9.1
50 or more	4.8	56.0	3.9	95.2	7.0	10.3	1.8	21.5	5.7	26.0
20 or more	23.5	72.4	6.2	95.6	30.6	50.5	16.1	43.4	28.3	68.3
10 or more	48.6	89.4	14.7	99.4	59.3	81.5	36.8	78.1	52.2	86.6
5 or more	68.9	96.0	21.7	99.8	76.1	94.5	52.8	90.6	70.6	96.2
2.5 or more	88.1	99.0	45.7	99.8	90.4	99.5	73.6	97.0	85.3	99.2
1.5 or more	95.0	100.0	59.7	99.9	96.1	99.8	81.9	97.7	91.6	99.7
0.5 acre or more	99.3	100.0	82.2	100.0	100.0	100.0	93.3	100.0	98.8	100.0
Leased out area as percentage of estimated leased in area		76.6		281.5		55.0		27.9		33.3
Total No. of owners	395		129		356		299		598	
Total area leased out (acres)	1094		1281		741		265		1497	

TABLE No. 8.7.

*Distribution of cultivators by size of cultivated holding showing corresponding distribution of leased in area by regions (1952-53).*

Size of cultivated holding (Acres)	REGION I		REGION II		REGION III		REGION IV		REGION V	
	Percent- age of cultivators	Percent- age of area	Percent- age of cultivators	Percent- age of area	Percent- age of cultivators	Percent- age of area	Percent- age of cultivators	Percent- age of area	Percent- age of cultivators	Percent- age of area
100 or more	1.3	0.2	0.7	—	0.6	9.1	—	—	0.7	8.6
50 or more	8.8	8.6	0.7	—	9.5	36.6	0.6	—	6.1	16.7
20 or more	20.4	31.3	2.3	8.4	34.7	75.9	9.6	13.1	30.1	59.4
10 or more	42.5	69.6	4.9	11.2	61.6	90.6	23.3	36.7	55.8	85.7
5 or more	60.9	83.7	10.2	19.6	74.6	94.4	34.4	50.6	69.6	91.6
2.5 or more	74.6	92.1	35.7	65.8	88.1	98.3	54.0	74.1	84.9	98.0
1.5 or more	80.7	94.1	57.7	80.7	97.1	100.0	69.7	87.3	91.9	99.4
0.5 acres or more	99.4	100.0	94.1	100.0	100.0	100.0	96.8	100.0	99.1	100.0
Total No. of cultivators	524		305		346		531		753	
Total area leased in (Acres)	1429		465		1346		951		4489	

TABLE No. 8.6.

*Distribution of land owners by size of owned holding showing corresponding distribution of leased out area by years (all regions).*

Size of owned holding (Acres)	1948-49		1949-50		1950-51		1951-52		1952-53	
	Percent- age of owners	Percent- age of area	Percent- age of owners	Percent- age of area	Percent- age of owners	Percent- age of area	Percent- age of owners	Percent- age of area	Percent- age of owners	Percent- age of area
100 or more	1.0	41.6	1.0	42.2	1.0	42.4	1.0	41.5	1.0	40.2
50 or more	5.0	48.7	4.9	49.3	4.8	49.5	4.9	49.2	4.9	48.3
20 or more	24.2	74.5	24.1	74.1	24.1	74.2	24.1	73.4	24.0	72.3
10 or more	47.5	89.9	47.5	90.1	47.3	89.5	47.4	89.5	47.5	89.4
5 or more	64.8	96.1	64.8	96.1	64.7	96.4	64.8	96.5	64.8	96.5
2.5 or more	82.3	99.2	82.3	99.2	82.1	99.2	82.1	99.2	82.1	99.2
1.5 or more	89.4	99.7	89.4	99.7	89.3	99.7	89.3	99.7	89.3	99.7
0.5 acre or more	97.1	100.0	97.1	100.0	97.0	100.0	97.1	100.0	97.0	100.0
Leased out area as percentage of estimated leased in area		56.7		56.6		54.5		53.4		56.3
Total No. of owners 1759			1769		1776		1775		1777	
Total area leased out (Acres)	4748		4791		4759		4757		4878	

TABLE No. 8.8.

*Distribution of cultivators by size of cultivated holding showing corresponding distribution of leased in area by years (all regions).*

Size of cultivated holding (Acres)	1948-49		1949-50		1950-51		1951-52		1952-53	
	Percent- age of cultivators	Percent- age of area	Percent- age of cultivators	Percent- age of area	Percent- age of cultivators	Percent- age of area	Percent- age of cultivators	Percent- age of area	Percent- age of cultivators	Percent- age of area
100 or more	0.7	3.4	0.7	3.6	0.7	3.2	0.6	3.2	0.7	3.3
50 or more	4.3	14.7	4.2	14.8	4.2	15.4	4.3	16.1	4.2	14.7
20 or more	20.7	48.7	20.8	49.4	21.1	49.8	21.0	49.8	20.8	49.5
10 or more	40.5	73.8	40.6	74.1	40.6	74.6	40.8	74.9	40.5	74.4
5 or more	53.5	81.7	53.6	82.0	53.6	82.5	53.8	82.7	53.5	82.3
2.5 or more	70.6	91.9	70.4	91.9	70.4	92.2	70.5	92.2	70.4	92.1
1.5 or more	81.4	96.0	81.4	96.1	81.4	96.2	81.4	96.2	81.2	96.1
0.5 acre or more	98.2	99.9	98.2	99.9	98.1	99.9	98.2	99.9	98.2	100.0
Total No. of cultivators	2447		2448		2460		2462		2459	
Total area leased in (Acres)		8377		8471		8727		8909		8670

per cent of all cultivators. Or, that nearly 50 per cent of the tenant-cultivated area is being cultivated by cultivators cultivating 20 or more acres; and that they form only about 21 per cent of all the cultivators.

8.19 For purposes of comparing the position in this respect over the period of five years we are presenting Table No. 8.8 which is similar to Table No. 8.6. It is obvious that there is little change noticeable over the period of five years. It may be mentioned that both Table Nos. 8.7 and 8.8 have been obtained by appropriate adjustments as explained in Section 8.11.

8.20 Let us now return to the main object of Schedule IV, namely, to ascertain the comparative rates of investment in the owner-cultivated and the tenant-cultivated lands since 1948-49 and to examine whether they have relatively improved in favour of the tenant-cultivated lands. We shall present the relevant data in Table No. 8.9. In this table, we give, for each region and for each year, the investment per acre in lands of different types, namely, the owner-cultivated lands, the leased out lands and the leased in lands; it was necessary to make the latter two classes because in the tenant-cultivated lands investment might be made either by the owner or by the tenant.

8.21 One striking fact arising out of this Table is that the scale of expenditure on land improvement has increased considerably in all the regions since 1948-49. The second obvious fact brought out by this Table is that the scale of expenditure on improvement of the owner-cultivated lands is very much higher than on the tenant-cultivated lands even after the expenditure on them by both the landlords and the tenants is taken into account. Thus if we examine the figures for all the regions taken together, it will be seen that while, in the beginning, the per acre expenditure on the owner-cultivated lands was in the neighbourhood of Rs. 4 per acre, it had practically doubled during the last two years. One would not ordinarily depend upon a rise which is observed only for a period of two years; but in the present case it is noteworthy that the rise is noticeable to a more or less extent in all the regions. It seems certain therefore that the expenditure on land improvement had in fact nearly doubled during the last two years, namely, 1951-52 and 1952-53. Compared with the scale of expenditure on the owner-cultivated lands, the expenditure on the tenant-cultivated lands is very much lower. Thus broadly speaking, the per acre expenditure on leased out lands by the landowners is only about one-tenth and the per acre expenditure on the leased in lands by the tenants is only about one-fourth when compared with the expenditure on the owner-cultivated lands. Hence even if we combine the expenditures incurred by the landlords

TABLE No. 8.9.

*Investment expenditure (Rs. per acre) on improvement of different types of land by regions and years.*

Region No.	1948-49			1949-50				1950-51		1951-52		1952-53			
	Owner cultivated	Leased out	Leased in	Owner cultivated	Leased out	Leased in	owner cultivated	Leased out	Leased in	Owner cultivated	Leased out	Leased in	Owner cultivated	Leased out	Leased in
I	3.8	—	0.9	5.6	—	0.4	3.3	0.2	0.4	5.3	—	0.8	8.7	—	1.2
II	3.8	0.5	6.1	4.7	0.1	6.5	3.8	—	5.9	5.0	—	6.6	9.7	—	9.6
III	4.6	0.7	0.1	5.6	1.6	0.8	6.2	1.8	0.3	6.1	2.3	0.3	7.1	2.3	0.1
IV	4.4	0.8	0.3	4.2	3.7	0.7	1.8	0.5	0.6	3.9	—	0.4	6.4	1.3	1.3
V	2.0	0.2	0.3	2.1	0.4	0.3	3.2	0.7	0.6	4.3	1.1	1.2	8.1	1.1	1.4
All Regions	3.4	0.3	0.7	4.1	0.6	0.8	3.8	0.6	0.8	5.0	0.7	1.2	7.9	0.8	1.6

Total area

(acres) 28414 4748 8377 23338 4791 8471 23361 4759 8727 28428 4757 8909 23369 4878 8670

and the tenants, the per acre expenditure on improvement of the tenant-cultivated lands would be only about one-third of that incurred on the owner-cultivated lands. It is noteworthy nevertheless that the scale of expenditure on the tenant-cultivated lands also has increased considerably over the period of five years. Thus it will be seen that while the per acre expenditure was about Rs. 1.5 per acre in the initial years, it had nearly doubled during the last two years.

8.22 From the standpoint of the present study the immediately important fact however is not either that the expenditure on the improvement of the tenant-cultivated lands is considerably lower than the expenditure on the owner-cultivated lands; nor that the expenditure on improvement of both the owner-cultivated as well as the tenant-cultivated lands has increased considerably over the period of five years under report; the important fact is that this increase in investment expenditure over the last five years has been more or less proportionate in respect of both the owner-cultivated and the tenant-cultivated lands. In other words, though the investment expenditure on land improvement has generally increased, the expenditure on the tenant-cultivated lands continues to bear more or less the same relation to the expenditure incurred on the owner-cultivated lands. This means that little effect in this respect is ascribable to the Tenancy Act and hence that little evidence can be put forward from this standpoint to show that as a result of the protection given to the tenants by the Tenancy Act, the tenant-cultivated lands are now better attended to than before. There is at the same time no evidence to suggest that the situation in this respect has in any way worsened. Not only the tenant-cultivated lands, as compared with the owner-cultivated lands, continue to receive the same level of attention as they received prior to the Act, but the relative shares of the landlord and the tenant in this respect also continue to remain more or less the same as before; so that as a result of the Tenancy Act, neither are the tenants induced to pay more attention to the lands they cultivate, nor have the landlords tended to neglect whatever care they bestowed on the lands they leased out. The Act has thus left the situation more or less unchanged.

8.23 The investment expenditure referred to above, includes expenditure on such items of land improvement as construction of new wells, repairs to existing wells, bunding, reclamation and other forms of land improvement like development of other irrigation resources, laying of new orchards and so on. In Table No. 8.10, we give for all regions combined together, the distribution of investment expenditure incurred in different years according to the items of land improvement.



TABLE No. 8.10.

*Investment expenditure on improvement of different types of land in different years distributed (in percentages) by items of expenditure.*

Items of investment expenditure	1948-49			1949-50			1950-51			1951-52			1952-53		
	Owner cultivated	Leased out	Leased in	Owner cultivated	Leased out	Leased in	owner cultivated	Leased out	Leased in	Owner cultivated	Leased out	Leased in	Owner cultivated	Leased out	Leased in
Construction of new wells	48.1	—	—	50.8	61.5	6.1	41.8	—	—	41.1	30.1	—	38.8	40.9	7.0
Repairs to wells	9.3	8.1	1.1	7.8	9.0	14.8	4.9	41.4	17.0	5.1	18.1	6.2	12.3	6.1	6.2
Bunding	28.2	88.1	49.7	25.6	22.1	42.4	34.0	35.2	47.5	34.3	26.8	51.8	28.8	18.6	29.6
Reclamation	4.8	3.8	10.5	2.4	—	9.0	5.5	—	3.0	4.0	—	6.1	6.5	2.7	5.6
Others	10.1	5.0	38.7	13.9	7.4	27.7	14.0	23.4	32.5	15.5	25.0	35.9	15.6	31.7	51.6
Total investment expenses in Rs.	79792	1600	5885	95724	2765	6545	88500	2655	6918	116075	3820	10668	184276	3665	13555
Total investment expenditure per acre	3.4	0.3	0.7	4.1	0.6	0.8	3.8	0.6	0.8	5.0	0.7	1.2	7.9	0.8	1.6

8.24 For the purpose of comparing the composition of the investment over different years, it might be convenient to concentrate attention on the investment expenditure on the owner-cultivated lands. It will be seen that though there are apparent small changes, the composition of the expenditure has remained quite substantially the same over the period of five years. This is remarkable in view of the fact that the level of investment expenditure has nearly doubled during this period. The main change in the composition of the expenditure seems to be a somewhat smaller share of the expenditure on construction of new wells, with somewhat larger shares for repairs of existing wells, reclamation and for other items of land improvement.

8.25 The leased out and the leased in areas covered by our sample are rather small to permit a reliable comparison of the composition of investment expenditure on these lands over the period of five years. The figures as they appear in Table No. 8.10 seem erratic and do not give any evidence of a consistent change in the composition of the expenditure having taken place.

8.26 A comparison between the compositions of expenditure on the owner-cultivated and the tenant-cultivated lands is however instructive. A striking difference lies in the respective shares for the construction of new wells. Thus while between 40 to 50 per cent of all investment expenditure on the owner-cultivated lands is for the construction of new wells, very little or no expenditure for this purpose is done on the tenant-cultivated lands. On the other hand, there is proportionately larger expenditure on bunding and other items of land improvement. The difference is of course easily understandable. Digging of wells is an expensive item and constitutes practically a permanent improvement of the land. Therefore it is natural that both the landlord and the tenant should be ordinarily unwilling to undertake such an expenditure. Hence the fact that no appreciable increase of expenditure on these items has taken place in respect of the tenant-cultivated lands, might be regarded as a failure of the Tenancy Act to create a real sense of security in the tenants. This may be true. Nevertheless we should note that there may be other circumstances preventing an increase in the scale of expenditure on the tenant-cultivated lands. In the first instance, it might be that in spite of a real sense of security, the tenants might continue to suffer for some time from lack of funds and credit; secondly it is possible that the tenant-cultivated lands are in general inferior to the owner-cultivated lands and thus offer less scope for improvement of this type. Under the circumstances, it does not seem fair more than to note the lack of evidence in support of any positive results achieved by the Tenancy Act.

8.27 In Table No. 8.11, we give, for different regions, the composition of investment expenditure incurred during the period of five years. It will be seen that Region II, comprising Thana and Kolaba, falls out showing a large proportion of the expenditure on bunding. Of the total investment expenditure in these two districts more than 60 per cent is on bunding. These are rice growing districts where rice is mostly cultivated in small banded fields. These bunds need annual repairs and maintenance and often reworking. It is possible that part of the expenditure on these operations has been reported as investment expenditure though more appropriately it should have been classified as current expenses of cultivation. This is also suggested by the fact that the entire expenditure, though small, reportedly incurred by the landlords on the lands leased out by them, is on this item. Also the expenditure incurred by the tenants on this item forms a large portion; in fact it occupies more or less the same position as it does in the expenditure incurred by the owner-cultivators. In this region, nearly 20 per cent of the expenditure on the owner-cultivated lands is for the construction of new wells; the corresponding proportion in the expenditure on the tenant-cultivated lands is under 6 per cent though this is partly compensated by an additional nearly 9 per cent expenditure on repair of wells.

8.28 In Region I, comprising West Khandesh, East Khandesh and Nasik, 57 per cent of the total expenditure on owner-cultivated lands is for digging of new wells and another nearly 29 per cent on bunding. In this region very little expenditure on improvement of leased out lands has been reported by the landlords. Also, a large part, more than 50 per cent, of the expenditure reported by the tenants is on bunding and only about 5 per cent is for the construction of new wells.

8.29 In Region III, comprising Poona, Sholapur and Ahmednagar, digging of new wells and repair of the existing ones claim even a larger share; 53 per cent of the expenditure on the owner-cultivated lands is for digging of new wells and an additional 16 per cent is for repair of the existing ones. Thus the two together account for nearly 70 per cent of the total expenditure. Further, in this region, the landlords seem to incur quite considerable expenditure on the improvement of the leased out lands; and a very large part of this expenditure, nearly 80 per cent, seems to be devoted to the digging of new wells and repair of the existing ones. Of the expenditure which the tenants incur on the leased in lands, little or nothing is spent on digging of new wells but nevertheless a large part, more than 50 per cent is spent on repairs of the existing wells. However, it is to be noted that in this region, the level of expenditure by the tenant is indeed very small and further that, as it will appear from

TABLE No. 8.11.

*Investment expenditure on improvement of different types of land in different regions distributed (in percentages) by items of expenditure.*

Items of Investment expenditure	REGION I			REGION II			REGION III			REGION IV			REGION V		
	Owner Cultivated	Leased out	Leased in	Owner Cultivated	Leased out	Leased in	Owner Cultivated	Leased out	Leased in	Owner Cultivated	Leased out	Leased in	Owner Cultivated	Leased out	Leased in
Construction of wells	57.0	—	4.7	19.2	—	5.7	52.3	54.6	—	40.5	42.4	6.6	22.0	—	—
Repairs to wells	4.3	20.0	—	0.2	—	8.8	16.3	23.0	52.8	12.3	24.2	8.2	4.2	6.0	5.7
Bunding	28.8	40.0	50.7	68.3	100.0	60.1	18.9	17.5	24.0	40.1	26.4	45.9	35.3	43.0	25.4
Reclamation	1.4	—	14.4	7.3	—	1.2	4.3	1.6	20.8	2.0	3.6	18.0	9.2	—	5.2
Others	8.5	40.0	30.2	10.0	—	24.2	7.7	3.3	2.4	5.1	3.4	21.3	29.3	51.0	63.7
Total expenditure during 1948-53 Rs.	152313	250	5295	18239	740	15862	165775	6405	2045	57731	1650	3050	170309	4960	17269
Total investment during 1948-53 Rs. per acre per annum	5.3	—	0.8	5.4	0.1	6.9	5.9	1.7	0.3	4.1	1.3	0.7	3.9	0.7	0.8

Table No. 8.9, it has actually diminished considerably. In this region therefore there seems to be a rather firm evidence to suggest that the Tenancy Act has done little to promote a sense of security in the tenants. Quite obviously it has also not shaken the confidence of the landlords in the long term investment in the lands they have leased out. The investment expenditure they seem willing to incur is quite considerable and as will be seen from Table No. 8.9, it has increased considerably over the period of five years.

8.30 In Region IV, comprising North Satara, South Satara and Kolhapur districts also digging of new wells and repairs to existing wells occupy an important place in the items of land improvement but bunding also takes a large share. In the expenditure on the owner-cultivated lands, nearly 40 per cent is spent on digging of new wells and an equal amount for the construction of bunds; an additional 12 per cent is spent on repairs to existing wells. As in Region III, so in this region, a considerable part of the expenditure incurred by the landlords is for new wells and repairs to existing wells. But here there are no signs of an increase in the expenditure that the landlords incur; if anything it may have decreased to some extent. On the other hand, there is some evidence to suggest that the expenditure incurred by the tenants has increased to some extent. This coupled with the fact that a part of the expenditure, though small, incurred by the tenants is for construction and repair of wells and on bunds which here are not the very temporary bunds found in Region II, suggests that possibly in this region the Tenancy Act is making some noticeable impression.

8.31 Finally in Region V, comprising Bijapur, Belgaum and Dharwar districts, bunding assumes greater importance than the construction and repair of wells. Considerable proportion of the expenditure incurred by the landlords and the tenants on the tenant-cultivated lands also is on bunding. But though 22 per cent of the expenditure on the owner-cultivated lands is on construction of new wells, the corresponding expenditure by the landlords and the tenants on the tenant-cultivated lands is practically absent. This fact coupled with another namely that the scales of expenditure on the owner-cultivated lands, on the leased out lands by the landlords and on the leased in lands by the tenants do not show any relative movements suggests that the Tenancy Act has left the situation in these districts more or less unchanged so far.

8.32 A side issue not altogether unrelated to problems of tenancy reforms, is to examine how far the rate of investment in the improvement of agricultural lands is related to the size of holdings. As a major part of the investment is made on the owner-cultivated

TABLE No. 8.12.

*Investment expenditure (Rs. per acre per annum) on improvement of owner-cultivated lands in different regions shown for land holders classified by size of holding.*

Size of holding (Acres)	Total No. of owners	REGION I			REGION II			REGION III			REGION IV			REGION V		
		Owner cultivated area (Acres)	Average expenditure (Rs.) per acre	Total No. of owners	Owner cultivated area (Acres)	Average expenditure (Rs.) per acre	Total No. of owners	Owner cultivated area (Acres)	Average expenditure (Rs.) per acre	Total No. of owners	Owner cultivated area (Acres)	Average expenditure (Rs.) per acre	Total No. of owners	Owner cultivated area (Acres)	Average expenditure (Rs.) per acre	
1-2.5	47	61	6.4	70	86	7.5	34	50	6.7	79	81	1.3	88	109	4.6	
2.5-5	76	260	14.1	31	117	6.6	51	159	5.0	62	223	4.4	88	299	3.3	
5-10	80	503	4.0	9	63	5.3	60	356	6.7	48	308	6.7	110	669	4.5	
10-20	99	1163	5.7	11	95	6.1	102	1196	5.4	62	731	3.3	143	1773	3.8	
20-50	74	1917	4.5	3	82	2.9	84	2271	5.7	44	1215	4.5	185	3637	4.3	
50 or more	19	1800	5.3	5	258	4.2	25	1549	6.7	4	245	1.9	34	2210	3.4	
<b>Total</b>	<b>395</b>	<b>5704</b>	<b>5.3</b>	<b>129</b>	<b>684</b>	<b>5.4</b>	<b>356</b>	<b>5581</b>	<b>5.9</b>	<b>299</b>	<b>2803</b>	<b>4.1</b>	<b>598</b>	<b>8597</b>	<b>3.9</b>	

TABLE No. 8.13.

*Investment expenditure (Rs. per acre) on improvement of owner-cultivated lands in different years shown for land holders classified by size of holding.*

Size of holding (Acres)	1948-49			1949-50			1950-51			1951-52			1952-53		
	Total No. of owners	Owner cultivated area (Acres)	Average expenditure (Rs.) per acre	Total No. of owners	Owner cultivated area (Acres)	Average expenditure (Rs.) per acre	Total No. of owners	Owner cultivated area (Acres)	Average expenditure (Rs.) per acre	Total No. of owners	Owner cultivated area (Acres)	Average expenditure (Rs.) per acre	Total No. of owners	Owner cultivated area (Acres)	Average expenditure (Rs.) per acre
1-2.5	313	362	3.2	313	363	5.1	318	371	2.1	318	370	5.5	318	370	9.3
2.5-5	309	1045	6.3	310	1049	6.5	309	1060	4.2	307	1058	6.0	308	1058	10.3
5-10	306	1958	4.4	305	1953	2.7	308	1934	6.1	308	1930	7.0	307	1899	5.5
10-20	413	4932	3.1	414	4919	4.9	412	4933	4.3	414	4925	5.0	417	4958	5.7
20-50	240	8970	3.0	340	9011	3.8	342	9073	3.3	341	9077	5.4	340	9022	8.0
50 or more	88	6147	3.5	87	6043	3.3	86	5990	3.4	87	6068	3.4	87	6062	9.6
Total	1769	23414	3.4	1769	23338	4.1	1775	23361	3.8	1775	23428	5.0	1777	23369	7.9

lands, we might examine, from this standpoint, only the investment in the owner-cultivated lands. The relevant data are presented in Table Nos. 8.12 and 8.13. In Table No. 8.12, the data are given for the five regions separately but on the basis of the average expenditure incurred during the five year period 1948-53. In Table No. 8.13, the same data are given for the five years separately but on the basis for all the five regions combined together. In both the Tables, the land-holders are classified according to the size of their owned holding showing, for each size class, the number of land-owners in that class, the corresponding owner-cultivated area and average expenditure per acre per annum on the improvement of the owner-cultivated area. It will be clear from both the Tables that there is no evidence that the larger landholders incur larger investment expenditure per acre of their owner-cultivated lands; if anything, the evidence is generally to the contrary. Thus it will be seen that in all the regions except Region IV comprising North Satara, South Satara and Kolhapur, the landholders of upto 5 acres seem to incur a somewhat larger expenditure per acre of their owner-cultivated land. Among the higher size classes the expenditure is at a lower but at a more or less constant level. In Region IV alone is there some indication that holders of under 5 acres do not incur as much expenditure on land improvement as do the holders of between 5 to 10 acres. But even here holders of more than 10 acres do not show any higher levels of expenditure. Table No. 8.13 gives more or less the same type of indications except that in the year 1950-51, the small holders do not show the somewhat higher levels of expenditure as they do in the other years.

8.33 To conclude, it seems fairly clear, at any rate there is little evidence to the contrary, that the Tenancy Act has made little impression on the situation, and that the conditions have remained more or less unaffected both in respect of the size distribution of the owned and cultivated holdings and the relative care bestowed on the owner-cultivated and the tenant-cultivated lands. It may be that it is too early to expect results in these directions. But the indications in the earlier chapters also pertaining to what could be immediately expected if the Act had been effectively operative, did not appear promising. The general evidence therefore is that except in a few districts, the Act has for all practical purposes, remained ineffective.



## CHAPTER IX

### CONDITIONS IN RATNAGIRI DISTRICT

9.1 In the preceding five chapters we have described the working of the Tenancy Act in 14 out of the 16 districts covered by our investigation. As mentioned at the beginning, we had left out of this discussion two districts, namely Ratnagiri and Karwar. In this and the following Chapter, we shall now present the results of our investigation in Ratnagiri and Karwar districts respectively.

9.2 Until recently, when it was abolished by the Act of 1949, a special tenure called the khoti tenure prevailed in Ratnagiri district. The same tenure, with a certain difference, also obtained in parts of Kolaba district but here its existence was less extensive. It chanced that none of the six villages we selected for investigation in Kolaba district happened to be a khoti village. We thought it therefore convenient to present our results relating to Kolaba district along with those relating to the other districts without mention of the khoti tenure. Our discussion regarding the tenancy conditions in Ratnagiri district will however illustrate the kind of changes, though with a certain difference and on a much smaller scale, that occurred in Kolaba district as well consequent to the Khoti Abolition Act of 1949.

9.3 The terms of the khoti tenure in Ratnagiri district were governed by the provisions of the Khoti Settlement Act of 1880 as amended by the amending Act of 1946. The khoti tenure originated owing to the hilly nature of the tract and consequent difficulty of collecting land revenue. The persons who acted as revenue farmers came to be known as Khots. A khot was a superior holder to settle with Government for the revenue of his village and to hold the same, subject to the payment of jama, that is the land-revenue payable to Government. The lands in a khoti village were distinguished into two categories, namely, the dhara lands and the khoti lands. The dhara lands were government lands and were held by permanent hereditary proprietors or holders called dharekaris and quasi-dharekaris. All lands other than the dhara lands were termed the khoti lands. Some of these lands were occupied by permanent tenants having statutory rights and privileges. The dharekaris, the quasi-dharekaris and the permanent tenants were privileged occupants. The dharekaris held the land on payment of survey assessment and local fund cess to Government and did not pay any rent or dues to the khot. The quasi-dharekaris paid assessment and local fund

cess to Government and certain amounts of grain or money to the khot as set forth in a schedule to the Khoti Settlement Act of 1880. The permanent tenants had to pay to the khot customary rent as per entries in the survey record subject to deductions of survey assessment and local fund cess. The rents paid to the khot by the quasi-dharekaris and the permanent tenants were called the khot's dues. The khot had certain reversionary rights in the lands occupied by the privileged occupants so that the lands would revert to him in case of lapse for failure of heirs, forfeiture for failure to pay assessment or rent and resignation by the permanent tenants. Lands so reverted to the khot were termed the khoti nisbat lands. All other lands held by and in possession of a khot were called the khoti khasgi lands. The khot had full proprietary right in the khoti khasgi lands. The khoti khasgi and the khoti nisbat lands were either in the personal cultivation of the khot or were leased out to ordinary tenants, that is tenants other than the permanent tenants. The ordinary tenants held these lands subject to the terms and conditions agreed upon between the khot and themselves. Under the Khoti Settlement (Amendment) Act of 1946, the ordinary tenants were made ten yearly tenants and their rents were not to exceed certain prescribed maxima. The rights of tenants in general regarding rent, tenure etc., were secured by the Bombay Tenancy Act as amended in 1946 and later by the Bombay Tenancy and Agricultural Lands Act of 1948.

9.4 The sample of plots selected for investigation in this district, comprised 1540 plots with a total cultivable area of 1320.1 acres. In Table No. 9.1, we give a classification of these plots and the cor-

TABLE No. 9.1

*Percentage distribution of the area of the sampled plots according to the type of tenure, prior to the Khoti Abolition Act of 1949.*

Tenure class	No. of plots	Area in acres	Percentage of area cultivated by		
			Khots	Privileged occupants.	Ordinary tenants.
held by dharekaris	146	113.0	—	8.2	0.4
held by permanent tenants	1074	841.7		57.0	6.7
Khoti—nisbat	36	26.8	1.2	—	0.8
Khoti—khasagi	284	338.6	23.7	—	2.0
<b>Total</b>	<b>1540</b>	<b>1320.1</b>	<b>24.9</b>	<b>65.2</b>	<b>9.9</b>

responding area according to the type of tenure under which they were held. It will be seen that 8.6 per cent of the total area was held by the dharekaris. In the sample, there appeared no lands held

by quasi-dharekaris. 63.7 per cent of the area was held by permanent tenants and 27.7 per cent was held by the khots. Thus over 90 per cent of the total area was cultivated either by the khots or by the privileged occupants, namely, the dharekaris and the permanent tenants. Only about 10 per cent of the area was cultivated by the ordinary tenants. The majority of the lands held by the dharekaris were under their personal cultivation. Nearly 90 per cent of the area held by the permanent tenants was under their personal cultivation and only a little over 10 per cent was leased out to ordinary tenants. The same is true of the area held by the khots. It is obvious therefore that at least in the sample of villages selected for investigation, the khots were as much proper cultivators as were the permanent tenants. Considering the total area from another standpoint, it will appear that nearly one-third was under the personal cultivation of the proprietor cultivators, either khots or dharekaris, while the remaining two-thirds was under the cultivation of tenants, either permanent or ordinary. Thus 24.9 per cent was cultivated by the khots; 8.2 per cent was cultivated by the dharekaris; 57.0 per cent was cultivated by permanent tenants and 9.9 per cent was cultivated by ordinary tenants.

9.5 The permanent tenants paid customary rents which were usually recorded in the village records. By usage, the rents paid by ordinary tenants were also often recorded. Thus in our sample of plots, of the total of 885.4 acres under the cultivation of either permanent or ordinary tenants, we could find in respect of 567.3 acres, a record of rents paid by the tenants. In Table No. 9.2, we

TABLE No. 9.2  
*Distribution of tenant-cultivated area by mode of rent.*

Tenure class	Tenant cultivated area (acres)	Tenant cultivated area of which rent is known (acres)	Percentage of area leased out on		
			Share rent	Cash rent	Rent fixed in kind.
held by dharekaris	5.8	5.7	1.7	—	98.3
held by permanent tenants	841.7	535.4	42.6	51.2	6.2
Khoti—nisbat	11.2	8.0	77.5	21.3	1.2
Khoti—khasagi	26.7	18.1	37.0	—	63.0
<b>Total</b>	<b>885.4</b>	<b>567.3</b>	<b>42.5</b>	<b>48.4</b>	<b>9.1</b>

give a distribution of the tenant-cultivated area of which rents were known, according to the mode of rent, namely, whether cash, share

or fixed rents in kind. In Table Nos. 9.3 and 9.4, are given particulars of share and cash rents paid. It will be seen that broadly speaking nearly 50 per cent of the area was cash rented; 40 per cent was share rented and 10 per cent was rented for rents fixed in kind.

TABLE No. 9.3.

*Distribution of share-rented area by the level of share-rent.*

Tenure class	Area leased out for share rent (acres)	Percentage of area leased out for share rent.					
		Crop appraisal	1/2 share rent	2/5 share rent	1/3 share rent	1/4 share rent	1/6 share rent
held by dharcckaris	0.1	—	100.0	—	—	—	—
held by permanent tenants	228.1	2.8	3.0	0.9	62.0	31.3	—
Khoti-nisbat	6.2	71.0	6.5	—	14.5	—	8.0
Khoti-khasagi	6.7	100.0	—	—	—	—	—
<b>Total</b>	<b>241.1</b>	<b>7.3</b>	<b>3.0</b>	<b>0.9</b>	<b>59.0</b>	<b>29.6</b>	<b>0.2</b>

TABLE No. 9.4.

*Distribution of cash-rented area by the level of cash-rent as multiple of assessment.*

Tenure class	Area leased out for cash rent (acres)	Percentage of area leased out for cash rent		
		2 multiples of assessment	3 multiples of assessment	3½ multiples of assessment
held by permanent tenants	274.3	62.8	3.3	33.9
Khoti-nisbat	0.1	100.0	—	—
<b>Total</b>	<b>274.4</b>	<b>62.8</b>	<b>3.3</b>	<b>33.9</b>

Share rents were more common in the case of khoti nisbat lands leased to ordinary tenants while fixed rents in kind were more common on dhara and khoti khasgi lands leased to ordinary tenants. Over 60 per cent of the share rented area held by permanent tenants was rented for 1/3rd share while over 30 per cent was rented for 1/4th share. 1/2 share existed only on paddy lands though 1/3rd or 1/4th shares were also common. In the case of the khoti nisbat and khoti khasgi lands leased to ordinary tenants on share rent, it was a common practice to pay the fixed share on the basis of an appraisal of the crop by the khot. Presumably the appraisal of the crop by the

khot was the more important factor determining the rent so much so that in these cases the fixed shares were not found usually recorded. Of the cash rented area, which was mostly held by the permanent tenants, in the case of nearly two-thirds of the area, the cash rent was two times the assessment and in the remaining nearly one-third of the area it was 3.1/4 times the assessment.

9.6 Such was the position in the year 1948-49 as it appeared in the village records. By means of the Bombay Khoti Abolition Act of 1949, which came into force with effect from 15th May 1950, the khoti tenure was abolished. In the case of khoti khasgi lands, the khot; in the case of dhara lands, the dharekari or quasi-dharekari; in the case of lands held by permanent tenants, the permanent tenant; and in the case of khoti nisbat lands the tenant in possession or in the absence of a tenant, the khot; were made primarily liable for the payment of the land revenue and were accorded full proprietary occupancy rights. As a compensation to the khot, a quasi-dharekari or a permanent tenant was to pay to the khot commuted value of the khot's dues. The commuted value was to be determined by the Mamlatdar subject to the condition that it should not exceed three times the amount of the khot's dues if payable in cash or three times the value of such dues if payable in kind. The commuted value was also not to exceed six times the survey assessment of the land. When the khot's dues were payable in crop share, a third crop share was regarded as equivalent to two multiples of survey assessment and any other crop share as proportional multiple of such assessment. On the other hand, the ordinary tenants on the khoti nisbat lands were to pay to the khot, an occupancy price equivalent to six multiples of the survey assessment of the land. The occupancy price and commutation value of the khot's dues were both recoverable as arrears of land revenue. Thus as a consequence of these provisions only the ordinary tenants on lands other than the khoti nisbat lands remained as tenants. Hence as would appear from Table No. 9.1, the tenant-cultivated area in the district fell below 10 per cent of the total area. The rights of these tenants relating to tenure, rent etc., continued to be secured under the provisions of the Bombay Tenancy and Agricultural Lands Act of 1948.

9.7 The Khoti Abolition Act came into force with effect from 15th May 1950. In comparison with the operation of the Bombay Tenancy and Agricultural Lands Act of 1948 which was then effective, the abolition of khoti tenure was a major operation. We need not therefore discuss the working, in this district, of the Bombay Tenancy and Agricultural Lands Act during the first two years, namely, 1948-49 and 1949-50. Hence while examining the extent and nature of changes in tenancy taking place in this district in the

light of the provisions of the Bombay Tenancy and Agricultural Lands Act of 1948, we shall confine the discussion to the three years 1950-51, 1951-52 and 1952-53.

9.8 With the abolition of the Khoti tenure, the khots were required to hand over to the Government records relating to the khoti villages maintained by them under the provisions of the Khoti Settlement Act. These records were inadequate in their scope and generally unsatisfactory in their accuracy and completeness. Attempts are being made to bring them in line with the village records in the other districts of the State. Nevertheless, at the time of our investigation, the village records were generally not very satisfactory. Thus our sample of 1540 plots indicated, on the basis of the village records, 181 cases of tenancy changes, namely of fresh leasing, resumption, change of tenants and similar changes involving sub-tenants and also of acquisition of land by tenants. To these cases given by the sample of plots, we added 41 cases of similar change, mostly taking place in 1952-53 and not covered by the sample. We thus had a total of 222 cases of tenancy change as indicated by the village records. In 4 of these cases, we could not contact the parties concerned and ascertain the facts. Of the remaining 218 cases, there were apparently 82 cases of fresh leasing; 91 cases of resumption; 43 cases of change of tenants and 2 cases of acquisition of lands by tenants. All these we followed up by personal interviewing of the parties concerned. It then turned out that 73 out of the 82 cases of apparent fresh leasing did not involve any real fresh leasing; 69 out of the 91 cases of apparent resumption did not involve any real resumption; and that in 32 of the 43 cases of apparent change of tenants, no genuine change of tenants was involved. Thus nearly 80 per cent of the cases which, on the basis of the village records, appeared to involve some kind of a tenancy change were found on closer scrutiny, not to involve any genuine change. A large majority of these cases appeared on account of either recording errors or of rectification of previous errors. Thus out of the 174 bogus cases 40 occurred on account of recording errors and 77 because of the rectification of previous errors. In another 20 cases, though the changes were genuine, they had actually taken place prior to 1948 and were entered only later. The remaining 37 cases did not involve an error of record as such but involved changes which might be mistaken as changes of tenants. It is obvious therefore that the records were far from satisfactory though the considerably larger number of rectification of previous errors than the number of fresh errors promised to bring the records to a more satisfactory state. Under the circumstances, it does not seem appropriate to discuss, on the basis of these records, the extent of changes in owner-

ship and tenancy that might have taken place during the three years' period under examination. Instead, we propose to describe the nature of the genuine cases of tenancy change discovered either through the sample of plots or through the additional non-sample cases.

9.9 There were only 9 cases of genuine fresh leasing involving an area of 8.4 acres. In all the cases, the owners were residents of the villages in which the lands were situated. 58.2 per cent of the freshly leased area was leased out for share rent and 16.3 per cent was leased for fixed rent in kind. The remaining 25.5 per cent was rent free. They were cases of either mortgage or alleged forcible occupation. Nearly 7 per cent of the area was mortgaged and the mortgagee shown as tenant. Nearly 18.5 per cent of the area, the owners alleged, was forcibly occupied by the tenants.

9.10 There were 22 cases of genuine resumption involving an area of 17.0 acres. In 11 of these cases, the persons who resumed were permanent tenants; in 9 cases, they were khots and in 2 cases they were dharekaris. In all the cases, they were residents of the villages in which the lands were situated. 83.9 per cent of the resumed area was rented for rents in kind; 13.2 per cent was cash rented and only 1.0 per cent was share-rented. It thus seems that fixed kind rent tenancies were terminated more frequently while among new leases share rents predominated. In the case of nearly 25 per cent of the resumed area the evicted tenants were in continuous cultivating possession of the lands for 9 or more years. In another 30 per cent they were on the lands for six or seven years; in yet another 30 per cent they were on the lands for three or four years. As for the reasons for terminating tenancy, the owners reported that 63.2 per cent of the area was resumed because the owners wanted it for personal cultivation; 28.7 per cent of the area was resumed because the tenants had left of their own accord which was fully corroborated by the tenants. In the case of nearly half of this area, the tenants did not want it because it was not profitable; in the case of the remaining half, they were short of bullocks. On 8.1 per cent of the resumed area, the tenancies were terminated because, both the landlords and the tenants reported, the lands had to be kept as current fallow. As noted above, 63.2 per cent of the area was resumed because, the landlords reported, the landlords wanted it for personal cultivation. On the basis of the reports from tenants, there appear further details of these cases. Nearly 16 per cent of the area was resumed by the landlords consequent on either the death or migration of the tenant and nearly 11 per cent was resumed on the expiry of the initial lease term. Nearly 31 per cent of the area was surrendered, admittedly voluntarily, because the land-

lords wanted it either for personal cultivation or for sale. Only in the case of 5.7 per cent of the resumed area, the tenants reported that the landlords terminated the tenancy against the will of the tenants, because the landlords wanted the lands for personal cultivation.

9.11 There were 11 cases involving change of tenants. In 8 of these cases, the persons making these changes were the permanent tenants. The 11 cases involved an area of 10.5 acres. Before the change of tenants, nearly 70 per cent of the area was share rented and 30 per cent was rented for fixed rent in kind. After the change of tenants, nearly 45 per cent was share rented, 45 per cent was rented for fixed rent in kind and about 10 per cent was cash rented. This does not accord with the suggestion earlier made on the basis of the cases of resumption and of fresh leases, namely, that tenancies with fixed kind rents were terminated more frequently and that among new leases share rents predominated. In a majority of the cases of change of tenants, the evicted tenants were not more than four years on the lands. As for the reasons for changing tenants, the landlords reported that in the case of nearly 60 per cent of the area, the old tenants were not taking proper care of the land and in an additional 5 per cent cases, the new tenants had specifically agreed to improve the lands. In the case of 25 per cent of the area, the new tenants were prospective buyers. The reasons given by the evicted tenants have not been sufficiently specific but in nearly 94 per cent of the area, the old tenants had surrendered the land voluntarily; in the case of nearly 25 per cent of this area, the surrender was consequent on either death or migration of the old tenant. Only in the case of 4 per cent of the area, the old tenants reported that they were evicted on the pretext that the landlords wanted the land for personal cultivation and in another 2 per cent that the new tenants had occupied the land forcibly.

9.12 We shall next examine the cases of change in ownership through sale and purchase of land. Our sample of plots gave 36 such cases. To these we added 59 cases taken from the office of the sub-registrar. We have thus a total of 95 cases of sale of land. They were distributed over the five years from 1948-49 to 1952-53. 10 of these sales had taken place in 1948-49 and 14, 19, 28, and 24 in the subsequent four years respectively. They involved a total area of 347.5 acres. The average sale value was Rs. 93.3 per acre or 257.0 times the land revenue.

9.13 In Table No. 9.5, we give a distribution of these sales and the corresponding area by the size of each sale in acres. In parallel columns, we show for each class size of the sales, their average sale value expressed as per acre and also as multiple of the land revenue.



TABLE No. 9.5.

*Cases of sale of land and the related area classified by size of sale in acres showing for each size class average sale value per acre and as multiple of land revenue.*

Size of the sale in acres	No. of sales as percentage of total	Area of sales as percentage of total	Sale value per acre in Rs.	Sale value as a multiple of land revenue
0—	31.6	3.7	453.3	431.3
1—	28.4	11.8	204.1	326.4
2—	11.6	7.7	156.6	379.1
3—	5.2	5.1	144.3	240.6
4—	4.2	4.6	46.7	131.6
5—	8.5	13.5	68.8	163.6
10 or more	10.5	53.6	39.7	187.3
<b>Total</b>	<b>95</b>	<b>347.5</b>	<b>93.3</b>	<b>257.0</b>

It will be seen that nearly 60 per cent of the sales were of less than 2 acres each but they accounted for only about 15 per cent of the area sold. At the other extreme, a little over 10 per cent of the sales were of ten acres or more each and they accounted for more than half the area sold. The land values on a per acre basis, for sales of different sizes show great variation. Beginning with over Rs. 450 per acre for sales of under one acre, they drop to Rs. 200 for sales of between 1 and 2 acres, and to about Rs. 150 for sales of between 2 and 4 acres. For sales of more than 4 acres, the values drop very low. The land values expressed as multiples of land revenue show similar but much smaller variation. Quite obviously therefore a large part of the variation in land values for sales of different sizes was on account of the difference in quality of lands involved in sales of different sizes. In this district, the plots of paddy lands are usually very small and the larger plots invariably include or comprise in large part dry lands called warkas lands. The difference in the quality and value of these two types of land is of course very great.

9.14. In Table No. 9.6, we give a classification of the sales and the corresponding area according to the categories of the sellers and the buyers. In parallel columns are shown for each class of sales, the average sale values expressed on a per acre basis and also as multiples of land revenue. It will be seen that over 85 per cent of the sales, involving more than 80 per cent of the area sold, were by one cultivating owner to another cultivator, nearly 10 per cent of which involving nearly 25 per cent of the area were to neighbouring cultivators. Thus sales to neighbouring cultivators form a considerable part of the total sales. This must be on account of the difficult

TABLE No. 9.6.

*Cases of sale of land and the related area classified by the category of seller and buyer showing for each category class average sale value per acre and as multiple of land revenue.*

Category of seller & buyer	No. of sales as percentage of total	Area of sales as percentage of total	Sale value per acre in Rs.	Sale value as a multiple of land revenue
Sold by a cultivating owner to a				
Neighbouring cultivator	10.5	24.3	47.4	186.0
Other cultivator	74.8	56.8	122.7	312.3
Non-cultivator	4.2	4.2	49.7	118.0
Sold by a non-cultivating owner to a				
Tenant	6.3	8.7	39.3	148.8
Neighbouring cultivator	—	—	—	—
Other cultivator	4.2	6.0	109.0	178.3
Non-cultivator	—	—	—	—
<b>Total</b>	<b>95</b>	<b>347.5</b>	<b>93.3</b>	<b>257.0</b>

terrain of the country where often it is only the neighbouring cultivator who may buy a land on sale. This is also reflected in the differentials in the average values of sales to the neighbouring and the other cultivators. Both on the basis of per acre and as multiples of land revenue, the average values of sales to the neighbouring cultivators are considerably lower than that of the sales to the other cultivators. The difference in the land values as multiples of land revenue appears smaller than on a per acre basis suggesting that it is possibly the neighbouring cultivator who can afford to buy an inferior warkas land as an adjunct to his holding. Only about 10 per cent of the sales comprising less than 15 per cent of the area sold were by non-cultivating owners and more than half of them were to the tenants-in-possession. The tenants in possession also seem to have a small advantage in price over other cultivators but this is probably for the same reasons as those on account of which the neighbouring cultivators in general were seen to enjoy that advantage.

9.15 As in other districts, we had in this district, selected a sample of landowners and cultivators in order to examine any trends in the relative investment in land improvements of owner-cultivated and tenant-cultivated lands. In Table No. 9.7, we give a distribution of the 163 landowners in our sample according to the size of their holdings. It will be seen that nearly 20 per cent of the landholdings were of 20 acres or more each and that they accounted for nearly 56.5 per cent of the total owned area; or that nearly 40 per cent of the

TABLE No. 9.7.

*Land-owners classified by size of owned holding showing for each class particulars of owned area.*

Size of owned holding (acres)	No. of land-owners	Total owned area (acres)	owner-cultivated (acres)	of which leased out (acres)	uncultivated (acres)
50 or more	5	296.2	17.5	15.0	263.7
20—	29	883.2	103.5	7.5	772.2
10—	33	464.5	92.7	6.8	365.0
5—	43	322.5	80.7	31.1	210.7
2.5—	23	86.8	30.0	12.7	44.1
1.5—	13	24.2	13.8	—	10.4
0.5—	10	8.8	3.4	—	5.4
0—	7	1.2	1.0	0.1	0.1
<b>Total</b>	<b>163</b>	<b>2087.4</b>	<b>342.6</b>	<b>73.2</b>	<b>1671.6</b>

holdings were of size 10 acres or more each and that they accounted for nearly 80 per cent of the area. However, as earlier pointed out is necessary to distinguish the lands in this district into two distinct categories, namely the paddy and the warkas lands. In large parts, the warkas lands are either permanent fallows kept for collecting rab manure, or at best grow only inferior millets when they need frequently to be kept as current fallow. In considering the size of holdings in this district, it will therefore be more appropriate to show separately the cultivated and the non-cultivated area. This is done in parallel columns of the Table and the cultivated area is further distinguished into two classes according as it was owner-cultivated or tenant-cultivated. It will be seen that out of the total of 2087.4 acres, only 415.8 acres, which is less than 20 per cent of the total were cultivated. The proportion of uncultivated area among the larger holdings is larger and hence reduces somewhat the inequalities in the distribution of land holdings. Thus it will be seen that the holdings of 20 acres or more each, though they account for as much as 56.5 per cent of the total area, command only about one-third of the total cultivated area; or similarly that though the holdings of 10 or more acres each account for nearly 80 of the total area, they command only about 60 per cent of the cultivated area.

9.16 Of the 415.8 acres of cultivated area, 342.6 acres were owner-cultivated while the remaining 73.2 acres, forming about 18 per cent of the total, were leased out. For holdings below 2.5 acres each, practically no cultivated area was leased out but for larger holdings except for the very large ones above 50 acres there is no evidence to

suggest that a larger part of the larger holdings was leased out. An unduly large holding was therefore not a usual reason for leasing out in this district.

9.17 We might examine the distribution of the cultivated area more directly by considering the size distribution of the cultivated holdings. Out of the 163 landowners selected in our sample, 13 were non-cultivating owners. On the other hand, we had a sample of 16 pure tenants, that is non-owning cultivators, discovered on the basis of our sample of 10 per cent of plots. We had thus a total of 166 cultivators to study. In Table No. 9.8, we give their distribution according to the size of their cultivated holdings. In parallel columns, we show their total cultivated area distinguished into two classes according as it was owned or leased in. It will be seen that more than half of the holdings were of less than 2.5 acres each and nearly 30 per cent of the holdings were of less than 1.5 acres each. On the basis of the definition of the economic holding as one comprising 4 acres of paddy land nearly 90 per cent of the holdings would appear to be uneconomic.

TABLE No. 9.8.

*Cultivators classified by size of cultivated holding showing for each class particulars of cultivated area.*

Size of cultivated holding (acres)	No. of cultivators	Total cultivated area (acres)	owned (acres)	of which leased in (acres)
10 or more	1	12.0	12.0	—
5—	17	111.3	90.1	21.2
2.5—	53	180.1	141.4	38.7
1.5—	46	86.7	67.7	19.0
0.5—	38	39.2	29.0	10.2
0—	11	2.7	2.4	0.3
<b>Total</b>	<b>166</b>	<b>432.0</b>	<b>342.6</b>	<b>89.4</b>

9.18 Of the total of 432.0 acres of cultivated area, 89.4 acres were leased in. As would be expected, a larger proportion of the smaller holdings was leased in; but the difference in this respect between larger and the smaller holdings was not very large. Nearly 25 per cent of the area of the holdings under 1.5 acres was leased in. The same proportion for holdings of over 5 acres was a little over 17 per cent.

9.19 Physical possibilities of land improvement are not many in this district. On account of the very small land holdings, there is

also probably little margin to effect improvements. A certain amount of expenditure has to be incurred annually on the bunding of paddy fields; but that is more often in the nature of current farm expenditure rather than investment expenditure. The only expenditure which might be classified as investment expenditure is that incurred on reclamation of lands though even here it could often be the normal reclamation of warkas lands kept fallow for a period of years. In the following, we shall briefly examine the reported expenditure on bunding and reclamation of the owner-cultivated lands, leased-out lands and leased-in lands. While classifying the total area into these categories, we have adopted the position as it was in the year 1952-53 and examined the reported expenditure on these three categories of land over the period of five years from 1948-49 to 1952-53. We have this information for a total of 342.6 acres of owner-cultivated land; 73.2 acres of leased-out land and 89.4 acres of leased-in land. No expenditure whatsoever was reported by the landlords on the lands leased out by them. On the lands leased in, the cultivators did not report any expenditure during the first two years, namely 1948-50. It seems therefore that on the tenant-cultivated lands, neither the landlords nor the tenants incurred much of an investment expenditure until 1949-50. After that, the situation seems to have changed for the better though only slightly. The landlords of course did not incur any expenditure on the leased-out lands. The tenants have however reported small amounts incurred on bunding of the leased-in lands. On the total of 89.4 acres of leased-in land, the reported expenditure amounted to Rs. 10, Rs. 110 and Rs. 60 during the three years 1950-51, 1951-52 and 1952-53 respectively. The amounts are too small and the period too short to regard the evidence as anything more than indicating the possibility that the tenants may in due course be induced to take better care of the lands than they traditionally did until recently.

9.20 The 342.6 acres of owner-cultivated area was all owner-cultivated only from 1950-51 when the Khoti Abolition Act came into effect. Before that, that is during the first two years covered by our investigation, a large part of this area was tenant-cultivated and was occupied mostly by the permanent tenants or by tenants on khoti nisbat lands. With the abolition of the khoti tenure, these tenants secured proprietary rights. The principal advantage they derived from this change in title was that they ceased to pay the khot's dues or the rent. It was therefore to be expected that, now that they could enjoy the full benefits of their labour and expenditure on their lands, they would take better care of these lands. In fact, this did not happen. In Table No. 9.9, we give the reported expenditure on these owner-cultivated lands over the period of five years. It will

TABLE No. 9.9.

*Investment expenditure on owner-cultivated lands.*

Items of Investment Expenditure	Total Investment Expenditure in Rs. during				
	1948-49	1949-50	1950-51	1951-52	1952-53
Bunding	110	115	145	155	299
Reclamation	400	200	—	—	40
Total investment (Expenditure per acre (Rs.)510		315	145	155	339
Expenditure per acre in Rs. 1.5		0.9	0.4	0.4	1.0

be seen that the investment expenditure declined considerably in the period immediately following the abolition of khoti, that is in the two years 1950-51 and 1951-52. This happened mainly because in these two years no expenditure was incurred on land reclamation. It is difficult to give any firm explanation but we shall mention a few possible explanations which were brought to our notice during the course of our investigation. Some khots said that the net result of the abolition of the khoti tenure would be that with the ceasing of payment of rents or khots's dues, the cultivators would have ample grain for their needs and they would therefore not make any effort to bring into cultivation all the cultivable area in their occupation. This is a point which could be examined only on the basis of reliable data on crop acreages. The explanation might however be accepted as a contingent possibility. As was pointed out, the tenants, who with the abolition of the khoti tenure acquired full proprietary rights, were traditionally paying 1/3rd or 1/4th share rents. With the abolition of the khoti tenure, these tenants thus obtained a very substantial relief. It is possible therefore that in the initial jubilation they somewhat slackened. Nevertheless, it should be emphasised that even if this ever happened, it could be regarded as no more than a short term contingency and that it would be absurd on that basis to attribute to the erstwhile tenants a permanent lack of desire to improve their living standards with better effort. There was another explanation for the possibility that immediately following the abolition of the khoti tenure, the erstwhile tenant-cultivated lands suffered from lack of attention. As the khot's traditional dues were usually paid in crop shares, the khot naturally paid some attention to the proper cultivation of the lands. In particular, he often supplied, though undoubtedly as loan, better seed. Many tenants had such small holdings that they habitually ran short of grain, both for consumption and seed, and hence depended on grain loans from the khot.

With the abolition of the khoti tenure, such loans were not available. It should be remembered that during these same years, the tenants were required to pay either the occupancy price or the commuted value of the khot's dues relating to the lands over which they acquired proprietary rights. It is possible that the cultivation suffered on these accounts for some time. These are possible explanations. In any case, if the cultivation of the erstwhile tenant-cultivated lands suffered immediately following the abolition of the khoti tenure, it happened only for a short while. The investment expenditure undertaken on these lands during 1952-53 showed signs of returning to the normal levels.

9.21 In conclusion, we may point out that the tenancy reform effected by the abolition of the khoti tenure in Ratnagiri district was a major operation and was more radical than that attempted by the Bombay Tenancy and Agricultural Lands Act of 1948 in other districts of the State. The benefits accruing to the tenants from the abolition of the khoti tenure are too obvious to need any statistical demonstration. Whether these reforms would lead to better care of the lands and increased agricultural production is a larger issue. The conditions in this district are not very favourable to show any immediate effects. The physical possibilities of land improvement are distinctly limited and the agricultural holdings are too small to allow much margin to experiment.

## CHAPTER X

### CONDITIONS IN KARWAR DISTRICT

10.1 In this Chapter we shall describe the conditions in Karwar district as revealed by our investigation. The reason for making it into a separate chapter was the existence, in this district, of a large class of perpetual lessees known as mulgenidars holding land not directly from Government but under superior holders. They pay land revenue to Government and a fixed rent to the owner, not subject to enhancement by the latter. The owners have a reversionary interest in these lands and a lien on them in case of default by the mulgenidars. The mulgenidars have a perpetual and inheritable right in their lands, but, unlike the statutory rights of the privileged occupants in Ratnagiri district, the rights of mulgenidars are derived from contract and hence are liable to variation from individual to individual in such particulars as mode and level of rents, rights of alienation and so on. Usually the mulgeni contracts are in writing and are registered.

10.2 The practice of creating mulgeni rights originated in the early nineteenth century when large tracts of land in this district had gone out of cultivation on account of the campaigns of Haidar and Tippu in the latter part of the eighteenth century when the country was partially depopulated and the lands were deserted so that the owners were finding it difficult even to pay the land revenue in respect of their lands. Later, the practice persisted as a convenient form of leasing out. However it is no longer the prevailing mode of leasing out and we have now only stray cases of creating fresh mulgeni rights.

10.3 The earlier mulgeni contracts usually stipulated cash rents which were either equal to or only slightly in excess of the survey assessment of the lands then prevailing. In later deeds however the rents appear much higher and, in addition, the mulgenidar also paid the land revenue. There also appears a shift towards fixed rents in kind or sometimes even share or mixed rents. On the other hand, while the earlier contracts stipulated that the mulgeni rights were inheritable but not transferable, the later contracts gave full alienation rights to the mulgenidars. As a consequence, some of the mulgenidars gave their lands in perpetual leases to sub-mulgenidars for higher rents thus creating a succession of intermediate interests. Besides, many mulgenidars of course rented out their lands to ordinary tenants.



10.4 Another class of rights, similar to the mulgeni rights existing in this district is the nadagi rights. The nadagi rights are much less frequent and were apparently created to suit the conditions of the coconut plantations. Under the system, an owner, after planting, handed over the plantation to a nadagidar who reared it; the owner bore the expenses and the nadagidar got no remuneration until the plantation matured. When the plantation started yielding fruit, the owner was entitled to a three-fifths share. The nadagi rights were also usually secured by written contracts.

10.5 The sample of plots selected for investigation in this district consisted of 1072 plots with a total cultivated area of 529 acres. In Table No. 10.1 we give a classification of these plots and the corresponding area according to the type of tenure under which they were held in 1948-49. It will be seen that 30.6 per cent of the area was cultivated by owners; 14.7 per cent was cultivated by perpetual lessees, mostly mulgenidars; 45.1 per cent was cultivated by ordinary tenants of the owners and the remaining 9.6 per cent was cultivated by the ordinary tenants of the mulgenidars. In other words we might say that nearly 75 per cent of the area was held under ordinary tenure and that only 40 per cent of it was owner-cultivated while nearly 60 per cent was tenant-cultivated by ordinary tenants. On the other hand, nearly 25 per cent of the area was held by perpetual lessees of which nearly 60 per cent was cultivated personally by the lessees and 40 per cent was rented out to ordinary tenants. It will thus be seen that, in comparison with other districts, tenant-cultivation is the most extensive in Karwar district, nearly 55 per cent of the total area being under ordinary tenant-cultivation and another 15 per cent under perpetual lessees. Moreover, renting out by perpetual lessees is quite common so that as a class they are seen to be no more proper cultivators than are the other landowners.

TABLE No. 10.1.

*Percentage distribution of the area of sample plots according to the type of tenure in 1948-49.*

Tenure class	No. of plots	Area in acres	Percentage of total area cultivated by		
			owners	lessees	tenants
held by owners	822	400.2	30.6	—	45.1
held by mulgenidars	231	121.4	—	13.3	9.6
held by sub-mulgenidars	9	2.7	—	0.5	—
held by nadagidars	10	4.7	—	0.9	—
<b>Total</b>	<b>1072</b>	<b>529.0</b>	<b>30.6</b>	<b>14.7</b>	<b>54.7</b>

10.6 The rents agreed upon between the perpetual lessees and the owners were usually found noted in the village records. Out of the 250 plots held by perpetual lessees, we could obtain this information in respect of 150 plots involving a total area of 80.4 acres. In the case of 57.1 per cent of this area, the lessees paid fixed rents in kind and in 27.0 per cent of the area, they paid cash rents. 14.2 per cent of the area was share rented though except in the case of nadagidars, the specific shares were not found noted in the village records; as earlier noted, the nadagidars paid three-fifths share. The remaining 1.7 per cent of the area was leased out for other kinds of considerations. The cash rents generally prevailed on smaller and presumably better quality plots and the cash rents averaged Rs. 17.8 per acre which was equivalent to 4.3 multiples of the survey assessment. It is obvious therefore that the rents on perpetual leases were by no means very low.

10.7 The Bombay Tenancy Act of 1939 was amended in 1946 and was made applicable all over the State and as a first step the rights of protected tenancies were recorded in the Record of Rights. The rights of the perpetual lessees, namely, the mulgenidars and the nadagidars, were of course superior to the rights of the protected tenants and they remained unaffected. On the other hand, such of the ordinary tenants as qualified for the rights of the protected tenancy were recorded as such. As will appear from Table No. 10.1, in 1948-49, 54.7 per cent of the total area was cultivated by tenants either under the owners or under the lessees. This consisted of 392 plots. We found that on 251 of these, the right of protected tenancy was recorded initially in 1947-48. But by the next year, that is by 1948-49, on 26 of these plots, the tenants recorded to be protected tenants had already been evicted and replaced by new tenants so that in 1948-49, tenants on only 225 out of the 392 tenant-cultivated plots appeared to be protected tenants. Also, 10 more cases came to our notice where the plots were cultivated by tenants recorded to be protected tenants in 1947-48 but which, in 1948-49, were resumed by the owners. The process of resumption and of change of tenants on plots even where the right of protected tenancy was recorded, continued during the five-year period covered by our investigation. During this period, there occurred 13 cases of resumption and 19 cases of change of tenants so that in 1952-53, there remained only 193 plots under protected tenants. Thus of the 261 protected tenancies recorded in 1947-48, only 193 remained alive in 1952-53.

10.8 We might now examine the tenancy changes more generally. As will appear from Table No. 10.1, 30.6 per cent of the total area of our sample of plots was cultivated by owners in 1948-49; 14.7

per cent was cultivated by lessees; 45.1 per cent was cultivated by tenants of owners and 9.6 per cent was cultivated by tenants of lessees. In 1952-53, 93.6 per cent of the area cultivated by the owners continued to be under their cultivation while 6.4 per cent was rented out. Similarly 96.7 per cent of the area cultivated by the lessees continued to be under their cultivation while 3.3 per cent was rented out. On the other hand, of the area cultivated by the tenants of the owners, only 82.9 per cent continued to be tenant-cultivated by the same tenants and another 0.2 per cent was acquired by the tenants; of the remaining, 12.0 per cent was resumed by the owners and on 4.9 per cent of the area, the tenants were changed. The conditions on the area cultivated by the tenants of the lessees were not materially different. Thus, only 82.3 per cent of this area continued to be tenant-cultivated by the same tenants; 16.1 per cent of it was resumed by the lessees and on 1.6 per cent of the area, the tenants were changed. On the whole it will be seen that more area was resumed than was newly leased out. As a consequence, in 1952-53, a somewhat larger proportion of the area was cultivated either by the owners or by the lessees and a smaller proportion of the area was cultivated by the tenants of either the owners or of the lessees. In fact, in 1952-53, 34.1 per cent of the area was cultivated by the owners; 15.7 per cent was cultivated by the lessees; 41.6 per cent was cultivated by the tenants of the owners and 8.6 per cent of the area was cultivated by the tenants of the lessees.

10.9 The above description of the tenancy changes during the five year period is based on the changes appearing in the village records in respect of the ten per cent sample of plots but duly verified by personal interviewing of the parties concerned. For, as in the other districts, the village records in this district also showed a number of recording errors. In fact, on the basis of the village records, our sample of 1072 plots showed 234 cases of tenancy change. To these cases were added 62 more cases of tenancy change mostly occurring in 1952-53 but on plots not covered by the sample. We thus had a total of 296 cases of tenancy change as indicated by the village records. Of these, we followed up 270 cases by personal interviewing of the parties concerned; in the remaining 26 cases, the parties could not be contacted. It turned out that in 76 of the 270 cases, that is in more than one-fourth of the cases, no real tenancy change was involved; in 38 cases the apparent change was because of recording errors and in 13 cases, they were on account of the rectification of previous errors. In 20 cases, there were no recording errors as such but nevertheless they did not involve genuine changes because of the relationships between the parties concerned. In 5 cases, the changes were genuine but had taken place prior to 1948 and were

recorded only later. In the remaining 194 cases examined by us, the tenancy changes were genuine. In Table No. 10.2, we have classified them according to the nature of the tenancy change.

TABLE No. 10.2.

*Cases of tenancy change and the related area classified by type of change.*

Type of tenancy change	No. of cases	Area (Acres)
<b>New Leases</b>		
by owners	41	56.6
by lessees	4	11.5
subletting by tenants	15	25.1
<b>Resumption</b>		
by owners	49	61.4
by lessees	15	37.2
by principal tenants	10	33.9
<b>Change of Tenants</b>		
by owners	37	80.2
by lessees	5	2.2
by principal tenants	5	31.9
<b>Acquisition of Land</b>		
by lessees	1	0.3
by tenants	12	3.0
<b>Total</b>	<b>194</b>	<b>343.3</b>

10.10 As will be seen, there were in all 60 cases of fresh leasing, of which 41 were by owners, 4 were by lessees and the remaining 15 were of subletting by tenants. The 41 cases of new leasing by owners involved an area of 56.6 acres. In the case of 76.2 per cent of this area, the owners did not reside in the respective villages and 15.3 per cent of the area was under public ownership. 94.5 per cent of the leased area was leased out with the object of effecting improvement in the soil. 69.3 per cent of the area was leased out for fixed rents in kind and 26.1 per cent was leased out free of rent with the sole purpose of bringing it under cultivation. The 4 cases of new leasing by lessees involved an area of 11.5 acres. In 2 of the cases, the mulgenidars said that they were short of family labour and hence had leased out. In one case, the land was leased out for bringing it under cultivation. The remaining case was of one sub-mulgenidar leasing out for a clear advantage in rent. Subletting by ordinary tenants also appears common in this district and we have in fact 15 such cases involving an area of 25.1 acres. But in none of these was there evidence of the subletting being done for an advantage of rent. In a majority of these cases, the prin-

cipal tenants were apparently seeking employment in forest areas in this district and had temporarily resorted to subletting.

10.11 There were 74 cases of resumption; 49 by the owners, 15 by the lessees and 10 of the principal tenants evicting the sub-tenants. The 49 cases of resumption by the owners involved an area of 61.4 acres. In the case of 87.1 per cent of this area the owners were resident in the respective villages. Nearly 57 per cent of the resumed area was previously rented out for fixed rent in kind and the remaining for share rent. In the case of nearly half of the resumed area, the evicted tenants were on the lands for 9 or more years. The reasons for resumption given by the tenants and the landlords do not agree well. According to the reports by the evicted tenants, in the case of 22.2 per cent of the area, the leased term had expired; in the case of 67.9 per cent, the tenants surrendered because the landlords wanted it for personal cultivation; and in 2.1 per cent, they surrendered for personal reasons. In the case of 4.4 per cent of the area, the tenancy was terminated by landlords because they wanted it for personal cultivation and in the case of 3.4 per cent, the tenants admitted, it was because of default on the part of the tenants. As against this, the landlords reported that in the case of 43.0 per cent of the resumed area, the tenants had defaulted payment of rent. Further, they reported that in the case of 7.5 per cent of the area, it was a case of redemption of mortgage and not of resumption; this was not corroborated by the evicted tenants.

10.12 The 15 cases of resumption by lessees involved an area of 37.2 acres. In 9 out of these 15 cases, the evicted tenants were on the lands for 9 or more years. In 8 of the 15 cases, the tenants had migrated or left of their own accord for personal reasons. In 5 cases, the resumption was for personal cultivation by the lessees. In 2 cases, according to the version of the lessees, the tenants had defaulted; this was admitted by the tenants in one case while disputed in the other.

10.13 The 10 cases of resumption by the principal tenants involved an area of 33.9 acres. In 4 of these cases, the land was resumed on grounds of personal cultivation; in 3 cases, because the lease had expired and in the remaining 3 cases, because the sub-tenants had left of their own accord.

10.14 There were 47 cases of change of tenants, 37 of which were done by owners, 5 by lessees and 5 by principal tenants. The 37 cases of change of tenants made by the owners involved an area of 80.2 acres. In the case of 73.2 per cent of this area the owners were not residents in the respective villages; 23 per cent of the area was in the possession of the evicted tenants for more than five years.

Prior to the change of tenants, 48.5 per cent of the area was rented for fixed kind rents; after the change of tenants this proportion rose to 61.9 per cent. On the other hand, 44.1 per cent of the area was share rented prior to the change of tenants; after the change of tenants, this dropped to 17.8 per cent. In fact, out of the 37 cases of change of tenants, in 8 cases an initial share rent was changed to a fixed kind rent while only in one case, an initial fixed kind rent was changed to a share rent. It would also appear from the earlier discussion of the cases of fresh leasing and of resumption that a larger proportion of the newly leased out area was leased for fixed kind rents than appeared in the area resumed. It seems therefore that there was a shift from share rents to fixed kind rents. It is difficult to say whether this was in consequence of the fact that the maximum rent under the Act was defined in terms of share rent and not in terms of fixed rent, either in cash or in kind.

10.15 As for the reasons for terminating the tenancies, the evicted tenants and the owners have apparently given their respective reasons. But in large part, it seems that the former tenants had resigned voluntarily on personal grounds. Thus, they reported that in the case of 27.6 per cent of the area, they resigned because they were short of family labour and in another 13.6 per cent of the area, because it was not profitable to cultivate the plots. In the case of 11.3 per cent of the area, the tenancies were terminated because of death or migration of the former tenants. In only 14.2 per cent of the area, the former tenants said they resigned because the owners wanted the land for personal cultivation and in only 3.1 per cent of the area, they said that the tenancies were terminated against their will. On the other hand, the landlords reported that in nearly two-thirds of the cases the former tenancies were terminated because they were in need of funds and that the plots concerned were later mortgaged. This was not corroborated by the new tenants; they said that they were proper tenants though some of them had paid advance rents. The 10 cases of change of tenants by the lessees or the principal tenants, were mostly on account of death or migration of the former tenants. We had earlier referred to the migration in search of employment in forest areas. This seems to be an important circumstance leading to all the three types of tenancy changes in this district, namely, fresh leasing, resumption and change of tenants.

10.16 There were apparently 12 cases of tenants acquiring the ownership of the land in their possession. But on closer examination, it appeared that only 2 of them were genuine. The remaining 10 cases were in fact of redemption of mortgage. There was also one case where a mulgenidar acquired full ownership rights of the

lands in his possession. It was a small plot of land measuring only 0.3 acres.

10.17 We shall next examine the changes in ownership through the purchase and sale of land. The sample of plots gave only 10 cases of sale. To these were added 151 cases of sale taken from the office of the sub-registrar. We had thus a sample of 161 sales. On closer scrutiny, it appeared that only 135 of these were cases of genuine sales; 21 were of mortgages and the remaining 5 were cases of gifts. Of the 135 cases of sale, 20 had occurred in 1948-49 and 12, 17, 27 and 59 in the subsequent four years respectively. They involved a total area of 170.0 acres. The average sale value was Rs. 432.6 per acre or 128.1 times the land revenue.

10.18 The cases of sale of land in this district fall into four distinct categories, namely, (i) sale of full ownership rights; (ii) sale of ownership rights in mulgeni lands; (iii) sale of existing mulgeni rights; and (iv) creation of new mulgeni rights. In Table No. 10.3,

TABLE No. 10.3.

*Particulars of cases of sale of land classified by the type of sale.*

Type of sale	No. of sales	Area (acres)	Sale value per acre (Rs.)	Sale value as multiple of land revenue
Sale of land	92	121.1	432.7	131.8
Sale of ownership rights in mulgeni lands	17	19.2	650.5	193.0
Sale of existing mulgeni rights	22	28.8	173.3	57.1
Creation of new mulgeni rights	4	0.9	1111.1	188.7
<b>Total</b>	<b>135</b>	<b>170.0</b>	<b>432.6</b>	<b>128.1</b>

we give particulars of the cases of sale thus classified into these four categories. It will be seen that the average value of the sales of full ownership rights per acre or as multiple of land revenue is higher than the corresponding value of the sales of mulgeni rights. This is as it should be. But it is a little surprising that the value of the sales of ownership rights in mulgeni lands should be higher than the value of the sales of full ownership rights. Further, the value of creating new mulgeni rights appears higher still. In fact, in both these cases, this has happened due to exceptional circumstances. Out of the 135 sales under study, only 119 were sales of agricultural lands; 10 involved plots with farm houses and in 6 cases the sales were specifically for new building purposes. The average sale values per acre of these three categories of sales were

Rs. 433.3, Rs. 986.8 and Rs. 1744.4 respectively. The corresponding multiples of land revenue were 123.5, 215.5 and 436.5 respectively. It chanced that out of the 17 cases of sale of ownership rights in mulgeni lands, 11 cases involved either plots with farm houses or plots sold specifically for building purposes. On the other hand, there were no such cases to be found among the 92 cases of sale of full ownership rights. The apparently higher values of sale of ownership rights in mulgeni lands are due to this circumstance.

10.19 The 4 cases of creating new mulgeni rights also exhibited exceptional features. In the first instance, it will be noted that they all involved very small plots; in fact, the 4 together involved only a total of 0.9 acres. In 2 of the cases, they were in fact sales of full ownership rights but because this could not be done on account of the provisions of the Prevention of Fragmentation and Consolidation of Holdings Act, a mulgeni contract was executed with a nominal rent of 4 annas per annum. In another case, an ordinary tenant had constructed a house on the plots in his possession; taking advantage of this, the owner had forced on him the mulgeni rights at an exorbitant price. In the remaining case, the mulgeni rights were forced on a neighbouring cultivator by denying him passage through the plot in question; here too the price was exorbitant. As will appear from these cases, the creation of new mulgeni rights is not now ordinarily done under normal circumstances. The prices paid for the purpose are therefore either exorbitant or at least not lower than the prices paid in ordinary sales.

10.20 Confining our attention to only the sales of agricultural lands, we might examine the variation in the sale values in relation to the size of the sale and the category of the sellers and the buyers. In Table No. 10.4 we give particulars of the 119 sales classified according to their size. It will be seen that a large majority of the sales involved plots of under one acre and that their sale value, both per acre and as multiple of land revenue was much higher than that

TABLE No. 10.4.

*Particulars of sales of agricultural lands classified by size of sale in acres.*

Size of the sale in acres	No. of sales as percentage of total	Area of sales as percentage of total	Sale value per acre (Rs.)	Sale value as multiple of land revenue
0—	67.2	19.1	813.0	189.0
1—	17.6	19.9	693.3	179.6
2 or more	15.2	61.0	234.0	73.0
Total	119	165.3	433.3	123.5



of sales of larger size. In Table No. 10.5, we give particulars of these sales classified according to the category of the sellers and the buyers. It is a little surprising that the average sale values of the sales by non-cultivating owners should be substantially higher than those by cultivating owners. This seems to be true both when compared on a per acre basis and also as multiples of land revenue. This suggests that the Tenancy Act had made little effect on the land market in this district. On the other hand, among the buyers, the tenant and the neighbouring cultivator seem to enjoy a certain advantage over other cultivators and possibly also over non-cultivators. But, as in Ratnagiri district, this might be more on account of the difficult terrain of the country than on account of the higher priority accorded by the Act to the tenant-in-possession and the neighbouring cultivator.

TABLE No. 10.5.

*Particulars of sales of agricultural lands classified by category of sellers and buyers.*

Category of sellers & buyers	No. of sales as percentage of total	Area of sales as percentage of total	Sale value per acre (Rs.)	Sale value of land as multiple revenue
<b>Sold by a cultivating owner to</b>				
Neighbouring cultivator	5.0	6.3	154.8	42.4
Other cultivator	20.2	8.5	962.1	188.3
Non-cultivator	12.6	21.8	220.8	155.5
<b>Sold by a non-cultivating owner to</b>				
Tenant	24.5	21.9	418.2	118.3
Neighbouring cultivator	0.8	0.8	400.0	217.4
Other cultivator	19.3	12.5	618.5	196.1
Non-cultivator	17.6	28.2	433.7	105.0
<b>Total</b>	<b>119</b>	<b>165.3</b>	<b>433.3</b>	<b>123.5</b>

10.21 As in other districts, we had in this district selected a sample of landowners and cultivators in order to examine any trends in the relative investment in land improvement of the owner-cultivated and the tenant-cultivated lands. Our sample comprised a total of 151 landowners. In Table No. 10.6, we give their distribution according to the size of their holdings. It will be seen that less than 10 per cent of the landowners had holdings of 20 acres or more; but that they accounted for more than 60 per cent of the total owned area and 75 per cent of the leased out area. At the other extreme, nearly 20 per cent of the owners had holdings of less than half an acre. In the last column of the Table, the leased out area

TABLE No. 10.6.

*Particulars of owned holdings classified by size of holding.*

Size of owned holding in acres	No. of owners	Area owned (acres)	Area leased out (acres)	Leased out as percentage of owned
100 or more	1	282.2	282.2	100.0
50—	4	316.2	276.2	85.5
20—	8	221.5	159.3	71.9
10—	17	228.2	129.6	56.8
5—	15	94.0	58.4	61.5
2.5—	32	107.9	35.4	32.8
1.5—	18	32.4	11.1	34.3
0.5—	27	24.7	4.2	16.8
Less than 0.5	29	5.6	0.6	10.7
<b>Total</b>	<b>151</b>	<b>1313.7</b>	<b>957.0</b>	<b>72.8</b>

is shown as a percentage of the owned area from which it will appear that large landowners had leased out a major portion of their holdings. It should be noted that in this Table, the leased out area includes area leased out to the perpetual lessees as also to ordinary tenants.

10.22 Of the 151 landowners, 17 were non-cultivating owners. On the other hand, we had another sample of 17 pure tenants, that is, non-owning cultivators including the perpetual lessees. We have thus a sample of 151 cultivators. In Table No. 10.7, we give their distribution according to the size of their cultivated holdings. It will be seen that a little over 15 per cent of the cultivators had holdings of more than 5 acres while nearly 20 per cent had holdings of

TABLE No. 10.7.

*Particulars of cultivated holdings classified by size of holding.*

Size of cultivated holding in acres	No. of cultivators	Area cultivated (acres)	Area leased in (acres)	Leased in as percentage of cultivated
20 or more	2	52.9	—	—
10—	6	80.5	1.2	1.5
5—	15	93.0	14.0	15.1
2.5—	46	159.3	58.4	36.7
1.5—	22	42.3	22.4	53.0
0.5—	32	31.1	12.8	40.0
Less than 0.5	28	7.6	1.2	15.8
<b>Total</b>	<b>151</b>	<b>466.7</b>	<b>110.0</b>	<b>23.6</b>

less than half an acre. A large part of the holdings of cultivators of between a half and 5 acres, were leased-in-lands including of course lands obtained on perpetual leases.

10.23 In Table No. 10.8, we give particulars of the investment expenditure undertaken by these landowners and cultivators during the five years 1948-53. We have shown this expenditure separately for the owner-cultivated, leased out and the leased in lands. It will appear that during the five years, the landowners incurred on their owner-cultivated lands an average of Rs. 25 worth of investment expenditure per acre per annum. In comparison with many other districts, this is quite large. It is true that more than half of this expenditure was on bunding or on repair of bunds which in this district may be more in the nature of current farm expenditure. Nevertheless, the remaining part, which is more than Rs. 10 per acre per annum, was on items which might be properly called investment items. In comparison with other districts, even this is large. Comparatively, the landowners had incurred very little expenditure on the leased out lands. Some of these lands were of course perpetual leases. On the other hand, the cultivators have reported substantial expenditure on the leased in lands; this is Rs. 7.5 per acre per annum. However, more than 90 per cent of this expenditure was on bunding, or on repair of bunds and on fencing of the fields. Very little expenditure was incurred on items which might be truly called investment items.

TABLE No. 10.8.

*Investment expenditure during 1948-53 on owner-cultivated, leased out and leased in lands shown distributed (in percentages) over different items of expenditure.*

Items of investment expenditure	Owner cultivated	Leased out	Leased in
Construction of new wells	24.5	7.1	2.4
Repairs to wells	3.8	1.9	2.4
Bunding	25.2	5.9	46.2
Repairs to bunds	26.8	34.2	40.4
Reclamation	5.2	10.8	—
New plantations	8.7	—	2.9
Fencing and others	5.8	40.1	6.1
<b>Total investment exp. in Rs.</b>	<b>44,560</b>	<b>4240</b>	<b>4110</b>
<b>Expenditure per acre (Rs.) average for 1948-53</b>	<b>25.0</b>	<b>0.9</b>	<b>7.5</b>

10.24 While examining the relative progression of investment expenditure on the owner-cultivated and the leased in lands, in this

district, we should therefore distinguish the items of expenditure into two broad categories; in one, we might group expenditure on such items as construction and repair of wells, reclamation and new plantations which might be truly in the nature of investment; in the other, we might group the expenditure on such items as bunding and repair of bunds and fencing of fields which might be more in the nature of current farm expenditure. In Table No. 10.9, we

TABLE No. 10.9.

*Particulars of investment expenditure on owner-cultivated and leased in lands for each year from 1948-49 to 1952-53.*

Year	Expenditure per acre (Rs.) on			
	Construction and repairs of wells, reclamation and new plantations		Bunding, repair to bunds, fencing and other items	
	on owner-cultivated lands	on leased in lands	on owner-cultivated lands	on leased in lands
1948-49	8.1	1.7	16.0	2.9
1949-50	4.1	0.1	10.7	3.2
1950-51	6.8	0.3	11.8	8.6
1951-52	7.1	0.7	22.8	5.7
1952-53	27.0	0.1	11.9	14.1
Average for 1948-53	10.6	0.6	14.4	7.1

have classified the expenditure into these two categories and shown average per acre expenditure on them for each year from 1948-49 to 1952-53, separately for the owner-cultivated and the leased in lands. Confining our attention to the expenditure on the first group of items, it will be seen that the corresponding expenditure on even the owner-cultivated lands does not show any systematic variation over the first four years; in the last year, it shows a sudden increase, nearly three or four fold which might be entirely accidental. The corresponding expenditure on the leased in lands also does not show any systematic variation but there is an indication that if anything the investment expenditure on the leased in lands has somewhat declined over the five years. It may be noted that the leased in lands included the lands cultivated by tenants under ordinary tenure and also the lands held and cultivated by the perpetual lessees. It would have been better if we could distinguish these two classes in the above discussion. Unfortunately, our schedule in which the information relating to the investment expenditure was obtained did not provide for the noting of this special tenancy feature in this district. The distinction could not therefore be made in the analysis. A reference to Table No. 10.1 however will show that

while nearly 55 per cent of the total area in this district was cultivated by ordinary tenants only about 15 per cent was cultivated by the perpetual lessees. In the leased in area appearing in Table Nos. 10.8 and 10.9, therefore, more than three-fourths would be held by ordinary tenants and the indications given by the data of these Tables might therefore be broadly regarded to hold good for the ordinary tenants. Prima facie, one might suppose that the conditions on lands held and personally cultivated by the perpetual lessees, would not be materially different from that on the lands cultivated by the full owners.

10.25 In conclusion, we may therefore note that, as in most other districts, our investigation has brought out little to suggest that the Tenancy Act had made any favourable effect on the tenancy conditions in this district.

## CHAPTER XI

### THE NEW AMENDMENT

11.1 In Chapter II while describing the main provisions of the Bombay Tenancy and Agricultural Lands Act of 1948 as amended up to 1953, it was pointed out that the Act suffered from two main weaknesses. In the first instance, all of its provisions for the security of tenure, both of the protected and the ordinary tenant, were undermined by the one loop-hole that when the tenant surrendered his lands in favour of the landlord, the landlord could retain them without any restrictions whatsoever. Secondly, the right of purchase, on their own initiative, given to the protected tenants was of very limited potential in promoting transfer of agricultural lands from non-cultivating to cultivating hands. The data presented so far fully expose these two weaknesses of the Act. The Government also recognised these inherent weaknesses and acknowledged that the Act had failed in its working to achieve the two major objectives, namely, the protection to the tenant from eviction and a gradual transfer of agricultural lands into the hands of the tiller. The Act had also introduced the concepts of a ceiling area and an agricultural holding in the sense of a floor area; but the Government rightly felt that more positive action was necessary to enforce the concepts of ceiling and floor to agricultural holdings. Therefore in order to remedy these weaknesses of the Act as it stood, the Government moved a comprehensive and a rather extensive amendment in the form of the Bombay Tenancy and Agricultural Lands Act, 1955. It was passed by the Bombay Legislative Assembly in September 1955 and has recently received the assent of the President. It will be appropriate to examine briefly the main provisions of this latest amendment in relation to the basic weaknesses of the original Act.

11.2 Under the Act as it stood prior to the amendment, the landlord enjoyed the right to resume his lands for personal cultivation, with a certain difference between the protected and the ordinary tenant, subject to a limit of 50 acres on his cultivating holding. Under the amendment he continues to enjoy this right except that the limit on the holding has now been more precisely defined as the ceiling area which is put at 48 acres of dry land or 24 acres of seasonally irrigated or rice land or 12 acres of perennially irrigated land. Under the original Act, this right of resumption had an important qualification. It was only when the holding of the landlord was not in excess of an agricultural holding, defined to mean 16

acres of dry land or 4 acres of irrigated or rice land, that his right to resume extended to the entire area held on lease by the tenant; otherwise, the right was limited to only half the area of the land leased. By the new amendment, the concept of the agricultural holding has been dropped in this context and the right of resumption is now universally limited to only half the leased area so that the tenants enjoy unqualified protection on at least half the leased area.

11.3 The principal weakness of the original Act in respect of the protection given to the tenant however was that the tenant could at any time surrender his interests in favour of the landlord; and that when he did so, the landlord could resume the lands without any restrictions whatsoever. We have seen the consequences of this loop-hole. The new amendment seeks to remedy this important weakness. Under the amendment the tenant may of course terminate the tenancy by surrendering his interests in favour of the landlord; but in that event the landlord can retain such surrendered area only subject to the ceiling on his holding. Any excess of the surrendered land which the landlord cannot thus retain, is at the disposal of the Government for sale to persons in certain specified priorities. Thus the landlord's right of resumption is now effectively limited by the ceiling area. It may be said therefore that the new amendment has very effectively remedied the main weakness of the original Act in this respect.

11.4 Under the original Act, a protected tenant was given the right to purchase, on his own initiative, the land held by him as a protected tenant provided that it did not raise the tenant's holding above 50 acres and did not reduce the landlord's holding below 50 acres. Thus though an important right was conferred on the protected tenant, its potential was severely limited on account of the latter of the two restrictions. The right is now extended to all tenants. The first of the two restrictions continues and the tenants' right to purchase is limited by the ceiling on his own holding. But the second restriction is now replaced by a much milder condition. Now it is only if the holding of the landlord is smaller than an economic holding which is defined as 16 acres of dry land or its equivalent of other kinds of land and if his annual income including the rent of such land does not exceed Rs. 1500, that the tenant has no right to purchase such land on his own initiative. In all other cases, the tenant not only is given an unqualified right to purchase the land held by him as a tenant, but on and with effect from 1st April 1957, which is termed the Tillers' Day, every tenant, in terms of the amendment, will be deemed to have purchased the land held by him as a tenant.,

11.5 The actual operation of this 'deemed to have purchased' clause is of interest. Such of the area as the tenant cannot purchase because that may raise his holding above the ceiling, he is to surrender to the landlord who may retain it subject to the ceiling on his own holding. On the other hand such of the area which the tenant cannot purchase because the holding of the landlord is smaller than the economic holding, the tenant will continue to hold as a tenant. In other cases, where the tenant is deemed to have purchased, but actually refuses to purchase, he is to be evicted and the land surrendered to the landlord. If he is willing to purchase, he is to pay the price as fixed by the Tribunal which is to be between 50 to 200 times the land revenue plus the value of wells, buildings, trees etc. The price may be paid either in lump sum or in instalments not more than ten; and here an important concession is given, namely that even if the payment is made in instalments, the payment of rent ceases with the payment of the first instalment. That apparently is the implication of the phrasing that the tenant will be deemed to have purchased. When the payment of the price is made by instalments, any arrears of the instalments are recoverable as arrears of land revenue, and if the tenant is in arrears of more than four instalments, the purchase is declared ineffective, the amount of instalments refunded to him after deducting the rent dues, he is evicted and the land surrendered to the landlord. These provisions also apply to the tenancies created after the Tiller's Day. Any such new tenant must exercise his right to purchase within one year failing which he is evicted and the land surrendered to the landlord. Thus all such new tenancies will in effect be only one year tenancies.

11.6 Whenever the land is surrendered to the landlord in any of the circumstances described above, he may retain it only subject to the ceiling on his holding. All excess of the surrendered land is at the disposal of the Government for sale to persons in a certain order of priorities, in which the agricultural labourers, landless persons and small holders, that is holders of smaller than economic holdings, get a high priority. It will thus be seen that the principle of ceiling on land holdings is consistently upheld. The only exception is of the persons who own and cultivate presently larger holdings. Even here if a person has acquired any area, after 1-1-1952, by surrender from his tenant, the total area owned and cultivated by him must not exceed two times the ceiling area. All fresh acquisitions of land in excess of the ceiling area under any circumstances except by lawful inheritance are invalid.

11.7 The original provisions regulating the rent have also been amended in important respects. In the first instance it is now laid down that the rent shall be paid in cash only. Thus share renting



is abolished. The maximum rent is defined as five times the assessment or Rs. 20 per acre whichever is less but in no case less than two times the assessment. The tenant is, however, now made liable to pay the land revenue, irrigation cess and the local board cess. He is thus brought into direct contact with the Government. Though the share rent has been abolished and the maxima have been defined in terms of cash, by another provision the real limiting maximum is defined in terms of a crop share and is fixed at one-sixth of the value of the crop. In no year, the aggregate of the land revenue, local cess and the rent must exceed one-sixth of the value of the crop and the excess, if any, is to be deducted from the rent payable.

11.8 It will be seen however that in spite of these important amendments of the original provisions for security of tenure and regulation of rent, the most important feature of the amendment is the obligatory right of purchase given to the tenant and the procedure envisaged to effect a quick transfer of all agricultural lands into the hands of the cultivators. Hence it may be said that the amendment does not aim at any stable or what may be called normal relationship between the landlord and the tenant; instead it aims at putting an end to this relationship except in a few special circumstances. If this part of the amendment succeeds in its operation, the provisions for protection to tenant and regulation of rent will be found to be either redundant or of only minor importance as they will concern only a small section of the peasantry. On the other hand, if the enforcement of the 'deemed to have purchased' clause raises administrative and other difficulties, as it well may, and hence if the process of transfer of agricultural lands is delayed beyond a limit, the provisions of protection will be null and void and all the tenants will be reduced to the status of tenants-at-will. In consequence the provisions for the regulation of rent also may become ineffective in practice. Thus the amendment is in many ways an ambitious piece of legislation. There is a danger however that it may suffer on account of attempting too much.

## CHAPTER XII

### CONCLUDING REMARKS

12.1 The main facts brought out by this investigation are, firstly, the extensive resumption and changes of tenants that took place even after the enforcing of the Act showing that the protection given to the tenants could not be effective in practice; secondly, a more or less normal market in land showing that the provisions for promoting the transfer of lands into the hands of the tillers were not quite effective; and thirdly, an almost complete absence of any signs of lowering the share and cash rents or of any changes in the tenancy practices. As we have explained, the first two of these failures are attributable to certain inherent weaknesses of the original Act of 1948. The original provisions regarding the protection given to the tenant suffered from an important loop-hole, namely, that the tenant could surrender his land in favour of the landlord and when so surrendered the landlord could retain it without any restrictions. Similarly, the right given to the protected tenant to purchase on his own initiative, the lands cultivated by him was limited by an important condition that the purchase must not result in reducing the holding of the landlord below 50 acres. The latest amendment has remedied the original shortcomings in both these respects. The third failure, namely, the failure to regulate rent, is however the most distressing for it is entirely a failure of implementation. As we have seen, in all the districts except Thana and Kolaba, the share rents have remained unchanged. The cash rents also have shown no signs of lowering. In fact, from the evidence we have presented, it is clear that at least on occasions when tenants were changed, there have been more cases of raising than of lowering the rents. The surprising element of the situation is that even the landlords reported to us the true rents they received and that they found no reasons to conceal the facts. Under the circumstances, many of our questions relating to the various specific provisions of the Act sounded extremely unrealistic. For all practical purposes the Act did not exist.

12.2 It is against this background that the implementation of the more comprehensive and far reaching provisions of the latest amendment must be thought out. As was pointed out, this amendment is not based on any concept of a normal landlord-tenant relationship; instead it seeks to abolish this relationship altogether. Firstly, by protecting the tenant more securely than before and by reducing the

rents still further, it aims at cutting down the interest of the landlord to what might be called below economic levels. Secondly, by providing that on and with effect from a certain date, all the tenants will be deemed to have purchased the lands under their personal cultivation, it seeks to overcome inertia and to set in motion the necessary process of transfer of all agricultural lands into the hands of the cultivators. Strategically, this seems to be essentially a sound policy. It is necessary that in practice also the two aspects will be implemented as an integrated whole and not as two disjointed pieces. Otherwise there is a danger of regarding the provisions of protection and of regulation of rent as of only secondary importance in relation to the operation of the more resounding 'deemed to have purchased' clause; this would be natural because if the 'deemed to have purchased' clause succeeded, regulation of rent as also protection of tenant would both appear as either redundant or of only minor importance as they would concern only a small section of the peasantry. It will be natural therefore if, under the burden of implementing the 'deemed to have purchased' clause, the implementation of the clauses relating to the protection of tenant and the regulation of rent are somewhat neglected. Such a neglect may however make the implementation of the 'deemed to have purchased' clause itself more difficult. It is only through a firm enforcement of the clauses relating to protection of tenant and regulation of rent that the landlords may be induced to sell their lands or at least not create difficulties in the way of the implementation of the 'deemed to have purchased' clause.

12.3 On the other hand it is important to realise that if for one reason or another, the 'deemed to have purchased' clause fails to take effect or if its effective implementation is delayed beyond a limit, all tenants will be reduced to the status of one year tenants enjoying an option to purchase or to quit, and that therefore the provisions of protection will become null and void. If protection clauses fail, the regulation of rent will also become all the more difficult. It is obvious therefore that the two aspects, namely, cutting down the interest of the landlord and the transfer of lands hang together.

12.4 From this point of view, the failure to implement the earlier provisions of regulating rent deserves closer administrative attention. For, the new amendment requires a much more drastic reduction in the rents. The maximum rent is now defined to be five times the assessment or Rs. 20 per acre whichever is less but in no case less than two times the assessment. There is a further blanket provision that in no year the aggregate of the land revenue, local cess and the rent must exceed one-sixth of the value of the crop and the excess, if any, is to be deducted from the rent payable. Even if we leave aside this blanket maximum, the cash rents as prescribed above

are likely to be very much below the prevailing cash rents. In Table No. 12.1, we give a classification of the cases of cash rents in our sample according to the prevailing rent as a multiple of the maximum rent prescribed by the amended provisions. In Table No. 12.2, we give the corresponding classification of the area of the plots concerned. It will be seen that it is only in the case of about 18 per cent of the area, that the prevailing rent does not exceed the maximum prescribed by the amendment. In the case of about 24 per cent of the area, the prevailing rent is more than the prescribed but not more than two times the prescribed rent. In another 21 per cent it is between 2 and 3 times the maximum prescribed by the amendment. In the remaining nearly 35 per cent of the area, the prevailing rent is more than 3 times the prescribed maximum. Hence in these cases the cash rents will have to be brought down to less than one-third of the prevailing rents. In the case of more than half of this area the prevailing rents are in fact more than five times the prescribed maximum rents. Presumably much of this area is either irrigated or enjoys certain other advantages. The amendment prescribing the maximum rents does not seem to make any allowance for such advantages and may require certain revision or adjustment.

12.5 The same is true of the prevailing share rents. The new amendment seeks to abolish the share rents. As we have seen, 63.5 per cent of the tenant-cultivated area is at present share rented. The abolition of share renting will therefore be an extensive operation. Moreover the new level of rents will be considerably below the prevailing rents. As we have seen, nearly 80 per cent of the share rented area is rented for half share and a small fraction is rented for even larger shares. The new amendment prescribes that the aggregate of the rent, revenue and local cess will not exceed one-sixth of the value of the crop. This means that the rent is to be somewhere below one-sixth of the crop. Thus in the majority of the cases of share renting, the rents will be reduced to less than one-third of the prevailing levels. It will thus be appreciated that the reductions required in the prevailing rents are quite considerable and will need special effort for effective enforcement.

12.6 There are a large number of legal preliminaries to undergo before the implementation of the 'deemed to have purchased' clause begins. They will naturally take some time. In the meanwhile, the regulation of rent must be immediately and firmly enforced. That alone will create conditions necessary for a smooth implementation of the 'deemed to have purchased' clause. Otherwise there is some danger of the tenants being induced to refuse to purchase the lands under their cultivation. Any large scale refusal on the part of the

TABLE No. 122.

*Percentage distribution of the cash rented area according to the actual rent as a multiple of the prescribed maximum rent.*

District	Total area (Acres)	Actual rent as multiple of prescribed maximum						Unspecified
		-1	-2	-3	-4	-5	More than 5	
West Khandesh	282	50.4	27.9	9.1	4.8	2.1	1.9	3.8
East Khandesh	193	12.9	23.3	20.0	11.6	18.6	13.3	0.8
Nasik	48	12.8	22.5	26.9	19.8	3.4	13.5	1.1
Thana	60	46.1	22.3	0.8	1.2	4.5	19.0	6.1
Kolaba	6	9.1	63.6	21.8	—	—	5.5	—
Poona	69	—	19.2	1.7	0.9	—	77.6	0.6
Ahmednagar	98	—	2.4	10.8	—	10.0	76.8	—
Sholapur	214	—	29.8	44.7	21.3	—	4.1	0.1
North Satara	18	29.4	2.3	22.6	11.3	2.8	28.2	3.4
South Satara	76	15.2	18.6	48.0	3.3	6.9	12.9	0.1
Kolhapur	66	1.4	1.7	29.2	20.2	—	42.2	5.3
Bijapur	640	14.3	18.0	14.2	18.6	14.9	18.3	1.7
Belgaum	444	29.9	31.6	19.6	1.7	3.2	18.6	0.4
Dharwar	455	14.0	30.0	30.9	8.2	8.3	8.0	0.1
Total	2615	18.4	23.9	21.3	10.4	8.0	16.3	1.2

CONCLUDING REMARKS

TABLE No. 12.1.

*Cases of cash renting distributed according to the actual rent as a multiple of the prescribed maximum rent.*

District	Total No. of cases	Actual rent as multiple of prescribed maximum					More than 5	Unspecified
		—1	—2	—3	—4	—5		
West Khandesh	60	25	18	6	2	1	3	1
East Khandesh	75	8	22	12	12	8	12	1
Nasik	18	1	1	1	3	2	4	1
Thana	30	8	7	1	2	2	9	1
Kolaba	5	1	2	1	—	—	1	—
Poona	19	—	3	2	1	—	12	1
Ahmednagar	28	—	2	2	—	4	20	—
Sholapur	28	—	3	12	5	—	6	2
North Satara	12	3	1	2	1	1	3	1
South Satara	24	3	5	4	3	3	5	1
Kolhapur	41	2	2	8	6	—	20	3
Bijapur	85	8	17	11	9	8	27	5
Belgaum	65	10	16	11	4	4	18	2
Dharwar	72	14	20	12	7	8	10	1
Total	547	83	114	84	55	41	150	20

tenants will greatly impede the implementation of the 'deemed to have purchased' clause and may lead to the most undesired consequences. Further, even if the tenants initially agree to make the purchase, they will be making the payment of the instalments of the price over a period of more than ten years. They could be induced to make the purchase ineffective at any time during this long period and if a large number of purchases thus become ineffective, it may lead to all manner of complications in the situation. Underlying the failure to implement the provisions of the original Act, lies the basic fact that a majority of the landlords possess over their tenants an amount of social and political power. That they are willing to exercise such power to guard their economic interests is obvious from the large number of voluntary resignations induced from the tenants since the passing of the original Act. A successful implementation of any comprehensive land reform will depend upon a clear recognition of this fact.

12.7 Ideally speaking, for a successful implementation of the transfer of agricultural lands into the hands of the cultivators, the landlord must be put out of the picture as early as possible. This can only be done by paying him off in lump sum and assuming directly all responsibility of recovery of the instalments. Under the amendment, the Government does in fact assume the responsibility of recovering these instalments; in fact it is provided that arrears of instalments will be recovered as arrears of land revenue. This is satisfactory as far as it goes but in case of default in the payment of instalments, the purchase becomes ineffective, and the land reverts, it should be noted, to the landlord and not to the Government. Hence, in order to ensure that in practice no arrears of instalments will accumulate and no purchase will be declared ineffective on account of such arrears, it will be necessary to organise the necessary finance and credit through appropriate co-operative agencies.

12.8 It is obvious that in any case it will be impossible to pay off the landlords in a single instalment and that therefore payment will have to be spread over several instalments. From this standpoint it is important to note that the annual instalment which the tenant will have to pay over a period of 10 years is not likely to be much more than the rent he is currently paying. Thus, under the amendment, the maximum rent is fixed at five times the assessment which as we have seen is about half the current rent the tenant is actually paying for an average soil. On the other hand, the sale price is to be between 50 to 200 times the assessment plus the value of improvements. For an average soil, let us suppose that the sale price will be about 100 times the assessment. This means that for an average soil, the sale price will be about 20 times the maximum

rent payable under the new amendment or about 10 times the actual rent being paid today. If this is spread over a period of ten years, the annual instalment of price will be just about the rent the tenant is currently paying.

12.9 For better lands, the sale price will of course be higher, say 200 or even 300 times the assessment; that is to say, the sale price may be 40 or even 60 times the maximum prescribed rent. But, as we have seen, for these lands, the currently prevailing rent is also more than four or even five times the prescribed maximum. Hence even in respect of these better lands, the sale price so determined will not be greatly in excess of say 10 or 12 times the current rent and hence the annual instalment will not be much more than the current rent. The net result of this operation will therefore be that the tenant will continue to pay more or less the same rent as he is paying today but that it will be called an instalment of price and not rent and after he has paid these regularly for a period of ten or twelve years, he will acquire the full ownership of the land.

12.10 The amendment prescribes that the prices will be between 50 and 200 times the assessment plus the value of improvements made by the landlord. There is thus a wide margin within which the Tribunals may fix the price. Certain working rules will therefore be necessary for the guidance of the Tribunals. It will greatly facilitate the operation if wherever possible the above relation between the current rent and the instalment of price is made an operative basis for the determination of price. Wherever the rents currently being paid and received are not in dispute, the Tribunals may find it a very convenient rule. The tenants may also find it the most easy to comprehend. It certainly may be used for a popular exposition of the operation of the 'deemed to have purchased' clause so that the tenants may not be misled by interested advice.

12.11 As pointed out earlier, organisation of appropriate and adequate finance will be necessary to facilitate the payment of instalments of price. For a successful implementation of the transfer of agricultural lands into the hands of the tiller, finance and credit will be needed for yet another and more fundamental reason. In the analysis of the cases of resumption and of change of tenants, it became clear that in a majority of these cases, the reason for the termination of tenancies was voluntary surrender or resignation by the evicted tenants. While discussing the nature of these cases, we suggested that, in large part, such voluntary resignations could have been under duress. The new legislation might be able to check to a certain extent such pressures acting upon the tenants and thus might be able to reduce the extent of such induced resigna-



tions. But the analysis of the cases of voluntary resignations also brought to notice a substantial number where the resignation or surrender could indeed be regarded as genuinely voluntary. Of particular interest among these cases are those where the tenants surrendered the land because they said they were short of plough cattle. Such cases accounted for nearly 10 per cent of the area on which tenants were changed and about 2 per cent of the area which was resumed by the landlords. These cases, though not very extensive, point out to the moral that for a stable rehabilitation of the tenants on lands under their cultivation, something more than a mere granting of a legal title will be necessary. The need for more positive assistance will be paramount in those cases where, for one reason or another, lands will revert to Government and will be available for disposal by sale. Under the provisions of the Act, for the purpose of disposing of such lands, a high priority is rightly accorded to landless labour families. But to be effective in practice, such priority will have to be supported by finance and credit to enable the landless families to buy the land, to buy the necessary equipment and to bring and maintain the land under plough for an initial period of a few years.

12.12 The new legislation will be a great stride forward if it is successfully implemented; equally, its failure may lead to near chaos or disaster. The failure of earlier legislation is a warning that it will need more comprehensive supporting measures and greater administrative effort if this is to be avoided.

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